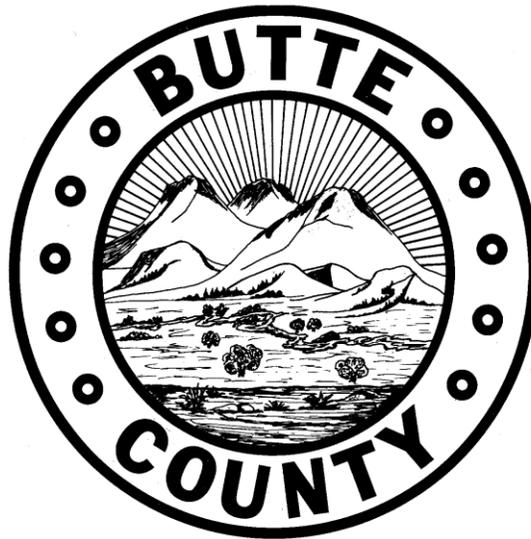


BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

September 27, 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

BEHAVIORAL

HEALTH

- 3.01 *** Tri-County Treatment - amendment to the agreement with Tri-County Treatment for residential services and housing for clients referred by Butte County’s Drug Court Program. The amendment increases the maximum amount payable by \$8,422.60 (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 *** Windsor Healthcare, LLC - amendment to the agreement with Windsor Healthcare, LLC for meals for patients at the Psychiatric Health Facility. The amendment extends the term of the agreement through November 30, 2011 and increases the maximum amount payable by \$12,096 (department budget utilizing State Managed Care revenue) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03 *** Netsmart Technologies, Inc. (NTST) - amendment to the agreement with NTST for Electronic Medical Record software, maintenance and support. The department also requests approval for a fixed asset purchase of electronic signature pads in order to convert to fully electronic health records. The amendment increases the maximum amount payable by \$46,196 (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; AND APPROVE FIXED ASSET PURCHASE AND RELATED BUDGET ADJUSTMENT.
- 3.04 *** Gary Bess Associates - amendment to the agreement with Gary Bess Associates for consultation and evaluation services related to the Youth Early Intervention Task Force. The amendment extends the term of the agreement through December 31, 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.

BOARD OF
SUPERVISORS

- 3.05 * Appointment to Butte County Resource Conservation District (RCD) – Supervisor Kirk nominates Colleen Hatfield to fill the vacant position of District 3 Director on RCD. The term will end January 5, 2015 – action requested – MAKE APPOINTMENT.

CHIEF
ADMINISTRATIVE
OFFICE

- 3.06 * Ratify Letter in Opposition of Assembly Bill 646 (AB 646) – AB 646 seeks to make it more difficult for local agencies to impose the last, best and final offer as part of collective bargaining. Due to the implications of this bill on the County’s collective bargaining process, Butte County submitted a letter on September 13, 2011 to request the Governor to veto the bill – action requested – RATIFY LETTER OF OPPOSITION TO AB 646.
- 3.07 * The Ferguson Group - amendment to the agreement with The Ferguson Group for federal legislative advocacy services. The amendment, which retains the costs and conditions of the existing agreement, extends the term through September 30, 2012 at a cost of \$120,000 per year (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.08 * Butte County Superior Court of California - agreement with Superior Court of California for all services provided by Butte County to the Court pursuant to Government Code §77212(d)(1) for FY 2011-2012 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.09 * Letter in Support of Feather River Recreation and Park District Proposition 84 Grant Application – The Feather River Recreation and Park District will be submitting a grant application for Proposition 84 funds to enhance public access and recreational opportunities along the Feather River at the eastern end of the Feather River Parkway. The grant application requires letters of support from local partners, as well as confirmation from the County that it will grant necessary easements for the project should it receive funding – action requested – APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.10 * Strategic Local Government Services, LLC - agreement with Strategic Local Government Services, LLC for state legislative advocacy services. The term of the agreement is October 1, 2011 through September 30, 2014 with a maximum amount payable of \$40,000 per year (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.11 * Public Safety/Health and Human Services Realignment 2011 - Assembly Bill 118 (AB 118), the budget trailer bill that creates the funding framework for all aspects of the 2011 realignment of public safety and health and human services requires each County to set up a Local Revenue Fund 2011 to receive all 2011 realignment revenues. Board approval is requested to set up the Public Safety/Health and Human Services Realignment special revenue fund and Realignment 2011 budget unit to meet the requirements of AB 118. Budget adjustments are requested to provide budget authority to transfer realignment revenues from the new fund to the operating department budgets. The budget adjustment only includes funds anticipated by departments as part of the 2011-2012 budget process which are now going to be received in the Public Safety/Health and Human Services Realignment Fund (# 0055), as required by AB118, and then transferred to the departments operating budgets. Budget adjustment related to AB 109 will be considered on the regular agenda (item 5.02) – action requested – 1) APPROVE CREATION OF PUBLIC SAFETY/HEALTH AND HUMAN SERVICE REALIGNMENT FUND AND REALIGNMENT 2011 BUDGET UNIT; 2) DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO BE RESPONSIBLE FOR THE REALIGNMENT 2011 BUDGET UNIT; 3) DIRECT AUDITOR-CONTROLLER OR DESIGNEE TO TRANSFER FUNDS RECEIVED IN THE PUBLIC SAFETY/HEALTH AND HUMAN SERVICES REALIGNMENT FUND TO THE APPROPRIATE OPERATING DEPARTMENT BUDGET IN ACCORDANCE WITH STATE STATUE AND DIRECTION ON A MONTHLY BASIS AS FUNDS ARE RECEIVED; AND 4) APPROVE RELATED BUDGET ADJUSTMENTS (4/5 vote required).

3.12 * Butte County Ethics Training Policy – Signed into law in 2005, Assembly Bill No. 1234 requires local agencies that provide any type of compensation, salary, or stipend to a member of a legislative body, to provide ethics training to their local agency officials. The proposed policy will require the training apply not only to local agency officials as defined by law, but also to County officials and employees who are required to file Statements of Economic Interest Forms (Form 700s) under the County’s Conflict of Interest Code – action requested – ADOPT THE COUNTY OF BUTTE ETHICS TRAINING POLICY.

DISTRICT ATTORNEY

3.13 * Budget Adjustment – request to accept \$72,845 in unanticipated revenue from California Emergency Management Agency (CalEMA) to partially fund an investigator and an office assistant – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required).

EMPLOYMENT AND

SOCIAL SERVICES

3.14 * Resolution Recognizing Jan Michl Upon Her Retirement from Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.15 * Resolution Recognizing Joan Lively Upon Her Retirement from Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.16 * Counseling Solutions - agreement with Counseling Solutions for parent education and counseling to Children’s Services clients. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$118,900 (department budget utilizing Child Welfare Services Allocation) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.17** * Youth for Change - agreement with Youth for Change for the Transitional Housing Placement (THP-Plus) Program. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$157,248 (department budget utilizing THP-Plus Program State allocation) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.18** * Northern Valley Catholic Social Service (NVCSS) - agreement with Northern Valley Catholic Social Service for parent education and counseling to Children's Services Clients. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$71,680 (department budget utilizing Child Welfare Service allocations) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.19** * Valley Oak Children's Services - agreement with Valley Oak Children's Services for CalWORKs child care management services. The term of the agreement is October 1, 2011 through June 30, 2012 with a maximum amount payable of \$1,270,750 (department budget utilizing CalWORKs Program appropriations). Approval is also requested to accept \$125,750 in unanticipated revenue from the CalWORKs Child Care Allocation for Fiscal Year 2011/2012 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.20** * Budget Adjustment – request to accept \$68,700 in unanticipated revenue to support one position of Administrative Analyst, Senior to serve as the project management for the implementation of Electronic Data Systems in the In-Home Supportive Services (IHSS) Case Management Information and Payrolling System II (CMIPS II) – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required).

FIRE

- 3.21** * Budget Adjustment – request to accept and appropriate \$231,848.76 from the Homeland Security Assistance to Firefighters Program grant for self contained breathing apparatus and radios – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required).

**GENERAL
SERVICES**

- 3.22** * Notice of Completion - All contract work related to the re-roofing of a portion of 33 County Center Drive in Oroville has been completed in accordance with the terms of the plans and specifications – action requested – ACCEPT CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION.
- 3.23** * Notice of Completion - All contract work related to the re-roofing of a portion of 25 County Center Drive, Building C in Oroville has been completed in accordance with the terms of the plans and specifications – action requested – ACCEPT CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION.

- 3.24 * Chico Veterans Memorial Hall Committee – At the request of the Chico Veterans Hall Committee, appoint the following individuals as representatives of the Veterans of Modern Warfare, Butte County Chapter 18: Dennis Payne as delegate; and Glenn Story as alternate (terms to end June 30, 2012) – action requested – MAKE APPOINTMENTS.
- 3.25 * Construction of the Bloomer Communications Tower Project – requests for budget adjustments, an amendment to the Capital Improvement Program (CIP), and the appointment of the General Services Director as the Officer of the Project. The construction of this tower is an integral component of the County’s long term communications plan to meet both public safety needs and compliance with federal communications regulation. Implementation of the project began last fiscal year and in order to best account for the expenses, it is now recommended that existing appropriation in the Information Systems and Administration operating budgets be transferred to the Capital Project Fund and included in the CIP. The budget adjustments include transferring \$253,145 in appropriation from Information Systems and \$38,252 in appropriation from Administration for a total transfer of \$291,397 to the Capital Project Fund. There is no additional cost to the General Fund for any of the requested adjustments – action requested – 1) APPROVE BUDGET ADJUSTMENTS (4/5 vote required) AND THE FIXED ASSET PROJECT COSTS OF \$291,397 FOR THE PROJECT; 2) APPROVE THE AMENDMENT TO THE CIP; AND 3) APPOINT THE GENERAL SERVICES DIRECTOR AS OFFICER OF THE PROJECT.

HUMAN
RESOURCES

- 3.26 * Resolution Honoring Butte County Employees for Dedicated Years of Service – Presentation of awards to Martha Wang, for thirty years of service, and Wayne Mitchell and Michael Stewart for thirty-five years of service to Butte County – action requested – ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.
- 3.27 * Resolution to Amend the Salary Ordinance - The combination of the changes below will increase the total County position allocations by one position:

Behavioral Health: requests to make the following changes to 1) delete one vacant Certified Nurse Practitioner position; 2) delete four vacant Behavioral Health Counselor II/I/Mental Health Work positions; 3) add one Psychiatrist position; 4) add one Supervisor, Psychologist position; 5) add three Mental Health Clinician III/II/I positions; 6) add one Behavioral Health Education Specialist, Senior/Behavioral Health Education Specialist/Behavioral Health Education Specialist, Associate position and; 7) flexibly staff five Accountant positions to include the Accountant, Senior classification. These position adjustments are to better serve the needs of the Department by creating a greater clinical presence and greater operational flexibility. These changes will not have any fiscal impact on the General Fund and will increase the allocations in budget unit 541-011 from 288.5 to 289.5.

Employment and Social Services: requests to delete one vacant sunset position of Social Services Aide. The position is no longer needed in the department. In addition the department is requesting to add one position of Administrative Analyst, Senior with a term date of December 31, 2012. This position is needed to oversee the preparation, implementation and post implementation activities of the new IHSS Case Management Information and Payrolling System II (CMIPS II) that the department is implementing. Funding for this position is provided entirely through a CMIPS II Implementation Allocation by the State. These changes will leave the total allocations in the department unchanged.

Human Resources: requests to delete one vacant position of Office Specialist/Senior/Office Specialist/Office Assistant and add one position of Human Resources Analyst/Human Resources Analyst, Associate. This change will better meet the current and future operational needs of the department. The increase cost of approximately \$23,000 for this fiscal year will be funded by salary savings in the department's budget. This change will leave the total allocations in the department unchanged – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

- 3.28** * Library Donations – The Library has received the following donations for books: \$100 from Maudie A. Penney and \$100 from Colleen McNeilly – action requested – ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLICHEALTH

- 3.29** * California Department of Public Health – agreement with California Department of Public Health for State funding for the Tobacco Education Program. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount receivable of \$150,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.30** * Gary Bess Associates - agreement with Gary Bess Associates for evaluation services as required by the County Medical Services Program (CMSP) Governing Board. The term of the agreement is October 1, 2011 through July 31, 2013 with a maximum amount payable of \$30,000 (department budget utilizing CMSP grant funding) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.31** * California Department of Public Health - agreement with California Department of Public Health to provide funding for Butte County's Public Health Emergency Preparedness (PHEP), Pandemic Influenza and Hospital Preparedness Program (HPP). The term of the agreement is July 1, 2011 through August 9, 2012 with a maximum amount payable of \$484,634 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE CHAIR TO SIGN RELATED CERTIFICATION REGARDING LOBBYING AND THE NON-SUPPLANTATION CERTIFICATION FORM AS REQUIRED BY THE STATE.

PUBLICWORKS

- 3.32** * Contract Change Order and Notice of Completion for Construction of Module 4, Phase D at the Neal Road Recycling and Waste Facility – This change order provides additional compensation to the contractor for extra work that was performed during the contract. All contract work has been completed – action requested – 1) APPROVE CONTRACT CHANGE ORDER FOR AN INCREASED AMOUNT OF \$62,730.77 AND AUTHORIZE THE CHAIR TO SIGN; 2) ACCEPT CONTRACT WORK; AND 3) APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.33** * Golder Associates, Inc - amendment to the agreement with Golder Associates, Inc. for construction quality assurance monitoring and reporting services during the construction of Module 4, Phase D base liner at the Neal Road Recycling and Waste Facility. The amendment extends the term of the agreement through September 30, 2011 and increases the maximum amount payable by \$18,550.85 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.34** * Execution of Caltrans Relinquishment Agreement, Highway 70 and East Gridley Road – Caltrans is improving portions of Highway 70 in the vicinity of East Gridley Road, necessitating improvements to the intersection. In order to complete the work, Caltrans acquired an additional right of way along East Gridley Road and Stimpson Road. Once work is complete Caltrans will relinquish the new right of way to the County – action requested – APPROVE RELINQUISHMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

SHERIFF-CORONER

- 3.35** * Budget Adjustment – request to accept \$2,000 in unanticipated revenue for security services to the Butte County Fair in Gridley – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required).
- 3.36** * Grant Modification and Fixed Asset Purchase – request for approval of a U.S. Forest Service grant modification to increase the allowable equipment purchase cap in order to surplus and subsequently trade three aging vehicles for the purchase of two sets of night vision goggles and a new all terrain vehicle for back county access to investigate illicit drug operations – action requested – 1) APPROVE GRANT MODIFICATION AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE THE SURPLUS OF 3 COUNTY OWNED VEHICLES; 3) APPROVE FIXED ASSET PURCHASE; AND 4) APPROVE RELATED BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,145.
- 3.37** * Budget Adjustment and Fixed Asset Purchase – request for a \$48,270 budget adjustment from the equipment replacement fund for the purchase of a patrol vehicle – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required) AND APPROVE FIXED ASSET PURCHASE.

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

**PRESENTATION AND
DISCUSSION ITEMS**

4.04 * **Resolution Adopting Revised Non-Represented Salary and Benefits and Amendment to Agreement with Undersheriff – In an effort to be consistent with the actions taken with other labor groups in the County, the Non-Represented employees group has agreed to phase in the payment of the employee contribution to CalPERS in a manner consistent with those other labor groups that agreed to new Memoranda of Understanding. The resolution reflects the following changes: 1) For miscellaneous members of the group - 2% the pay period after Board adoption; an additional 2% the pay period including January 1, 2012; and an additional 3% the pay period including January 1, 2013; and 2) For safety members of this group - 2% the pay period after Board adoption; an additional 3% the pay period including January 1, 2012; and an additional 4% the pay period including January 1, 2013. These employees will also receive a salary increase consistent with what other labor groups received. The Undersheriff’s Agreement is amended to reference the new Deputy Sheriff Association – Management and Supervisor Unit Memorandum of Understanding – action requested - ADOPT REVISED NON-REPRESENTED SALARY AND BENEFITS RESOLUTION AND AUTHORIZE CHAIR TO SIGN; AND APPROVE CONTRACT AMENDMENT FOR UNDERSHERIFF AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)**

- 4.05 * Resolution for Employer Paid Member Contributions (EPMC) for Compliance with Modifications Made to the Salary and Benefits for Non-Represented Classifications Resolution and Amendments to the Appointment Documents for the Board of Supervisors’ Executive Assistants - In order to complete implementation of the previous agenda item (Item 4.04 above) regarding the modification to the Salary and Benefits Resolution for the Non-Represented Classifications and with regard to changes made to the appointment documents for the Board of Supervisors’ Executive Assistants as agreed to by this group of employees, the Board of Supervisors must approve the attached PERS resolution to adhere to CalPERS regulations. The resolution reflects the following changes: 1) EPMC modifications for the Non-Represented Classifications - reduces the employer contribution from 7% to 5% for miscellaneous employees in the unit and from 9% to 7% for safety employees in the unit; and 2) EPMC modifications for the Executive Assistants of the Board of Supervisors - reduces the employer contribution from 7% to 5% for employees in this group – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

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

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

SEPTEMBER 27, 2011

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

2.00 **REGULAR AGENDA**

2.01 * **Acceptance of Contract Amendments for In-Home Supportive Services Public Authority (IHSS PA) Employees** - In an effort to be consistent with the actions taken with the County labor groups, the IHSS PA employee group has agreed to phase in the payment of the employee contribution to CalPERS in a manner consistent with those County labor groups that have agreed to new Memoranda of Understanding (2% the pay period after Board adoption; an additional 2% the pay period including January 1, 2012; and an additional 3% the pay period including January 1, 2013). These IHSS PA employees will also receive a salary increase consistent with those received by the specified County labor groups – action requested – APPROVE AGREEMENT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Human Resources)

2.02 * **Resolutions for Compliance with Contract Amendments for IHSS PA Employees** - In order to complete implementation of the previous agendized item (2.01 above) regarding the contract amendments for the Butte County IHSS PA employees, the Butte County IHSS PA Board must approve the two PERS resolutions. The first resolution reduces the Employer Paid Member Contributions to PERS from 7% to 5% as approved by IHSS PA employees. The second resolution is a modification of the Internal Revenue Code Section 414(h)(2) Resolution to reflect that contributions designated as “employee contributions” can be made in any combination by the Public Authority and by the employee – action requested – ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

3.00 **CLOSED SESSION**

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

4.00 **PUBLIC COMMENT** 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 Butte County In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

5.00 PUBLIC HEARINGS AND TIMED ITEMS

9:30 A.M. **5.01** * Timed Item - Countywide Work Plan for Fiscal Year 2011-2012 – The Chief Administrative Officer, Paul Hahn will provide an overview of eleven Butte County Department Head work teams established in May of this year. The Department Heads have identified a number of key issues that County departments will address in the current fiscal year – action requested – NO ACTION REQUIRED. ACCEPT FOR INFORMATION. (Administration)

9:45 A.M. **5.02** * Timed Item – Public Safety Realignment Implementation - In order to help the State with their budget crisis, and to comply with a Supreme Court order to alleviate overcrowding in state prisons, the legislature passed, and the governor approved AB 109, the Public Safety Realignment Act. The Act redefines how Counties and the State function in public safety functions. The scope is broad, but can be summarized as impacting three major areas: 1) Changes to offenders paroled from state prison; 2) Changes to jurisdiction for offenders who violate the terms of their parole; and 3) Changes to where many felons will be sentenced to serve their prison time. The Board is requested to consider two separate items related to the implementation.

A. As required by law, the Butte County Community Corrections Partnership (CCP) has developed and the CCP Executive Committee has adopted an implementation plan. The plan is deemed accepted by the Board of Supervisors unless the Board rejects the plan by a 4/5 vote, in which case the plan goes back to the CCP for further consideration. The plan is fully funded by AB 109 funds. The Chief Administrative Officer has participated as a non-voting member of the CCP, and recommends the implementation plan as submitted – action requested – 1) TAKE NO ACTION, IN WHICH CASE THE PLAN ADOPTED BY THE COMMUNITY CORRECTIONS PARTNERSHIP IS VALID BY OPERATION OF LAW - OR - 2) REJECT THE PLAN BY 4/5 VOTE.

B. In order to implement the AB 109 realignment plan, the departments implementing the functions request approval of the necessary budget adjustments, including two additional cost centers, and one new budget unit. Additional budget adjustments for the 23 new position allocations and fixed asset costs are also requested – actions requested – 1) APPROVE BUDGET ADJUSTMENTS; 2) DIRECT THAT THE AUDITOR-CONTROLLER OR DESIGNEE TRANSFER FUNDS RECEIVED FOR IMPLEMENTATION OF AB 109 TO THE OPERATING DEPARTMENTS IN ACCORDANCE WITH STATE STATUTE AND BOARD DIRECTION ON A MONTHLY BASIS AS FUNDS ARE RECEIVED; 3) ADOPT RELATED RESOLUTION AMENDING SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; AND 4) APPROVE FIXED ASSET COSTS TOTALING \$455,000. (Administration)

10:30 A.M. **5.03** * Public Hearing - Introduction of Ordinance Amending Chapter 13, Article II Surface Mining and Reclamation and Section 24-45.25 of the Butte County Code – consideration of a proposed ordinance which will amend Chapter 13 of the Butte County Code to revise the requirements for mining to remain consistent with the state Surface Mining and Reclamation Act – action requested – 1) WAIVE THE FIRST READING OF THE ORDINANCE; AND 2) ADOPT RESOLUTION ADOPTING NEGATIVE DECLARATION WITH FINDINGS IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. (Development Services)

11:00 A.M. **5.04** * Timed Item - Sutter Butte Flood Control Agency (SBFCA) Activities – 30 Percent Design – SBFCA staff and consultants will provide an update on SBFCA’s activities to include an overview of planned levee repairs and an analysis of the ordering of construction projects – action requested – NO ACTION REQUIRED. ACCEPT FOR INFORMATION. (Public Works)

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 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 - US FOREST SERVICE OVER PLUMAS NATIONAL FOREST TRAVEL MANAGEMENT PLAN.
- 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.

7.04 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