

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MARCH 27, 2007



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Curt Josiassen, District 4
Kim Yamaguchi, District 5

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

Bruce Alpert, County Counsel

9:00 A.M. 1.00 CALL TO ORDER

1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.

1.02 Pledge of Allegiance to the Flag of the United States of America.

1.03 Observation of a Moment of Silence.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

**BEHAVIORAL
HEALTH**

3.01 * Crestwood Behavioral Health, Inc. - amendment - approval is requested for an amendment to the agreement with Crestwood Behavioral Health, Inc., for the provision of Institutions for Mental Disease Services and Enhancement Services. This agreement maximizes options for client placement between the Crestwood facilities. The amendment increases the maximum amount payable by \$257,524.35 for Fiscal Year 2006/2007. The term of the contract amendment is July 1, 2006 through June 30, 2007. The maximum amount payable shall not exceed \$618,909.50 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16082)

3.02 * Skyway House - amendment - approval is requested for an amendment to the agreement with the Skyway House for the provision of long-term residential recovery services, day care services and alcohol and drug free housing services. The amendment increases the maximum amount payable by \$68,771.57 for Fiscal Year 2006/2007. The term of the contract amendment is July 1, 2006 through June 30, 2007. The maximum payable amount shall not exceed \$163,198.24 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16362)

- 3.03 * Thomas Lancaster, M.D. - amendment - approval is requested for an amendment to the sole source agreement with Thomas Lancaster, M.D., for the provision of medical services in the specialized field of Psychiatry. The amendment increases the maximum amount payable by \$62,652.50 for Fiscal Year 2006/2007. The term of the contract amendment is July 1, 2006 through June 30, 2007. The maximum payable amount shall not exceed \$127,177.50 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16159)
- 3.04 * Tri-County Treatment - amendment - approval is requested for an amendment to the agreement with Tri-County Treatment for the provision of short-term residential recovery services and day care habilitative services for residents referred by the department. The amendment increases the maximum amount payable by \$39,852.50 for Fiscal Year 2006/2007. The term of the contract amendment is July 1, 2006 through June 30, 2007. The maximum payable amount shall not exceed \$88,672.50 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16355)
- 3.05 * Cherokee Restoration Fellowship - amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services and Alcohol and Drug Free Housing for clients referred by the department. The amendment increases the maximum amount payable by \$36,248.23 for Fiscal Year 2006/2007. The term of the contract amendment is July 1, 2006 through June 30, 2007. The maximum payable amount shall not exceed \$101,823.32 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X162284)

- 3.06 * County of Glenn - approval is requested for an agreement with the County of Glenn for the provision of acute psychiatric inpatient care to the residents of Glenn County. The term of the contract is July 1, 2006 through June 30, 2007. Glenn County will pay the department \$40,000 for this service (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07 * CRP, Incorporated - approval is requested for a Revenue Agreement with CRP, Incorporated to receive Substance Abuse and Mental Health Services Administration funding for the purpose of enhancing evaluation tools of the Friday Night Live (FNL) Mentoring Programs. The department's Community Services Division will develop an enhanced evaluation tool which will compare outcomes of the FNL and Club Live Mentoring Programs with outcomes from comparison schools which do not have FNL Mentoring Programs 2007 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. R40931)
- 3.08 * Superior Court of California - Collaborative Justice Courts Substance Abuse Program 2006/2007 - approval is requested to accept and appropriate \$40,750 in unanticipated revenue from the Superior Court of California. The funds are used by the department to provide residential treatment services and substance abuse testing for clients involved in Proposition 36 Treatment Court because of substance abuse related offenses - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. R40924)
- 3.09 * Guillon, Inc. - approval is requested for a lease agreement with Guillon Inc. for the property located at 88 Table Mountain Blvd, Oroville. The location will be utilized for general and administrative offices and youth client support services for the Oroville Community Counseling Center. The term of the agreement is from August 1, 2007 through December 31, 2017. The maximum payable amount shall not exceed \$1,669,410. For Fiscal Year 2007/2008, the total amount shall be \$142,644 and will be addressed in the Fiscal Year 2007/2008 budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.10 * Net Smart New York, Inc. - approval is requested for an agreement with Net Smart New York, Inc. which includes a fixed asset purchase of Electronic Medical Record (EMR) software. The agreement also includes the consulting services needed to install, configure, and implement the software. The EMR software has functions for practice management, electronic clinical records management, service billing to appropriate payors including Medi-Cal, eligibility verification, and integrated report writing for both Mental Health and Alcohol and Drug Services. The EMR fully complies with the Federal Confidentiality Standards required by 42 1320 et seq., Health Insurance Portability and Accountability Act of 1996. The term of the contract shall begin on the effective date of contract execution and shall continue until the project is completed. The maximum amount payable is \$686,902 (department budget). Estimated Fiscal Year 2006/2007 costs shall not exceed \$496,572, and the balance will be addressed in the Fiscal Year 2007/2008 budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE FIXED ASSET PURCHASES AS DETAILED IN THE AGENDA REPORT.

CHIEF
ADMINISTRATIVE
OFFICE

- 3.11 * Budget Transfer - approval is requested for a transfer of \$50,000 from General Fund contingencies to the Grand Jury budget unit due to unbudgeted increases in mileage and per diem reimbursements to Grand Jurors and other higher than budgeted operational costs as detailed in the agenda report - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

- 3.12 * California State Fair Booth 2007 - Butte County has participated in the California State Fair since 1990. Since 2001, the County has received gold medals for three of six exhibits entered into the State Fair. In order to enter a booth into the 2007 fair, the Board of Supervisors must appoint an official State Fair representative to assume responsibility for the exhibit - action requested - APPOINT THE BUTTE COUNTY ADMINISTRATIVE OFFICE AS THE COUNTY'S OFFICIAL REPRESENTATIVE TO THE STATE FAIR.

3.13 * Resolution Approving Application Submittal to California Department of Housing and Community Development (HCD) - consideration of a resolution that would authorize submittal of an application and contract execution for funding from HCD under the CalHome program. Activities authorized by CalHome include Housing Rehabilitation as well as First Time Home Buyer Assistance. The maximum amount available per applicant for all activities is \$600,000 and the program allows a maximum of \$40,000 of assistance per household. Staff recommends applying for the maximum amount to continue funding the County's owner occupied Housing Rehabilitation Program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CLERK OF
THE BOARD

3.14 * Approval of Minutes 2006 - approval is requested for the Minutes of March 28, 2006. A recent documents audit discovered the Minutes were inadvertently filed before being presented to the Board for approval - action requested - APPROVE THE MINUTES OF MARCH 28, 2006, WITH THE NOTATION THAT SUPERVISOR KIRK WILL ABSTAIN FROM APPROVAL OF THE 2006 MINUTES.

3.15 * Approval of Minutes - action requested - APPROVE MINUTES OF MARCH 13, 2007.

CLERK
RECORDER

3.16 * IT Fleet Services, Inc. - amendment - approval is requested for an amendment to the agreement with IT Fleet Services, Inc. for access to the Asset Shadow System, Election and Inventory Module. The system allows for inventory control of election supplies, other election equipment, and the security and tracking of the electronic voting system. The amendment increases the maximum amount payable by \$19,057.50 and extends the term through June 30, 2010. The maximum payable amount shall not exceed \$34,240.21. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15958)

COUNTY
COUNSEL

3.17 * Butte County Resource Conservation District - Conflict of Interest Code Amendment and Biennial Report - pursuant to Government Code Section 87306.5, Board approval is requested for an amended Conflict of Interest Code and Biennial Report for the Butte County Resource Conservation District. The amended code includes new positions, including consultants that must be designated. The amended code and report have been reviewed by County Counsel and determined to be proper - action requested - APPROVE AMENDED CONFLICT OF INTEREST CODE; AND ACCEPT BIENNIAL REPORT.

3.18 * Butte County Association of Governments (BCAG) - Conflict of Interest Code Amendment and Biennial Report - pursuant to Government Code Section 87306.5, Board approval is requested for an amended Conflict of Interest Code and Biennial Report for BCAG. The amended code includes new positions, including consultants that must be designated. The amended code and report have been reviewed by County Counsel and determined to be proper - action requested - APPROVE AMENDED CONFLICT OF INTEREST CODE; AND ACCEPT BIENNIAL REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

3.19 * Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for Facilitation Services. Working under the direction of Children's Services, Youth for Change provides logistical coordination and facilitation of family meetings for Children Services' clients. The amendment reduces the terms of the contract to one full time equivalent facilitator position and decreases the contract maximum payable to \$91,002 for Fiscal Year 2006/2007 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16054)

3.20 * Child Welfare System Outcome Improvement Program Activities - Agreements for Services - amendments - approval is requested for amendments (3) to the agreements with various providers for services in support of the Child Welfare System Outcome Improvement Program. The maximum amounts payable are increased for the agreements, with funding for all amendments available within the department's budget. The amendments revise the financial provisions as follows: 1) Youth For Change (Contract No. X15850) increased by \$25,459; 2) Northern Valley Catholic Social Services (Contract No. X15860) increased by \$12,677; and 3) Parent Education Network (Contract No. X15851) increased by \$25,459 - action requested - APPROVE AGREEMENT AMENDMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.21 * California Statewide Automated Welfare System Consortium IV (C-IV) - Joint Powers Agreement and Memorandum of Understanding (MOU) - approval is requested for a JPA and MOU needed in order for the department to participate in C-IV in order to use the C-IV developed automated welfare system. Butte County is one of thirty-five counties that have shared use of the Interim Statewide Automated Welfare System (ISAWS) since 1994. AB 444, adopted on September 28, 2002, established legislative intent for ISAWS counties to migrate to another consortia system. The major objective of the Consortium is to ensure the automated system provides timely, accurate, and cost effective services. The JPA and MOU do not contain fiscal obligations or commitments for the county - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

FIRE
DEPARTMENT

3.22 * Citygate Associates, LLC - approval is requested for an agreement with Citygate Associates, LLC for a study on the Standards of Response Cover for the department. The Standards of Response Cover will build upon a Fire Department review conducted in 2005 and will: 1) establish the standard response levels of coverage; 2) make recommendations regarding the number and rank of personnel required on duty; 3) conduct a detailed deployment analysis to determine, if, where, and how service improvements can be made; and 4) conduct an analysis of the volunteer program. The information from this study will also facilitate updating the Safety Element of the Butte County General Plan currently under revision. The term of the agreement is from April 1, 2007 through November 1, 2007. The maximum payable will not exceed \$66,990. The Fire Department sent out the request for proposal in January 2007 for this study and Citygate Associates, LLC's proposal was the only responsive proposal received - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.23 * HR 2389 Secure Rural Schools and Community Self-Determination Act of 2000 (Federal Fire Safe Funding) Fiscal Year 2005-2006 Project Authorization - amendment - approval is requested for an amendment to this agreement which implemented projects for Fiscal Year 2005/2006 under Title III of the Secure Rural Schools and Community Self-Determination Act of 2000. The amendment extends the agreement to June 30, 2008. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15726)

GENERAL
SERVICES

- 3.24 * Executive Homes - approval is requested for an agreement with Executive Homes for the replacement of modular living quarters at Fire Station 44 (Fair Street, Chico). The existing living quarters are no longer habitable, and an arrangement was made with the property owner to demolish the existing building and replace it with a modular unit. Invitation for Bids No. 80-07 was sent to seven suppliers, and Executive Homes submitted the lowest bid of the three that were received. The Board previously approved the budget transfer to provide funding for this project -action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.25 * Surplus Equipment - approval is requested to declare surplus a total of nineteen vehicles and equipment. Various departments requested the disposal of the vehicles and equipment which are described in the agenda report. The plan is to auction these items through Ramay Auctions - action requested - DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE DISPOSITION BY THE PURCHASING AGENT.
- 3.26 * Fixed Asset Purchase - Increase to Purchasing Authority - in the 2006/2007 Budget, General Services received authority to purchase a replacement pickup truck with lift gate for a maximum of \$19,000. The actual cost without the lift gate is \$21,936.65. Approval is requested to increase the fixed asset purchase authority to \$22,000 and to change the asset description from replacement pickup with lift gate to replacement pickup. The department will transfer the existing lift gate to the new truck. The additional funds are available within the department's budget - action requested - APPROVE INCREASE TO PURCHASING AUTHORITY AND CHANGE DESCRIPTION TO REPLACEMENT TRUCK.

HUMAN
RESOURCES

- 3.27 * Resolution Honoring Butte County Employees for Dedicated Years of Service - presentation of awards to employees with 30, 35, and 40 years of service to the County of Butte. The two employees with 30 years of service are Michael Stewart and Wayne Mitchell. Marva Van Gilder has 35 years of service, and Dora West has 40 years of service - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND PRESENT AWARDS TO EMPLOYEES.

- 3.28 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: CHILD SUPPORT - deletes one position of Legal Secretary and adds one position of Child Support Specialist. ADMINISTRATION - deletes one sunset position of Administrative Assistant and creates one term position of Administrative Assistant. This position is effective February 27, 2007 to September 7, 2007. ADMINISTRATION-FACILITIES SERVICES - adds one position of Manager, Facilities Services and two positions of Building Crafts Worker, Senior or Building Crafts Worker. DISTRICT ATTORNEY - deletes one position of Investigator I/II - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

INFORMATIONSYSTEMS

- 3.29 * Budget Transfer and Fixed Asset Purchases - Document Management System Hardware Funding - approval is requested for funding for the purchase of fixed assets to centralize existing document management systems and expand availability to all County departments. The components needed for implementation are a Storage Area Network System, an Intranet Web Server, and an Internet Web Server. The total cost will be \$111,389 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASES.

LIBRARY

- 3.30 * Library Donations - pursuant to Government Code Section 25355, donations of \$1,000 from Partners in Care, \$1,956.35 from Paradise Friends of the Library, \$100 from Maudie Penney, \$350 from Chico Friends of the Library, \$102 from Sigma Phi Gamma-Delta Nu Chapter, \$556 from an anonymous donor, \$833.50 from Oroville Friends of the Library, \$1,000 from Loy Braley and Joan Regan, and \$200 from Ruthmarie Ferris, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLICHEALTH

- 3.31 * California Family Health Council, Inc. (CFHC) - approval is requested for an agreement with CFHC, a non-profit California Corporation. CFHC will provide \$112,680 in funds to the department for the provision of family planning services. The term of the contract is from January 1, 2007 through December 31, 2007. The funds from CFHC were included in the Fiscal Year 2006/2007 budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.32 * Fixed Asset Purchases - approval is requested for the purchase of modular furniture for Animal Control Division and California Children's Services Division. The Board approved the purchase for Animal Control Division on September 12, 2006 in the amount of \$25,000. The actual amount needed is \$29,745 (department budget). California Children's Services Division needs to replace work areas that are either not designed to be used with computers or are too costly to repair. The cost for Children's Service Division furniture will be \$40,000 (department budget) - action requested - APPROVE FIXED ASSET PURCHASES.

3.33 * Resolution Authorizing Grant Application to the California Integrated Waste Management Board (CIWMB) - consideration of a resolution authorizing the submittal of a grant application to CIWMB for the Local Enforcement Agency Grant. A grant package of \$18,500 is available to support local solid waste landfill permit and inspection programs, and no matching funds are required. These funds will be utilized to cover staff and operating expenses - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
WORKS

3.34 * Resolution Accepting Offer of Dedication of Park Way, West Way, and Portions of Crest Drive and Mountain Vista Drive within Palm Crest Village Subdivision - the Community Housing Improvement Program (CHIP), as owner of a majority of the lots within the interior of the Palm Crest Village Subdivision in Thermalito, has constructed Park Way, West Way and portions of Crest Drive and Mountain Vista Drive to County standards and formed County Service Area No. 181 for maintenance of the drainage systems and street lighting. CHIP has requested the County accept Park Way, West Way, and the portions of Crest Drive and Mountain Vista Drive as dedicated for County maintenance - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.35 * Resolution Naming a Public Road - consideration of a resolution naming a newly constructed road used to access a new school located south of 5770 Lower Wyandotte Road in Oroville - APN 063-110-039 (old) APN 078-110-039 (new). The road has been constructed and inspected in accordance with County improvement standards and accepted as complete on September 25, 2006. A right-of-way dedication was accepted by the Board on September 26, 2006. The Palermo Union School District is requesting the road be named Golden Hills Drive. The road name coordinator recommends that name be approved - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.36 * Resolution Authorizing the Director of Public Works to Certify Right-of-Way - Aguas Frias Road Bridge Replacement Project - the department has recently completed all right-of-way and easement acquisitions necessary to deliver right-of-way certification to Caltrans for this project. Funded through the Federal Highway Bridge Program (HBP) and State Transportation Improvement Program (STIP), this project will replace two County bridges with a single structure and will include approximately 700 meters of roadway construction. Funding for this project is as follows: 80% HBP and 20% local match for Preliminary Engineering and 88.53% HBP and 11.47% STIP for construction - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.37 * Resolution Concerning Changes in Maintained Mileage Within Butte County - approval is requested for a resolution which certifies the annual changes to the County's maintained mileage. The maintained mileage for the current year is 1,318.395 miles, a reduction of 12.187 miles from the previous year. The reduction is due primarily to annexations to local jurisdictions - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.38 * Construction of Base Liner in Module 4, Phase C at Neal Road Sanitary Landfill, County Project No. 757-5903 - approval is requested by the Director of Public Works for authorization to advertise for bids for the construction of the base liner, which is the next phase of work following excavation. The base liner work will consist of constructing a soil and geo-membrane liner system, placing a soil operations layer, and installing leachate and storm water collection systems. Upon selection of a qualified bidder, the department will return to the Board for award of contract and appropriation of funds. It is anticipated the work will begin by June 2007 - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO RELEASE REQUEST FOR BIDS.

3.39 * Palm Crest Village Subdivision Reimbursement Agreement - the Community Housing Improvement Program (CHIP), as owner of a majority of the lots within the interior of the Palm Crest Village Subdivision in Thermalito, has constructed Park Way, West Way and portions of Crest Drive and Mountain Vista Drive to County standards and formed County Service Area No. 181 for maintenance of the drainage systems and street lighting. These improvements serve two lots (11 and 12) within the subdivision which are not owned by CHIP. CHIP is requesting approval of the agreement in order to be reimbursed by the property owners of Lots 11 and 12 prior to the issuance of development permits - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.40 * Safety Kleen Systems Hazardous Waste Recovery Service Invoice Payment - the Public Works Fleet Service Shop steam bay generates hazardous wastes when servicing fleet vehicles. The steam bay trap and separators are pumped periodically as solids and sludge accumulate. The trap and separators prevent hazardous waste from entering the storm water system. Costs have historically stayed under \$2,500 per service and past practice was to order the service by field purchase order (FPO). Due to increased road maintenance activity over the past year, the costs have increased to exceed the \$2,500 threshold for FPOs. Services requested on February 22, 2007 totaled \$3,788.20 and cannot be paid by FPO. In the future, Public Works will use a Blanket Purchase Agreement to avoid unauthorized purchases - action requested - RATIFY PURCHASE FROM SAFETY KLEEN.

SHERIFF-
CORONER

3.41 * Printrak - approval is requested for a maintenance contract with Printrak, the company that maintains, supports, and leases the inmate electronic tracking system in the Butte County Jail. The Incarceration Division tracks inmates using inmate identification cards and video capture stations and has utilized the Printrak system since 2002. The term of the agreement is from April 1, 2007 through March 31, 2008 with a maximum payable of \$38,358 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.42 * S & C Ford - approval is requested for an agreement with S & C Ford for the lease of a truck for law enforcement. The Sheriff's office received funding from the Department of Boating and Waterways (DBAW) to lease a vehicle for forty-eight months. The DBAW funding is reimbursed on a quarterly basis. The terms of funding do not allow acquisition of fixed assets as an outright purchase. The vehicle will be available for purchase for \$1.00 upon completion of the lease. Invitation for Bids No. 91-07 was sent to twenty-five suppliers and four bids were received with S & C submitting the lowest bid - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

TREASURER-TAX COLLECTOR

3.43 * Monthly Investment Report - submitted is the Monthly Investment Report dated February 28, 2007 in accordance with the Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

WATER ANDRESOURCECONSERVATION

3.44 * Four County Memorandum of Understanding (MOU) - in August 2004, the Board authorized the County of Butte to participate with Glenn, Tehama, and Colusa Counties in the collaborative development of a regional water planning process associated with groundwater related activities. At their March 6, 2007 meeting, the Butte County Water Commission voted to recommend the Board of Supervisors approve Addendum One to the Four County MOU which further details how the counties will work together on water resource projects, specifically the exchange of data and monitoring results; any incidents of abnormal water levels; and the acquisition of grant funding - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.45 * Water Advisory Committee (WAC) Bylaws - approval is requested for amendments to the bylaws for WAC that were originally adopted in November 2005. The additions are necessary to further clarify the roles and responsibilities of the participating representatives - action requested - APPROVE AMENDED BYLAWS.

OTHERDEPARTMENTSAND AGENCIES

3.46 * Resolution in Recognition of the 104th Anniversary of the California State Flower - consideration of a resolution honoring April 6, 2007 as California Poppy Day - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.47 * Proclamation Designating April as Child Abuse Prevention Month in Butte County - action requested - APPROVE PROCLAMATION AND AUTHORIZE CHAIR TO SIGN.

3.48 * Emergency Medical Care Committee - submitted is the Committee's recommendation for a membership vacancy appointment - APPOINT GREGORY M. TAYLOR AS REPRESENTATIVE FOR EMERGENCY DEPARTMENT PHYSICIAN TO A TERM TO END JUNE 30, 2010.

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 on Current Budget and Legislative Issues by the Chief Administrative Officer.

4.03 Update of General Plan 2030 Process by Director-Development Services.

PRESENTATION AND DISCUSSION ITEMS

4.04 * Code Enforcement Nuisance Abatement Program - the Code Enforcement Nuisance Abatement Program is out pacing the Departmental budget assumptions. The department requests a budget transfer of \$300,000 as detailed in the agenda report to support ongoing nuisance abatement activities. The department proposes to include additional nuisance abatement program activities as billable items - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND AUTHORIZE STAFF TO INCLUDE ADDITIONAL COST RECOVERY ITEMS THROUGHOUT THE NUISANCE ABATEMENT PROCESS AND RETURN WITH COUNTY CODE AMENDMENTS IF NECESSARY. (Development Services)

- 4.05 * Smucker Quality Beverage, Inc., Use Permit (UP) 06-0020 - two appeals of Planning Commission's Approval - on February 27, 2007, the Board made a motion of intent that denied the appellant's appeal, granted the applicant's appeal, and included a modification of the new truck route. Staff was directed to prepare a resolution with findings and to modify the Use Permit to include the proposed changes and modified conditions of approval - action requested - ADOPT MITIGATED NEGATIVE DECLARATION WITH FINDINGS; APPROVE USE PERMIT WITH FINDINGS AND CONDITIONS OF APPROVAL; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 4.06 * Request for Board Direction Regarding Agricultural Exempt Buildings - Permitting Policies and Impact Fee Collection - the department requests direction regarding the following: to eliminate the practice of allowing building permit exemptions for Agricultural buildings; to require building permits, plan check and inspection of all buildings, regardless of use; and to defer the payment of development impact fees for Agricultural buildings - action requested - DIRECT STAFF TO REVISE BUTTE COUNTY CODE 26-3.1 AS DETAILED IN THE AGENDA REPORT. (Development Services)
- 4.07 * Public Discussion on the Auditor-Controller and Restructuring Options - during the 2005-2006 term of the Grand Jury, the Grand Jury interviewed and reported on David Houser, the Auditor-Controller, and his staff regarding conduct and practices within the department. Out of that review came an extensive detailed report with numerous findings and recommendations. The first recommendation was for the Board to hold a public hearing to consider the restructuring of the Auditor-Controller's duties including the contemplation of a measure before the electorate to modify or abolish the office - action requested - ACCEPT REPORT OF BACKGROUND INFORMATION AND OPTIONS FROM THE CHIEF ADMINISTRATIVE OFFICER; SOLICIT INPUT FROM OTHER OFFICIALS, EMPLOYEES AND PUBLIC; AND PROVIDE STAFF DIRECTION. (Chief Administrative Office)

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

5.00**PUBLIC HEARINGS AND TIMED ITEMS**

10:30 A.M. **5.01** * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 0 Tiny Lane, Palermo. This property was abated on January 5, 2007 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$15,732.75; DIRECT RECORDATION OF THE LIEN; 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. (Development Services)

10:35 A.M. **5.02** * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 14788 Pine Cone Way, Magalia. This property was abated on December 4, 2006 through December 11, 2006 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$10,435.23; DIRECT RECORDATION OF THE LIEN; 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. (Development Services)

10:40 A.M. **5.03** * Public Hearing - Ordinance Amending Chapter 3 Fees of the Butte County Code - this ordinance will add a new fee for the Land Development Division of Public Works for processing applications filed to create a Zone within the Countywide Permanent Road Division. The fee is based on actual time billing per the established hourly rate as described in County Code Section 3-82. The fee is a minimum deposit only and not a flat fee. The amount of the fee (deposit) is \$590 which is based on an estimated four hours of staff time - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

10:45 A.M. 5.04 *

Public Hearing - Specific Plan Amendment (SPA 06-01): Ordinance Amending the M-1 Zone of the North Chico Specific Plan (NCSP) to Allow as Conditional Uses, Substantially Similar Uses to Those Specified in Chapter 7, pages 7-19 and 7-20 of the NCSP - the Planning Commission held a public hearing on February 8, 2007 to consider the proposed SPA and recommends approval - action requested - STAFF RECOMMENDS THE FOLLOWING ACTIONS:

1. ADOPT RESOLUTION MAKING FINDINGS IN SUPPORT AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER THE GENERAL RULE EXEMPTION SECTION 15061(b)(3); AND
2. ADOPT ORDINANCE AMENDING THE NCSP TO ALLOW SUBSTANTIALLY SIMILAR USES AS CONDITIONALLY PERMITTED IN THE M-1/NCSP (LIGHT INDUSTRIAL) ZONE. (Development Services)

10:50 A.M. 5.05 *

Public Hearing - Resolution Amending the Department of Development Services - Building Division Fee Schedule of the Butte County Code - in February 2007, the Board adopted an ordinance that added language to Section 3-41, Chapter 3 (Fees) to allow for periodic increases to the Building Division Fee Schedule based on the Employment Cost Index (ECI) for State and Local Governments. Consideration is requested for the resolution that includes fee adjustments based on one of the following: 1) The change in the ECI between the effective date of the fee and the most recent available ECI data for the current year; or 2) Other regulatory changes outside of the County Code regarding the allowable level of fees. The ECI at the original time of adoption of Building Division Fees, 1st Quarter 2004, was 93.5. The cost escalator that is applied in this item is 11.34% - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

1:30 P.M.

5.06 *

Timed Item - Capital Improvement Program (CIP), Continued Work Session - the Board held a work session at the February 13, 2007 Board of Supervisors meeting. The session began with receipt of background information regarding the County's efforts to improve the process for capital improvement, major maintenance budgeting, and related long term financial planning. The information provided included a summary of input from County departments, facilities staff, outside experts, and the results of extensive needs, capacity, systems, feasibility and resource analysis. Staff was directed to follow up on several questions and provide additional information regarding capital projects proposed to start the first tier of the CIP - action requested - RESUME A WORK SESSION ON THE CIP; RECEIVE ADDITIONAL BACKGROUND INFORMATION; SOLICIT ADDITIONAL INPUT FROM THE PUBLIC AND COUNTY DEPARTMENTS; AND PROVIDE FEEDBACK TO ADMINISTRATION STAFF PRIOR TO PREPARATION OF A DRAFT CIP DOCUMENT. (Chief Administrative Office)

6.00**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 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 GOVERNMENT CODE SECTION 54956.9 (a):

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)
2. SHELTON V. BUTTE COUNTY; USDC CIV-S-97-1309 MILS/PAN
3. MOSLEY V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT NO. 135963
4. JAMES WILSON AND DENNIS MORELAND V. COUNTY OF BUTTE, ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 139259
5. COMMUNICATIONS WORKERS OF AMERICA, LOCAL 9421 [CWA] V. COUNTY OF BUTTE (AUDITOR/CONTROLLER'S DEPARTMENT); PERB CASE NO. SA-CE-463-M
6. COMMUNICATIONS WORKERS OF AMERICA, LOCAL 9421 [CWA] V. COUNTY OF BUTTE (AUDITOR/CONTROLLER'S DEPARTMENT); GREIVANCE NO. 07-05-01
7. MISTY GROSSE V. BUTTE COUNTY (AUDITOR/CONTROLLER'S DEPARTMENT); CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF LABOR STANDARDS ENFORCEMENT CASE NO. 15-19113

7.02

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: A.P. NO. 012-041-004
NEGOTIATING PARTIES: BRUCE ALPERT AND LESA FRANCO
NEGOTIATIONS: TERMS OF PURCHASE

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
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