

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

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

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** * 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 Medical funding) – action requested – APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.02** * 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.
- 3.03** * 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 MHSAs 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.

- 3.04** * 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.
- 3.05** * 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 AND AUTHORIZE THE CHAIR TO SIGN.
- 3.06** * 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).
- 3.07** * 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).
- 3.08** * 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.
- 3.09** * 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)
- 3.10** * 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.

**BOARD
OF SUPERVISORS**

**CHIEF
ADMINISTRATIVE
OFFICE**

- 3.11** * 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.
- 3.12** * 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.
- 3.13** * Resolution Recognizing September 2011 as National Emergency Preparedness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.14** * 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.
- 3.15** * 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.
- CHILD SUPPORT SERVICES** **3.16** * Resolution Recognizing August 2011 as Child Support Awareness Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- DISTRICT ATTORNEY** **3.17** * 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.

- 3.18** * 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).
- 3.19** * 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.
- 3.20** * 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).
- 3.21** * 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.
- FIRE**
- 3.22** * 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.
- GENERAL SERVICES**
- 3.23** * 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.

- 3.24 * 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.

HUMAN**RESOURCES**

- 3.25 * 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 AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

- 3.26** * 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.

PROBATION

- 3.27** * Resolution in Recognition of Chief Probation Officer John Wardell Upon His Retirement from Butte County – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.28** * 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 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT.
- 3.29** * 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.

PUBLICHEALTH

- 3.30** * 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.

PUBLICWORKS

- 3.31** * 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 and County Service Area 169, Zone 1 Pheasant Landing Subdivision – action requested – APPROVE BUDGET ADJUSTMENTS (4/5 vote required).

- 3.32** * 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.

- 3.33** * 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.

SHERIFF-
CORONER

- 3.34** * 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.

- 3.35** * 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).

- 3.36** * 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).

- 3.37** * 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).

**TREASURER/
TAX COLLECTOR**

- 3.38** * 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.

**WATER AND
RESOURCE
CONSERVATION**

- 3.39** * 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)

**OTHER
DEPARTMENTS
AND AGENCIES**

- 3.40** * Resolution Recognizing September 2011 as Prostate Cancer Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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 &
COUNTY RELATED
UPDATES**

- 4.02 Update of Current Budget and Legislative Issues by the Chief Administrative Officer.
- 4.03 Items Removed from the Consent Agenda for Board Consideration and Action.

4.04 * 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)

4.05 * 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)

5.00 PUBLIC HEARINGS AND TIMED ITEMS

9:30 A.M. **5.01** * 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)

10:00 A.M. **5.02** * 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)

- 10:15 A.M. **5.03** * 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)
- 10:30 A.M. **5.04** * 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)
- 11:00 A.M. **5.05** * 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)

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 In-Home Supportive Services Public Authority

BUTTE COUNTY
IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
AGENDA
AUGUST 23, 2011

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

2.00 **CONSENT AND REGULAR AGENDA** (NO ITEMS)

3.00 **PUBLIC COMMENT** (Individual presentations limited to 5 minutes)

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to 5 minutes. Please note that pursuant to California State Law, the Board is prohibited from taking action on any item not listed on the agenda.

4.00 **CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:
LABOR NEGOTIATOR: CATHI GRAMS, JACK HUGHES & BRIAN RING
EMPLOYEE ORGANIZATION: CUHW

ADJOURNMENT

Adjourn as the In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

7.00 CLOSED SESSION

- 7.01 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.

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

- 7.03 CONSULTATION WITH AND INSTRUCTION TO LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6(a):
LABOR NEGOTIATOR: BRIAN RING
EMPLOYEE ORGANIZATION: UNREPRESENTED EMPLOYEES.

**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