

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

May 10, 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.**

3.00 CONSENT AGENDA

AGRICULTURE

- 3.01 *** California Department of Food and Agriculture (CDFA) – revenue agreement with CDFA for the placement and servicing of traps for the detection of exotic pests that are considered hazardous to agriculture. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount receivable of \$70,024 – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.02 *** California Department of Food and Agriculture (CDFA) – revenue agreement with CDFA for a detection survey program to determine the presence of Asian Citrus Psyllid in Butte County. The term of the agreement is October 1, 2010 to September 30, 2011 with a maximum amount receivable of \$45,524 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BEHAVIORAL

HEALTH

- 3.03 *** Willow Glen Care Center - amendment to the agreement with Willow Glen Care Center for residential care for chronically mentally ill elderly and adults. The amendment decreases the maximum amount payable by \$255,254 (department budget utilizing realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.04 *** Michael Hitchko, Ph.D. - amendment to the agreement with Michael Hitchko, Ph.D. for psychological services for Butte County Department of Behavioral Health clients. The amendment increases the maximum amount payable by \$15,375 (department budget utilizing realignment, Medi-Cal, and grant funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.05** * Budget Adjustment – request for a budget adjustment to move funds from existing appropriations to the fixed assets account. In 2007, the Board approved an agreement with Netsmart Technology to implement billing software, consulting support, and software maintenance. While sufficient appropriations exist in the department budget to pay Netsmart Technology for the services performed for the current fiscal year, a budget adjustment is needed to move appropriations to the fixed asset account before payments can be made – action requested – APPROVE BUDGET ADJUSTMENT AS DETAILED IN THE AGENDA REPORT.

CHIEFADMINISTRATIVE
OFFICE

- 3.06** * Resolution Regarding the Butte County Deferred Compensation Program and Trust – resolution which will clarify the structure and status of the Butte County Deferred Compensation Program and Trust and consolidate the two committees currently responsible for oversight - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.07** * Resolution Authorizing the Application for Statewide Park Program Grant Funds (Proposition 84) – resolution that authorizes the submittal of an application for Proposition 84 funding for the Oroville Veterans Memorial Park for All of Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.08** * Approval of Minutes – submitted are the minutes for April 12, 2011 – action requested – APPROVE MINUTES.

CLERK-RECORDER/REGISTRAR
OF VOTERS

- 3.09** * PFA, Inc. - agreement with PFA, Inc. for the continuation of digitizing vital records. The term begins upon execution of the agreement by the County with a maximum amount payable of \$150,000 (offset by restricted cash) - 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. (4/5 vote required)

EMPLOYMENT AND
SOCIAL SERVICES

- 3.10** * Northern Valley Catholic Social Services - amendment to the agreement with Northern Valley Catholic Social Services for Cal-Learn Program Case Management Services. The amendment increases the maximum amount payable by \$20,245 (department budget utilizing State funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.11** * Resolution Recognizing May 2011 as Foster Care Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.12 * Accept Donation – Vision Service Plan and North Valley Eye Care has donated 75 gift certificates in the amount of \$200 each for eye care and eyewear for underserved children in Butte County – action requested – ACCEPT DONATION AND AUTHORIZE LETTERS OF APPRECIATION.

3.13 * Butte County Department of Behavioral Health (BCDBH) - amendment to the agreement with BCDBH for alcohol, drug, mental health and domestic abuse treatment services for CalWORKs participants. The amendment increases the maximum amount payable by \$200,000 (department budget utilizing MHA funds) - 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 (4/5 vote required).

GENERAL
SERVICES

3.14 * T.W. DuFour and Associates – lease agreement with T.W. DuFour and Associates for the 1,650 square foot office space located at 500 Cohasset, Suite 25, in Chico. Butte County Department of Behavioral Health operates the Quality Management & Compliance Program from this location. The term of the lease agreement is June 1, 2011 through August 31, 2015 with a monthly lease payment of \$1,468.50 (\$0.89 per square foot) – action requested – APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.15 * Griffith Architects, Inc. - agreement with Griffith Architects, Inc. for the remodel of the Public Health Lab to improve compliance with the Americans with Disabilities Act (ADA) and to modernize testing equipment. The term is 365 calendar days from the date the County executes the agreement and has a maximum amount payable of \$46,011 (capital project fund) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.16 * Gridley Veterans Memorial Hall Committee – action requested – AT HIS REQUEST, APPOINT JOE A. TERUEL AS CITIZEN DELEGATE TO A TERM TO END JUNE 30, 2011.

HUMAN
RESOURCES

3.17 * Managed Health Network (MHN) - amendment to the agreement with MHN, the provider of the Butte County Employee Assistance Program. The amendment extends the term of the agreement through June, 30 2011. All other terms and conditions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.18** * Resolution to Amend the Salary Ordinance – The resolution will amend the salary ordinance as follows:

HUMAN RESOURCES (HR) - On January 1, 2011, HR received a request from the Butte County Correctional Officers Association (BCCOA) to modify the structure of the two bargaining units which BCCOA represents. Requests can be submitted by employee organizations for modification of established units during the month of January. After reviewing the petition, the job classifications in both of the units proposed to be modified, and other like structures within Butte County, HR agreed that the Correctional Sergeants are more appropriately aligned with the community of interests of the job classifications contained in the BCCOA-General Unit. This change took effect March 1, 2011.

In order to reflect this change, HR requests to delete the Correctional Sergeant classification from Section 57b and add it to Section 57a. The above changes leave the total County allocations unchanged and have no financial impact on the County's General Fund – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

- 3.19** * Butte County Library Advisory Board – action requested – AT THEIR REQUEST, REAPPOINT SALLY MCNALL AND RUTHMARIE FARRIS TO TERMS TO END DECEMBER 31, 2014.

- 3.20** * Unique Management Services - amendment to the agreement with Unique Management Services for the collection of delinquent library accounts. The amendment increases the maximum amount payable by \$29,500 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

**PUBLIC
HEALTH**

- 3.21** * Accept Unanticipated Revenue and Fixed Asset Purchases – approval is requested to accept \$275,320 in grant funds from the Centers for Disease Control Public Health Emergency Preparedness Grant and Hospital Preparedness Program. These funds will be used to purchase hardware and software systems, equipment, and supplies that will enhance emergency preparedness and response efforts in Butte County. A total of \$173,195 is requested to be used to purchase equipment and supplies. The remainder of the funding will be used to increase interoperable communications between the Public Health Department and countywide healthcare partners to build countywide surge capacity. Approval is also requested to donate one portable shelter to Feather River Hospital for use during emergency incidents requiring mass evacuations or clinics – action requested – ACCEPT UNANTICIPATED REVENUE IN THE AMOUNT OF \$275,320; APPROVE FIXED ASSET PURCHASES IN THE AMOUNT OF \$173,195; APPROVE DONATION AND TRANSFER OF OWNERSHIP OF PORTABLE SHELTER; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).

- 3.22** * Resolution Authorizing Grant Application to California Department of Resources and Recycling and Recovery (CalRecycle) – CalRecycle has funds available to support local solid waste landfill permit and inspection programs. The \$18,588 grant will be utilized for staff and operating expenses - action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

SHERIFF-
CORONER

- 3.23** * Resolution Recognizing May 15th, 2011 as Peace Officers’ Memorial Day and the Week of May 13-17, 2011 as Police Week - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.24** * Fixed Asset Purchase and Budget Adjustment – request for the fixed asset purchase of one patrol vehicle. The total cost of the purchase with all necessary equipment to fully outfit the vehicle is \$37,200 (civil vehicle replacement restricted cash account) – action requested – APPROVE THE FIXED ASSET PURCHASE OF ONE PATROL VEHICLE IN THE AMOUNT OF \$37,200; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).

TREASURER/
TAX COLLECTOR

- 3.25** * Introduction of an Ordinance Delegating Investment Authority – Pursuant to Government Code Section 53607, submitted is an ordinance which will delegate investment authority to the Treasurer-Tax Collector for Fiscal Year (FY) 2011/2012. This ordinance will replace Ordinance No. 4022 which expires June 30, 2011 – action requested – WAIVE READING OF ORDINANCE.

- 3.26** * Treasury Compliance Audit – The Butte County Treasury Oversight Committee is required to have an annual compliance audit to ensure County compliance with the California Government Code. Submitted is the Audit Report for FY 2009/2010 – action requested – ACCEPT FOR INFORMATION.

- 3.27** * Monthly Investment Report – submitted is the monthly investment report dated March 31, 2011 in accordance with the State of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION.

- 3.28** * Annual Statement of Investment Policy – submitted is the Annual Statement of Investment Policy which sets forth policies regarding the investment of surplus funds and funds under the custodianship of the Treasurer. The policy has been reviewed and accepted by the Butte County Treasury Oversight Committee and will become effective July 1, 2011 – action requested - APPROVE ANNUAL STATEMENT OF INVESTMENT POLICY.

WATER AND
RESOURCE
CONSERVATION

- 3.29 * Delta Stewardship Council’s (DSC) Delta Plan - The Delta Reform Act of 2009 established that the DSC prepare and complete the Delta Plan (Plan) by January 2012. The Plan is intended to be an enforceable framework to achieve the coequal goals of a reliable water supply for California and to restore the Delta ecosystem. On April 22, 2011, the DSC released the third draft of the Plan which would grant the DSC regulatory oversight over the entire Delta watershed. California State Association of Counties (CSAC), the Regional Council of Rural Counties (RCRC), and the Delta County Coalition are developing a coordinated response to the Plan - action requested – APPROVE THE COORDINATED RESPONSE TO THE DSC AND AUTHORIZE THE CHAIR TO SIGN; DIRECT THE CHIEF ADMINISTRATIVE OFFICER AND THE DIRECTOR OF THE DEPARTMENT OF WATER AND RESOURCE CONSERVATION TO COORDINATE WITH OTHER COUNTIES THROUGH CSAC AND RCRC IN THE DEVELOPMENT OF A COUNTY STRATEGY ON THE DELTA ISSUES.

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 Regarding Upcoming Butte County Code Amendments by Director of Development Services.
- 4.04 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.05 * Fiscal Year 2010/2011 Third Quarter Financial Report – The Third Quarter Financial Report provides economic, expenditure, revenue, cash balances and long-term debts for the first nine months of the fiscal year ending June 30, 2011 – action requested – ACCEPT FOR INFORMATION. (Administration)

5.00 **PUBLIC HEARINGS AND TIMED ITEMS**

- 9:30 A.M. **5.01** * Public Hearing – Itemized Cost of Nuisance Abatement – 2269 A Street, Oroville, APN 035-083-003 (CE09-0151) – This property was abated between December 30, 2010 and January 3, 2011 – action requested – APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$8,269.63; 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)
- 9:35 A.M. **5.02** * Public Hearing - Community Development Block Grant (CDBG) Planning and Technical Assistance (PTA) Grant Application – General Allocation and Economic Development Allocation – request to submit an application for a PTA grant under both the General Allocation and the Economic Development Allocation. The grant funds received under General Allocation would be used for Phase I Development of the Master Plan for urban street improvements in the unincorporated area of South Oroville. The Economic Development Allocation grant funds would be used for a countywide tourism strategy and implementation plan – action requested – APPROVE SUBMISSION OF GRANT APPLICATIONS; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Administration)
- 1:00 P.M. **5.03** * 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. All current district maps and redistricting information have been available on Butte County’s website for public review - action requested - 1) ADOPT RECOMMENDED GUIDELINES FOR PUBLIC WRITTEN SUBMISSION OF REDISTRICTING PLANS; 2) APPROVE CRITERIA FOR DEVELOPMENT OF NEW SUPERVISORIAL DISTRICT BOUNDARIES; AND 3) PROVIDE DIRECTION TO STAFF AND RECEIVE PUBLIC INPUT ON DRAFTING NEW SUPERVISORIAL DISTRICTS. (Clerk-Recorder/Elections)

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
 BCCOA - GENERAL UNIT
 NON-REPRESENTED EMPLOYEES

7.02 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;
3. CALIFORNIA SPORTFISHING PROTECTION ALLIANCE V. COUNTY OF BUTTE; USDC-EASTERN DISTRICT CASE NO 10-03203;
4. LISLE/CARPENTER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 148746

7.03 CONFERENCES WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

PROPERTY: APN 031-070-091
AGENCY NEGOTIATOR: GRANT HUNSICKER
NEGOTIATING PARTY: BILL BROUHARD
NEGOTIATIONS: TERMS OF LEASE

PROPERTY: APN 031-070-090
AGENCY NEGOTIATOR: GRANT HUNSICKER
NEGOTIATING PARTY: BILL BROUHARD
NEGOTIATIONS: TERMS OF LEASE

PROPERTY: APN 031-070-087
AGENCY NEGOTIATOR: GRANT HUNSICKER
NEGOTIATING PARTY: BILL BROUHARD
NEGOTIATIONS: TERMS OF LEASE

PROPERTY: APN 005-570-010
AGENCY NEGOTIATOR: GRANT HUNSICKER
NEGOTIATING PARTY: MARK GERHART
NEGOTIATIONS: TERMS OF LEASE

**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