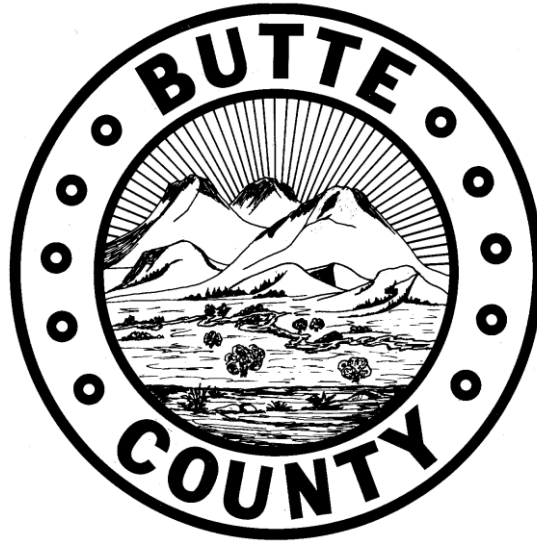


BUTTE COUNTY BOARD OF SUPERVISORS
AGENDA
February 8, 2011



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

9:00 A.M.

1.00 CALL TO ORDER

- 1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
- 1.02 Pledge of Allegiance to the Flag of the United States of America.
- 1.03 Observation of a Moment of Silence.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

BEHAVIORAL
HEALTH

- 3.01** * 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.
- 3.02** * 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.

BOARD OF
SUPERVISORS

- 3.03** * 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)

CHIEF
ADMINISTRATIVE
OFFICE

- 3.04** * Approval of Minutes - submitted are minutes of January 11, 2011 - action requested – APPROVE MINUTES.

DEVELOPMENT
SERVICES

- 3.05 * 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.

EMPLOYMENT AND
SOCIAL SERVICES

- 3.06 * 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.
- 3.07 * 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.
- 3.08 * 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.

FIRE

- 3.09 * 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.

GENERAL
SERVICES

- 3.10 * 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.

- 3.11 * 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.

HUMANRESOURCES

- 3.12 * 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.

- 3.13 * 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.

PUBLICHEALTH

- 3.14 * 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.

PUBLICWORKS

- 3.15 * 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.

**SHERIFF-
CORONER**

- 3.16** * 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).

**OTHER
DEPARTMENTS
AND AGENCIES**

- 3.17** * Resolution Recognizing February 2011 as National Teen Dating Violence Awareness and Prevention Month – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.18** * 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.

4.00 REGULAR AGENDA

**BOARDS,
COMMISSIONS AND
COMMITTEES**

- 4.01** * Boards, Commissions and Committees
 1. Appointments to Listed Vacancies
 2. Board Member or Committee Reports

**BUDGET,
LEGISLATIVE
OR COUNTY RELATED
UPDATES**

- 4.02 Update of Current Budget and Legislative Issues by the Chief Administrative Officer.
- 4.03 Update of General Plan 2030 Process by Director of Development Services
- 4.04** * Update Regarding Upcoming Butte County Code Amendments by Director of Development Services.
- 4.05** * 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)

4.06 Items Removed from the Consent Agenda for Board Consideration and Action.

5.00 PUBLIC HEARINGS AND TIMED ITEMS

- 9:45 A.M. **5.01** * 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)
- 10:15 A.M. **5.02** * 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)
- 10:30 A.M. **5.03** * 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)
- 10:40 A.M. **5.04** * 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)

6.00

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.

Recess as the Butte County Board of Supervisors and convene as the Butte County Public Facilities Financing Corporation Board of Directors.

PUBLIC FACILITIES FINANCING CORPORATION
BOARD OF DIRECTORS
AGENDA
FEBRUARY 8, 2011

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

2.00 **CONSENT AGENDA**

2.01 * Approval of Minutes – action requested – APPROVE MINUTES OF FEBRUARY 23, 2010. (Supervisor Wahl to abstain from vote)

2.02 * 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.

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

ADJOURNMENT

Adjourn as the Public Facilities Financing Corporation and convene as the Thompson Flat Cemetery District Board of Trustees.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
AGENDA
FEBRUARY 8, 2011

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

2.00 **REGULAR AGENDA**

2.01 * **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.

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

ADJOURNMENT

Adjourn as the Thompson Flat Cemetery District Board of Directors and reconvene as the Butte County Board of Supervisors.

7.00 CLOSED SESSION

- 7.01 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.

- 7.02 CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
PROPERTY: APN 005-421-033
AGENCY NEGOTIATOR: GRANT HUNSICKER
NEGOTIATING PARTY: MICHAEL WEISSENBORN, CHICO UNIFIED SCHOOL DISTRICT

NEGOTIATIONS: TERMS OF CONVEYANCE

- 7.03 ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a) – TWO CASES:
 1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); AND
 2. CALIFORNIA SPORTFISHING PROTECTION ALLIANCE V COUNTY OF BUTTE;
 USDC-EASTERN DISTRICT CASE NO. 10-03203.

- 7.04 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(b)(1) – ONE POTENTIAL CASE

- 7.05 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

**Information and Procedures Concerning the Agenda and Conduct of
the Board of Supervisors Meetings**

Meeting Information:

Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or at the Clerk of the Board website at www.buttecounty.net/cob.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and Meeting Order:

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. **Consent Agenda:** these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. **Regular Agenda:** this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. **Public Hearing and Timed Items:** this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. **Public Comment:** this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. **Closed Session:** the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the:

Clerk of the Board of Supervisors
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530-538-7631
www.buttecounty.net/cob