

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

March 15, 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.
 - 1.04 **CORRECTIONS AND/OR CHANGES TO THE AGENDA.**
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3.00 CONSENT AGENDA

BEHAVIORAL

HEALTH

- 3.01 *** Housing Authority of the County of Butte (HACB) - amendment to the agreement with HACB for housing assistance payments and/or deposits to landlords who rent housing to consumers participating in the Behavioral Health Homeless Mentally Ill Program. The amendment adds funding for the Mobile Transition Age Youth (TAY) and the Support, Employment, Assistance, Recovery and Consumer Housing (SEARCH South) programs and increases the maximum amount payable by \$19,990 (department budget utilizing MHSA funds and HUD grant) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.02 *** Resolution Authorizing Director of Behavioral Health to Sign Amendments to the Agreement with State of California Department of Rehabilitation (DOR) – On March 24, 2009, the Board approved a resolution authorizing then Interim Director, Ed Walker to sign the DOR agreement and any subsequent amendments to the agreement. DOR is requiring a new resolution granting signatory authority to Anne Robin who was appointed to the position on May 25, 2010 – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.03 *** Youth for Change - amendment to the agreement with Youth for Change for services related to the Living Insight, New Knowledge (LINK) program which assists homeless youth. The amendment increases the maximum amount payable by \$39,995.80 (department budget utilizing MHSA, 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.

- 3.04** * Thomas Lancaster, M.D. - amendment to the agreement with Thomas Lancaster, M.D. for psychiatry services at the Butte County Department of Behavioral Health Psychiatric Health Facility. The amendment increases the maximum amount payable by \$53,650 (department budget utilizing 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.
- 3.05** * CHW Medical Foundation - agreement with CHW Medical Foundation for inpatient psychiatric hospitalization services. The term of the agreement is from the date of execution through June 30, 2011. Under this agreement, approximately 14 clients will be served. Butte County Realignment funding will be directly offset by the California State Department of Mental Health for hospital claims as they are processed - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06** * Farrell Design Group - amendment to the agreement with Farrell Design Group for the design, production, and printing of a services directory. The directory will describe and illustrate services offered by Butte County Department of Behavioral Health. The amendment extends the term of the agreement through June 30, 2011 and decreases the maximum amount payable by \$17,790.77 (department budget utilizing MHPSA funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07** * Department of Housing and Urban Development (HUD) – revenue agreement with HUD for the Permanent Housing Bonus Project. Funds from the grant will be used to lease three units of permanent housing for unaccompanied, chronically homeless adults with mental health disabilities to enable them to live as independently as possible. The term of the agreement is February 14, 2011 through February 13, 2013 with a maximum amount receivable of \$51,786 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.08** * Department of Housing and Urban Development (HUD) – revenue agreement with HUD for the Supportive Housing Program. Funds from the grant will be used to lease five units of housing for unaccompanied, homeless adults with mental health disabilities to assist them from homelessness to permanent housing and to enable them to live as independently as possible. The term of the agreement is February 14, 2011 through February 13, 2013 with a maximum amount receivable of \$86,310 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.09** Butte County Library Advisory Board – action requested – APPOINT CAROLYN DRISCOLL TO A TERM TO END DECEMBER 31, 2014. (Chair Lambert)

CHIEFADMINISTRATIVE
OFFICE

- 3.10** * Butte County Emergency Operations Plan (EOP) – submitted is the Butte County EOP which establishes the County’s planned response to extraordinary emergency situations associated with natural disasters, technological incidents and national security emergencies. The EOP was presented to the Butte County Disaster Council on February 23, 2011 and was unanimously approved – action requested – ADOPT THE BUTTE COUNTY EMERGENCY OPERATIONS PLAN AND AUTHORIZE THE CHAIR TO SIGN THE LETTER OF PROMULGATION.
- 3.11** * Robert Marshall - agreement with Robert Marshall for public defender services to replace a member who has given the required notice to leave the public defender consortium. The term of the agreement is March 1, 2011 through December 31, 2011. This action does not have a budgetary impact - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.12** * Butte County Superior Court - agreement with Butte County Superior Court to fund the Alternate Dispute Resolution Program. The term of the agreement is January 1, 2011 through December 31, 2011 with a maximum amount payable of \$24,300 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.13** * Approval of Minutes - submitted are the minutes of February 22, 2011 – action requested – APPROVE MINUTES.

CLERK-RECORDER/
ELECTIONS

- 3.14** * Special Municipal Election – City of Chico – On March 1, 2011 the City of Chico adopted a resolution calling for a special municipal election to be held on June 7, 2011. The resolution requests the Board approve consolidation of the special municipal election should the Governor call for a special statewide election to be held. The cost of the election will be paid by the City of Chico – action requested – APPROVE REQUEST BY CITY OF CHICO AUTHORIZING THE CLERK-RECORDER/REGISTRAR OF VOTERS TO CONDUCT A SPECIAL MUNICIPAL ELECTION ON JUNE 7, 2011. IN THE EVENT A STATEWIDE ELECTION IS CALLED FOR JUNE 7, 2011, APPROVE CONSOLIDATION OF ELECTION IN THE SAME MANNER AS THE SPECIAL STATEWIDE ELECTION.

EMPLOYMENT AND
SOCIAL SERVICES

- 3.15** * Resolution Recognizing March 2011 as Social Work Month in Butte County – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.16** * Fixed Asset Vehicle Purchase – the department requests approval to purchase four vehicles to replace four existing vehicles that have high mileage and ongoing maintenance issues. The cost of the replacement vehicles is estimated not to exceed \$88,000. Funds are available within the department’s current year budget for the purchases – action requested – APPROVE THE FIXED ASSET PURCHASE OF FOUR VEHICLES; AND APPROVE RELATED BUDGET ADJUSTMENT.

HUMAN
RESOURCES

- 3.17** * Employee Relations, Inc. - amendment to the agreement with Employee Relations, Inc. for background check services for new employees. The amendment extends the term of the agreement through October 31, 2012 with a maximum annual payment of \$10,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.18** * Advanced Step Hire – Payroll Supervisor, Human Resources – Pursuant to Personnel Rule 11.13, the department requests approval of the advanced step hire of Yvette McMillan at step 3 of the salary range for the Payroll Supervisor position as her qualifications exceed the minimum standard for the position – action requested – APPROVE ADVANCED STEP HIRE OF YVETTE MCMILLAN TO STEP 3 OF THE SALARY RANGE.
- 3.19** * Resolution to Amend the Salary Ordinance – The resolution will amend the salary ordinance as follows:

ADMINISTRATION - requests to delete one vacant position of Financial Technician, Senior/Financial Technician. This change will decrease the total allocations in the department from 27 to 26.

PUBLIC WORKS - requests to delete one vacant position of Accounting Specialist/Account Clerk, Senior/Account Clerk and add one position of Accountant, Senior/Accountant. This change in allocation will better meet the current and future needs in the department. This leaves the total allocations in the department unchanged at 105.

PUBLIC HEALTH - requests to delete one vacant position of Administrative Assistant and add one position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate. Due to restructuring and shifting of duties within the department, the Administrative Analyst position will more closely reflect needs of the department. Any increase in cost for the higher level position will be absorbed by department salary savings for the remainder of the fiscal year. The ongoing salary and benefits for this position will be covered by grant funding. In addition, the department requests to extend the sunset date for the following five positions to June 30, 2012: one position of Butte County Children and Families Commission, Director; three positions of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; and one position of Administrative Assistant, Senior/Administrative Assistant. These changes will leave the total allocation in the department unchanged at 160.25.

HUMAN RESOURCES - Effective January 3, 2011, the Auditor-Controller and Clerk-Recorder were elected to another term in office. Resolution 09-170 titled, Salary and Benefits for Butte County Elected Officials states that, "...in lieu of leave accrual, salary is augmented two percent for each previous term or portion thereof, served in office by the respective elected official." In addition, Resolution 10-080 titled, Salary and Benefits for Non-Represented Classifications states, "The top step of an assistant department head salary shall be set at the range that is

closest to either a differential of twenty percent for single assistant department heads or a differential of twenty-five percent (25%) for multiple assistant department heads below the actual salary of the respective department head.” Based on the language above from these resolutions, the Human Resources Department is requesting that the salaries for the following classifications that are linked to Elected Department Head salaries be adjusted effective January 3, 2011: Assistant Auditor-Controller, Assistant County Clerk-Recorder, Assistant County Clerk-Registrar of Voters.

DISTRICT ATTORNEY - requests a current sunset position of Office Assistant be converted to a regular help full time position with no sunset date and flexibly staffed to include Office Specialist, Senior/Office Specialist. This position has been funded by the department’s budget since FY 08/09 when the grant funding was eliminated and will continue to be funded in FY 11/12. This change will leave the total allocations in the department unchanged at 81.5 – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**PUBLIC
WORKS**

- 3.20** * Response to Letter from State Parks and Recreation Regarding Habitat Restoration on the Singh Unit of the Bidwell-Sacramento River State Park – The Central Valley Flood Protection Board is requiring the State Department of Parks and Recreation to request a letter of endorsement from Butte County for the Riparian Habitat Restoration on the Singh Unit of the Bidwell-Sacramento River State Park. Staff recommends the Board approve a letter that does not endorse the proposed project – action requested – APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

**TREASURER/
TAX COLLECTOR**

- 3.21** * Monthly Investment Report – submitted is the Monthly Investment Report dated January 31, 2011, in accordance with the Statement of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION.

4.00 **REGULAR AGENDA**

**BOARDS,
COMMISSIONS AND
COMMITTEES**

- 4.01 Boards, Commissions and Committees
 1. Sacramento River Conservation Area Forum (SRCAF) – At the February 22, 2011 Board of Supervisors meeting, Chair Lambert and Supervisor Wahl each submitted nominees for landowner representative. Each nominee will submit a letter of interest for the position. The position of alternate landowner nominee is currently vacant as well – action requested – APPOINT LANDOWNER REPRESENTATIVE AND AN ALTERNATE LANDOWNER REPRESENTATIVE TO TERMS TO END DECEMBER 31, 2013.
 - * 2. Appointments to Listed Vacancies
 3. Board Member or Committee Reports

BUDGET, LEGISLATIVE
OR COUNTY RELATEDUPDATES

4.02 Update of Current Budget and Legislative Issues by the Chief Administrative Officer.

4.03 * Update Regarding Upcoming Butte County Code Amendments by Director of Development Services.

PRESENTATION
AND DISCUSSIONITEMS

4.04 * Governmental Accounting Standard Board - Statement 54 (GASB 54) – The Auditor-Controller will provide a report on GASB 54 and the expanded fund balance reporting and reclassifications that will be required for Fiscal Year 2010/2011 financial reporting statements. Authorization is requested to transfer certain special revenue funds to the General Fund as they do not meet the definition of a special revenue fund under GASB 54 – action requested – EFFECTIVE JULY 1, 2011, AUTHORIZE THE TRANSFER OF WATER F-0080, FIRE F-0100, AND LIBRARY F-0110 FUNDS TO THE GENERAL FUND AS THEY DO NOT MEET THE DEFINITION OF A SPECIAL REVENUE FUND. (Auditor-Controller)

4.05 * Redistricting Process – 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 – action requested – ADOPT TIMELINE FOR REDISTRICTING PROCESS; APPOINT TECHNICAL ADVISORY COMMITTEE; AND SET PUBLIC HEARING ON APRIL 12, 2011 TO SET CRITERIA FOR DEVELOPMENT OF NEW SUPERVISORIAL DISTRICT BOUNDARIES. (Administration and Clerk-Recorder)

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** * Timed Item - Implementation of the Economic and Community Development Unit - On January 25, 2011, the Board of Supervisors approved the Butte County Regional Economic Development Strategy and approved the creation of an economic and community development unit in the Administration Department subject to further information being provided to the Board for consideration. Board discussion surrounding the creation of a new unit indicated a preference that certain functions be done by staff instead of consultants, that more detail be provided to the Board, and that new General Fund resources be minimal. Staff will provide further detail including roles and responsibilities, and anticipated costs and funding sources. There is no new funding requested for the current fiscal year. It is anticipated that the on-going reliance on new General Fund resources will be limited to approximately \$30,000 per year – action requested - APPROVE IMPLEMENTATION OF THE ECONOMIC AND COMMUNITY DEVELOPMENT UNIT. (Administration)
- 9:55 A.M. **5.02** * Timed Item - Economic Development Proposal and Funding Request from the Butte Economic Development Corporation (EDC) - The Butte County Economic Development Corporation (EDC) has submitted a letter of support for the County's Economic Development Strategy and implementation of an Economic and Community Development Unit, as well as a proposal to be a private partner to the County's public work plan and strategy. The Butte EDC requests \$25,000 in funding in the current fiscal year, and indicates it will return to the County with a \$30,000 request in Fiscal Year 2011/2012 and a \$55,000 request in fiscal year 2012-13. If the Board of Supervisors directs staff to work with the EDC on a partnership, staff will return to the Board of Supervisors at the first meeting in April with an agreement between the County and the EDC and the necessary budget transfer from the General Fund Appropriation for Contingencies – action requested - ACCEPT AS INFORMATION AND PROVIDE DIRECTION TO STAFF. (Butte County EDC)
- 1:00 P.M. **5.03** * Timed Item – Residential Sprinklers Demonstration – The Home Fire Sprinkler Coalition awarded the department a \$1,000 grant to demonstrate the capabilities of residential fire sprinklers. Residential fire sprinklers are required by the California Residential Code as of January 1, 2011. The demonstration will be conducted in vacant lot east of the parking lot above County Center Drive in Oroville and will involve setting fire to two small rooms constructed specifically for this purpose – action requested – ATTEND DEMONSTRATION. (Fire)

- 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.
- 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) – THREE CASES:
1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BEC v. COUNTY OF BUTTE; BUTTE SUPERIOR COURT CASE NO. 152362;
3. 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

**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