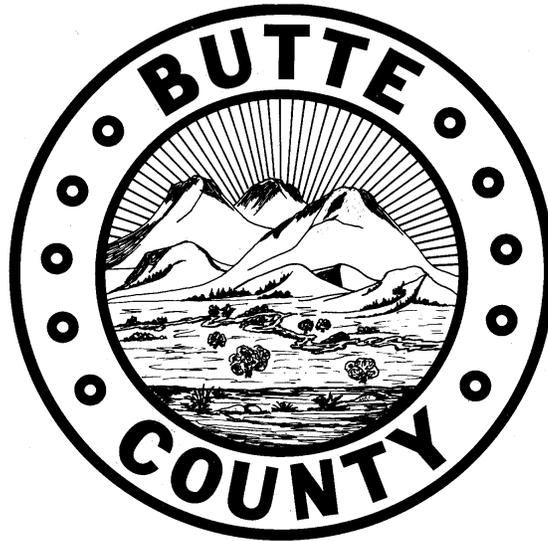


BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MARCH 11, 2008



County Supervisors

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

C. Brian Haddix, 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**

AGRICULTURE **3.01** * California Department of Food and Agriculture (CDFA) - approval is requested for a revenue agreement with CDFA in which the County will provide services for placing and servicing traps for the detection of exotic pests that are considered hazardous to agriculture. The term of the agreement is July 1, 2007 through June 30, 2008 with a maximum amount payable to the County of \$28,591 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40906)

3.02 * Budget Transfer - approval is requested to transfer \$4,000 as detailed in the agenda report for the purchase of a Hewlett Packard Server for the implementation of the Ag GIS Permitting Program - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

CHIEF
ADMINISTRATIVE
OFFICE

3.03 * Approval of Minutes - action requested - APPROVE MINUTES OF FEBRUARY 26, 2008.

3.04 * Department of Development Services (DDS) - approval is requested for an agreement with DDS for the expansion of the existing code enforcement program in Southside Oroville. The expansion will be funded through the State Community Development Block Grant (CDBG) program. The term of the agreement is July 1, 2007 through June 30, 2009 with a maximum amount payable of \$25,900 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

DISTRICT

ATTORNEY

3.05 *

Anderson and Associates - amendment - approval is requested for an amendment to the agreement with Anderson and Associates for temporary clerical workers. The amendment increases the maximum amount payable by \$12,000. 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. X15746)

GENERAL

SERVICES

3.06 *

Award of Contract for the Butte County Sheriff's Live Fire Training Facility Project - Two bids were received in response to Invitation for Bids (IFB) 02-08. The lowest responsible and responsive bidder was Range Systems in the amount of \$352,209 - action requested - AWARD CONTRACT TO RANGE SYSTEMS; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.07 *

Surplus Equipment - approval is requested to declare surplus a total of twenty-seven items which include 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.

3.08 *

Cancellation of Need for Emergency Procurement Procedures - On January 29, 2008, the Board adopted a resolution making the findings necessary to implement the provisions pursuant to Public Contract Code sections 20134, 22035, and 22050 for emergency repairs at the Courthouse expansion. Section 22050(c) of the Public Contract Code requires that the Board adopt a resolution at each subsequent meeting until the findings of the initial resolution are no longer relevant. The needed repairs are proceeding and no additional action by the Board is needed - action requested - FIND THAT THE ORIGINAL NEED FOR EMERGENCY CONTRACTING PROCEDURES HAS PASSED.

HUMAN
RESOURCES

3.09 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: HUMAN RESOURCES - adds a new classification of Supervisor, Payroll to Section 57, Reference K, entitled "Non-Represented Classifications." Concurrent with this addition, the department requests to delete one position of Supervisor, Auditor-Controller and add one position of Supervisor, Payroll. The department also requests to change Section 58, entitled "Salary Plan for Elected and Appointed Officials, Reference A, Appointed Department Heads" by deleting the column title "Annual Salary" replacing it with "Median Annual Salary." ASSESSOR - deletes one position of Assessment Systems and Standards Officer and adds one position of Auditor-Appraiser. AUDITOR-CONTROLLER - deletes five positions of Auditor-Accountant; Auditor-Accountant, Associate; or Accounting Specialist; deletes one position of Auditor-Accountant, Senior; Auditor-Accountant; or Auditor-Accountant, Associate; and deletes one position of Supervisor, Auditor-Accountant. These changes are effective March 1, 2008 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.10 *

Adjustment of Library Holiday Hours at the Chico Branch Library - approval is requested to close the Chico Branch Library on Easter Sunday, March 23, 2008 - action requested - AUTHORIZE THE CHICO LIBRARY TO CLOSE ON SUNDAY, MARCH 23, 2008.

3.11 *

Resolution to Adopt a Public Access Computer Security and Internet Policy and an Access to Audiovisual Materials Policy - consideration of a resolution to establish updated policies due to new technologies and online privacy and security issues - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.12 *

Library Donations - pursuant to Government Code Section 25355, donations of \$856.80 from Oroville Friends of the Library; \$3,815 from Chico Friends of the Library; \$100 from Funtime-Fulltime, Inc.; \$100 from Loyal Order of Moose #519; \$250 from Oroville Kiwanis Club; \$100 from Ann and Stephen Garcia in honor of Barbara Darling; \$437 from an anonymous source; \$1,000 from Georgia V. Herring Trust; \$200 from Maudie Penney; \$1,037.62 from Paradise Friends of the Library; and \$1,500 from J. Ragan have been received for the purchase of books; \$350.75 from the Paradise Friends of the Library has been received for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PROBATION

3.13 *

Youthful Offender Block Grant - approval is requested to accept and appropriate \$119,232 in grant funds for the provision of alternate services to juveniles who are no longer eligible for placement within the Division of Juvenile Justice, formerly California Youth Authority. Approval is also requested for an agreement with Fouts Springs Youth Facility for the provision of rehabilitative placement services for juveniles - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT; APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
HEALTH

3.14 *

California Family Health Council (CFHC) - approval is requested for a revenue agreement with CFHC for the provision of family planning services. The term of the agreement is January 1, 2008 through December 31, 2008 with a maximum amount payable to the County of \$127,598 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.15 *

California Department of Public Health (CDPH) - amendment - approval is requested for an amendment to the revenue agreement with CDPH for the Women, Infants, and Children's (WIC) program. The amendment increases the maximum amount payable to the County by \$68,000 for the period of October 1, 2007 through September 30, 2008 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
WORKS

3.16

Adoption of an Ordinance Adding Chapter 50 to the Butte County Code Relating to Stormwater Management and Discharge Control - consideration of an ordinance to comply with the Federal Clean Water Act and the California State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 2-26-2008 [Item 4.06])

3.17 * Acceptance of Third Party Reimbursement for County Service Area (CSA) 90 - approval is requested to accept \$5,055 in reimbursement for the repair of a fire hydrant that was damaged in a traffic accident. The party responsible for the damage provided the \$5,055 for the cost of the repairs - action requested - ACCEPT THE AMOUNT OF REIMBURSEMENT; AND APPROVE TRANSFER OF FUNDS BACK INTO DESIGNATIONS FOR CSA 90, ZONES 2 AND 3.

3.18 * Waste Recovery West - amendment - approval is requested for an amendment to the agreement with Waste Recovery West for the provision of tire removal from the Neal Road Landfill. The amendment increases the maximum amount payable by \$30,000. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.19 * Resolution Requesting Alternative Progress Payment Procedures on Aguas Frias Bridge Replacement - consideration of a resolution that will allow the department to request the use of Alternate Progress Payment Procedure through Caltrans. This procedure will allow for advance payment of funds from Caltrans - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER/

TAX-COLLECTOR 3.20 *

Monthly Investment Report - submitted is the Monthly Investment Report dated January 31, 2008, in accordance with the Statement of Investment Policy dated July 1, 2007 - action requested - ACCEPT FOR INFORMATION.

3.21 * Public Auction Sale of Tax-Defaulted Properties - approval is requested, pursuant to Revenue and Taxation Code Section 3698, to sell at public auction, via the Internet, tax-defaulted properties which are subject to the power of sale for a stated minimum price. The department has tentatively scheduled the auction for June 14-17, 2008 - action requested - APPROVE REQUEST TO SELL TAX-DEFAULTED PROPERTIES SUBJECT TO THE POWER OF SALE AS DETAILED IN THE AGENDA REPORT AND AUTHORIZE THE CHAIR TO SIGN APPROVAL STATEMENT.

WATER AND
RESOURCE
CONSERVATION

3.22 *

Kennedy/Jenks Consultants, Engineers and Scientists - amendment - approval is requested for an amendment to the contract with Kennedy/Jenks Consultants for the expansion of the Basin Management Objective Information Center (BMOIC) in order to include groundwater monitoring data from the counties of Glenn, Tehama, and Colusa. Glenn and Tehama counties have provided funding for the expansion. The amendment increases the maximum amount payable by \$10,240 and expands the scope of work as detailed in the agenda report - action requested -APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

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.

1. The Chief Administrative Office will provide an update on the progress of the financial management transition of responsibilities - action requested - ACCEPT FOR INFORMATION.

4.03

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

4.04 Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION
AND DISCUSSION
ITEMS

4.05 *

Construction or Expansion of County Jails Request for Proposal (RFP) - approval is requested to complete the RFP process to apply for jail construction and expansion funds. The Corrections Standards Authority requires the adoption of a resolution which commits funds and staff to the project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE THE PROPOSAL FORM AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)

4.06 *

Introduction of an Ordinance Updating Documentary Transfer Tax Provisions - consideration of an ordinance which will update Article III of Chapter 21 of the Butte County Code which authorizes the collection of real property transfer tax, also known as a documentary transfer tax. Approval is requested for a resolution that authorizes the Clerk-Recorder to issue documentary transfer tax refunds not to exceed \$5,000 - action requested - WAIVE THE READING OF THE ORDINANCE; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Clerk-Recorder and County Counsel)

4.07 *

Proposed Bidwell-Sacramento River State Park - The State of California Department of Parks and Recreation has prepared a Draft Environmental Impact Report (DEIR) for the construction of a State Park Campground on State property located on the east side of River Road between West Sacramento Avenue and Big Chico Creek. Once approved by the State, the project could be constructed without County permits. The County has drafted a letter in response to the DEIR - action requested - APPROVE LETTER, AMENDING AS NEEDED AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

4.08 Presentation of Background Information Relating to the Southside Community Center - action requested - ACCEPT FOR INFORMATION AND PROVIDE DIRECTION TO STAFF AS NEEDED. (Chief Administrative Office on behalf of Supervisor Connelly)

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

5.00 PUBLIC HEARINGS AND TIMED ITEMS

10:00 A.M. **5.01 *** Timed Item - Presentation Regarding the County's Website Located at www.ButteBusinessResources.com - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)

10:15 A.M. **5.02 *** Public Hearing - Community Development Block Grant (CDBG) Program - approval is requested to transfer \$100,000 in CDBG Program Income from the Housing Allocation Revolving Loan Account into the Business Expansion and Retention Revolving Loan Account for the purpose of issuing loans to businesses that meet certain requirements - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE USE OF FUND BALANCE IN FUND 0143. (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 GOV. CODE SEC. 54956.9(a): ONE CASE

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)

7.02 INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(C) - ONE POTENTIAL CASE.

7.03 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(b)(1) - ONE POTENTIAL CASE.

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

PROPERTY: 2400-2450 MONTGOMERY
AGENCY NEGOTIATOR: BRUCE ALPERT
NEGOTIATING PARTY: LESA FRANCO/CITY OF OROVILLE
NEGOTIATIONS: PRICE AND TERMS OF PAYMENT.

7.05 PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. CHIEF ADMINISTRATIVE OFFICER
3. CHIEF PROBATION OFFICER
4. CHILD SUPPORT SERVICES DIRECTOR
5. COUNTY COUNSEL
6. DEVELOPMENT SERVICES DIRECTOR
7. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
8. HUMAN RESOURCES DIRECTOR
9. INFORMATION SERVICES DIRECTOR
10. LIBRARY DIRECTOR
11. PUBLIC HEALTH DIRECTOR
12. PUBLIC WORKS DIRECTOR
13. WATER AND RESOURCE CONSERVATION DIRECTOR

7.05 PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. BEHAVIORAL HEALTH DIRECTOR/INTERIM 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
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