

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

JUNE 24, 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** * Resolution Supporting the California Department of Food and Agriculture and the United States Department of Agriculture Project to Eradicate the Light Brown Apple Moth - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

ASSESSOR **3.02** * Introduction of an Ordinance Amending Sections 70, 71, 72, 73, 73.5, and 79; Adding Sections 73.1, 81, 82, 83, and 84; and Repealing Sections 74 through 78 to Chapter 21 Entitled "Taxation" of the Butte County Code - pursuant to California Revenue and Taxation Code Section 170, approval is requested for an ordinance which will update Butte County Code in order to be in compliance with the existing statute - action requested - WAIVE READING OF THE ORDINANCE.

3.03 * Budget Transfer - approval is requested for a budget transfer of \$9,200. The transfer is needed in order for the department to construct an interior wall in the Oroville office - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

AUDITOR-CONTROLLER **3.04** * Unclaimed Property Tax Refunds - the Auditor-Controller has verified unclaimed refunds in the amount of \$3,518.80 which meet the requirements prescribed by Revenue and Taxation Code Sections 5096-5108 and is requesting Board approval to transfer those funds to the County General Fund - action requested - AUTHORIZE THE UNCLAIMED AMOUNTS TO BE TRANSFERRED TO THE COUNTY GENERAL FUND AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL
HEALTH

3.05 *

First Responder Emergency Medical Services, Inc. - approval is requested for this agreement for the provision of emergent and non-emergent client transportation services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$99,000 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 *

Victor Treatment Centers, Inc. - approval is requested for this sole source agreement for the provision of day treatment services, medication support, residential services, and crisis intervention to mentally ill youth at their facility in Redding, CA. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$65,700 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.07 *

Janese Charpentier, FNP-C, PA-C - approval is requested for a sole source agreement with Janese Charpentier, FNP-C, PA-C for the provision of psychiatric services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$45,000 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.08 *

Butte County Department of Probation - approval is requested for an agreement with Probation for the provision of services related to the Connecting Circles of Care program. The term of the agreement is September 25, 2007 through June 30, 2008 with a maximum amount payable of \$77,129 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.09 *

Feather River Tribal Health, Inc. - approval is requested for a sole source agreement with Feather River Tribal Health, Inc. This organization acts as Co-Director to the Connecting Circles of Care grant from the Substance Abuse and Mental Health Services Administration. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$178,406 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.10 * Lawrence C. Mayerle, M.D. - amendment - approval is requested for an amendment to the sole source agreement with Lawrence C. Mayerle, M.D. for the provision of psychiatric services. The amendment increases the maximum amount payable by \$21,000 (proposed department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.11 * Lynne G. Pappas, M.D. - approval is requested for a sole source agreement with Lynne G. Pappas, M.D. Dr. Pappas provides psychiatric services and oversees medical treatment of Behavioral Health clients. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$172,615 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.12 * J. Gregory Long, D.O. - approval is requested for a sole source agreement with J. Gregory Long, D.O. for the provision of psychiatric services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$208,060 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.13 * George Richard Heitzman, M.D. - approval is requested for a sole source agreement with George Richard Heitzman, M.D. for the provision of psychiatric services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$138,320 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.14 * Valley Oak Children's Services - approval is requested for this sole source agreement for the provision of speciality mental health services to children with Medi-Cal. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$46,313.40 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.15 * Youth for Change - approval is requested for an agreement with Youth for Change for the provision of short-term shelter care beds for the Homeless Emergency Runaway Effort (HERE) program. The term of the agreement is September 30, 2008 through September 29, 2009 with a maximum amount payable of \$43,800 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.16 * Tri-County Treatment - amendment - approval is requested for an amendment to this agreement for the provision of short-term residential recovery services and day care habilitative services. The amendment decreases the maximum amount payable by \$16,560 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16700)
- 3.17 * Crestwood Behavioral Health, Inc. - approval is requested for a sole source agreement with Crestwood Behavioral Health, Inc. for the provision of Institutions for Mental Disease (IMD) and Enhancement Services. The agreement will also maximize options for client placement between Crestwood facilities. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$591,653.05 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.18 * Counseling Solutions - approval is requested for a sole source agreement with Counseling Solutions for the provision of mental health services to children with full scope Medi-Cal from Butte County who meet the criteria of medical necessity. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$155,100.40 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.19 * Country Villa Merced Behavioral Health - approval is requested for a sole source agreement with Country Villa Merced Behavioral Health for the provision of community mental health services for chronic mentally disordered patients. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$56,122.19 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.20 * Enloe Medical Center - Touchstone Program - approval is requested for a sole source agreement with Enloe Medical Center for the provision of perinatal treatment services to women with substance abuse impairments. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$579,860 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.21 * Gene Desautels, D.O. - amendment - approval is requested for an amendment to the sole source agreement with Gene Desautels, D.O. Dr. Desautels conducts physical examinations and obtains health histories for individuals in the Psychiatric Health Facility. The amendment increases the maximum amount payable by \$8,400 (department budget) for the period ending June 30, 2008 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.22 * Gene Desautels, D.O. - approval is requested for a sole source agreement with Gene Desautels, D.O. Dr. Desautels conducts physical examinations and obtains health histories for individuals in the Psychiatric Health Facility. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$34,000 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.23 * Modesto Residential Living Center, LLC - approval is requested for a sole source agreement with Modesto Residential Living Center, LLC which is a residential board and care facility for Behavioral Health clients. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$202,175 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.24 * Northern Valley Catholic Social Services - approval is requested for a sole source agreement with Northern Valley Catholic Social Services for the provision of mental health services to children from Butte County with full scope Medi-Cal who meet the criteria of medical necessity. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$977,877.81 (proposed department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.25 * Skyway House - amendment - approval is requested for an amendment to the sole source agreement with Skyway House for the provision of Long-term Residential Recovery Services, Day Care Habilitative Services, and Alcohol and Drug Free Housing for eligible residents referred by Butte County Department of Behavioral Health. The amendment increases the maximum amount payable by \$35,985.89(department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16701)
- 3.26 * State of California, Department of Alcohol and Drug Programs (ADP) - amendment - approval is requested for an amendment to the Combined Negotiated Net Amount (NNA) and Drug/Medi-Cal agreement with ADP. The amendment decreases the Fiscal Year 2007/2008 amount receivable by \$9,116 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40955)
- 3.27 * Summitview Child Treatment Center - approval is requested for a sole source agreement with Summitview for the provision of a day treatment rehabilitation program for emotionally disturbed youth. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$76,384 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.28 * Victor Community Support Services, Inc. - approval is requested for a sole source agreement with Victor Community Support Services, Inc. for the provision of school-based mental health services to children from Butte County with full scope Medi-Cal who meet the criteria of medical necessity. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$1,944,218.63 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.29 * Willow Glen Care Center - approval is requested for a sole source agreement with Willow Glen Care Center which provides residential board and care for Behavioral Health clients. The term of the agreement is July 1, 2008 through June 30, 2009 with maximum amount payable of \$64,240 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.30 * Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for the provision of mental health services, day treatment programs, medication support services, and crisis intervention to youth clients and their families. The amendment increases the maximum amount payable by \$92,507.55 (department budget). Funds for this amendment are from reallocated budgeted funds from similar providers - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16772)

3.31 * State Department of Mental Health (DMH) Standard Agreement - approval is requested for an agreement with DMH which provides assurances that Butte County shall satisfy the conditions of funding and accounting for various mental health programs. The term of the agreement is July 1, 2007 through June 30, 2010. It is a zero dollar agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHIEF

ADMINISTRATIVE

OFFICE

3.32 * Fixed Asset Purchase - approval is requested for the fixed asset purchase of furniture and equipment for staff recently transferred to Administration from the Auditor's office. The purchases will be made within existing appropriations previously authorized by the Board - action requested - APPROVE FIXED ASSET PURCHASE OF FURNITURE AND EQUIPMENT IN THE AMOUNT OF \$75,000.

3.33 * Renewal of Local Emergency Declaration - approval is requested for the continuance of the local emergency that was declared on June 11, 2008 as a result of Butte Fire Storm 2008. Per State of California Government Code, the declaration must be reviewed at each regularly scheduled Board meeting until terminated - action requested - APPROVE CONTINUANCE OF THE EMERGENCY DECLARATION.

CHILD SUPPORT
SERVICES

3.34 *

Laboratory Corporation of America Holdings - approval is requested for this agreement for the provision of genetic testing in order to establish paternity. The term of the agreement is July 1, 2008 through June 30, 2011 with a maximum amount payable of \$60,000 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

COUNTY
COUNSEL

3.35 *

Neil H. McCabe - amendment - approval is requested for and amendment to the agreement with Neil H. McCabe for legal services. The amendment extends the term of the agreement to June 25, 2009 and increases the daily maximum amount payable to \$600 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

DEVELOPMENT
SERVICES

3.36 *

Update on Limited Agricultural Building Program - the Department has provided an update on the Limited Agricultural Building Permitting policies, building permit fees, impact fee collection and amnesty program in Butte County - action requested - ACCEPT FOR INFORMATION.

GENERAL
SERVICES

3.37 *

Vanir Construction Management, Inc. - amendment - approval is requested for an amendment to the agreement with Vanir Construction Management, Inc. for the provision of site evaluation services on certain sites being considered for possible consolidation of government offices. The amendment extends the term of the agreement to June 30, 2009, increases the maximum amount payable by \$78,000, and amends the scope of work as detailed in the agenda report - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16368)

3.38 *

Surplus Vehicles and Equipment - approval is requested to declare surplus a total of twenty 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.

3.39 * Budget Transfer - approval is requested for a budget transfer of \$62,700 from Contingencies as detailed in the agenda report. The transfer is needed for the replacement of the fire detection and notification system for the West Jail Facility - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.40 * Budget Transfer - approval is requested for a budget transfer of \$333,030 as detailed in the agenda report. On April 22, 2008, this Board approved appropriations for space acquisition and associated expenses in accordance with the Capital Improvement Plan. Due to updated information and modifications to the schedule of proposed moves, the \$330,030 will not be expended in the current fiscal year and should be returned to the Capital Project Fund - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED.

3.41 * Budget Transfer - approval is requested for a budget transfer of \$38,000 for the Paradise Veterans Memorial Hall Capital Project as detailed in the agenda report - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

HUMAN
RESOURCES

3.42 * Resolutions Honoring Butte County Employees for Dedicated Years of Service - presentation of awards Butte County employees. The following individuals have 30 years of service: Howard Abbott, Michael Ramsey, and Mimi Rogers. Terry Pennie has 35 years of service - action requested - ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.

3.43 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: BEHAVIORAL HEALTH - requests to change one position of Behavioral Health Counselor; Behavioral Health Counselor, Senior; or Mental Health Worker with a sunset date of June 30, 2008 to a full-time position without a sunset date. The funding for this position is from the California Department of Alcohol and Drug Programs and is ongoing - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
HEALTH

- 3.44 * Northern California EMS, Inc., - approval is requested for this sole source agreement for the provision of emergency medical functions that are required by the Emergency Medical Services Act. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$81,397 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.45 * Private Industry Council (PIC) - amendment - approval is requested for an amendment to the agreement with PIC for the services of teen peer providers at the Public Health Clinics in Chico and Oroville. The amendment extends the term of the agreement to June 30, 2009 and increases the maximum amount payable by \$12,000. 100% of the funding for this program is provided by a grant from the California Department of Public Health - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. 16360)
- 3.46 * Oro Dam Veterinary Service - amendment - approval is requested for this amendment for the provision of boarding, quarantine, and medical services to animals referred by the Butte County Animal Control Division. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$14,950 (proposed department budget). All other terms and conditions 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. X16056)
- 3.47 * Linda Lewis - approval is requested for a sole source agreement with Linda Lewis for the provision of epidemiology services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum payable amount of \$67,600. 100% of the funding for this agreement is provided through State and Federal grants - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLICWORKS

3.48 *

Award of Bid for Skyway Lookout Point Parking and Pedestrian Viewing Facility, County Project No. 51261-2-2005-1 - Five bids for this project were received and opened on June 12, 2008. The lowest responsible and responsive bidder was Baldwin Contracting Company, Inc. of Chico, CA with a bid in the amount of \$431,599.30. The present Transportation Enhancement grant for this project would reimburse the County a maximum of \$400,000 for eligible construction costs with the difference budgeted from available County Road Funds - action requested - AWARD BID TO BALDWIN CONTRACTING COMPANY, INC.

3.49 *

Resolution Authorizing a Regional Household Hazardous Waste Grant Application - consideration of a resolution which would authorize the Rural Counties Environmental Services Joint Powers Authority (ESJPA) to submit a regional application to the California Integrated Waste Management Board (CIWMB) on behalf of Butte County. Grant funds are available on a competitive basis to continue and expand existing household hazardous waste programs - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.50 *

Resolution of Intent to Establish the Butte County Permanent Road Division Zone 001 - The developer of the Tonriha Subdivision in Oroville has submitted an application to form a Zone within the Butte County Permanent Road Division which will impose parcel charges for lighting and road maintenance - action requested - ADOPT RESOLUTION OF INTENT AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT PUBLIC HEARING TO BE SET FOR AUGUST 19, 2008 AT 10:30 A.M.

3.51 *

Award of Bid for the Skyway/Honey Run Road Intersection Signalization Project, County Project No. 51261-06-1 - Three bids for this project were received and opened on June 4, 2008. The lowest responsible and responsive bidder was Baldwin Contracting Company, Inc. of Chico, CA with a bid in the amount of \$780,850.45. Cost for construction will be paid from countywide traffic impact fees with an additional \$150,000 previously earmarked from Proposition 1B funding - action requested - AWARD BID TO BALDWIN CONTRACTING COMPANY, INC.

3.52 * County Service Area (CSA) No. 34 (Gridley Swimming Pool) - approval is requested for an agreement with the Butte County Fair Association for the operation, maintenance, repair, and upkeep of the Gridley Swimming Pool. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$52,970. To provide for the funding advance available under the contract, approval is also requested for a loan from the CSA Revolving Loan Fund in the amount of \$25,500. The loan will be repaid prior to the end of Fiscal Year 2008/2009 through monies collected by property taxes, AB 8 funding, and gate receipts - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION APPROPRIATING MONIES FROM THE COUNTY SERVICE AREA REVOLVING LOAN FUND AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X17193)

3.53 * Letter in Support of Assembly Bill (AB) 2347 (Ruskin) - approval is requested for a letter of support for AB 2347. This bill would place the responsibility of collection, recycling, and public education on the companies that profit from the manufacture and sale of mercury thermostats in the State of California - action requested - APPROVE LETTER IN SUPPORT OF AB 2347 AND AUTHORIZE THE CHAIR TO SIGN.

3.54 * Rare Earth Estates Subdivision, APN 047-350-062 - Rare Earth Subdivision is a 12 lot public street subdivision located on the east side of Garner Lane at Tuliani Drive in Chico, CA. The developers have provided Performance, Labor and Materials Bonds to guarantee construction of the required improvements within one year of map approval - action requested - 1) APPROVE FINAL MAP FOR RARE EARTH SUBDIVISION; 2) ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE FOLLOWING: GARNER LANE, TIBERON WAY, LOT A, AND THE STORM DRAINAGE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; 3) ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION BY THE OWNER'S STATEMENT; 4) AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

TREASURER/

TAX COLLECTOR

3.55 * Adoption of an Ordinance Amending Butte County Code Section 2-166 Delegating Investment Authority to the Butte County Treasurer-Tax Collector - pursuant to Government Code Section 53607, approval is requested for an ordinance which will delegate investment authority to the Treasurer-Tax Collector for Fiscal Year 2008/2009. This ordinance will replace No. 3964 which expires June 30, 2008 - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 6-10-2008 [Item 3.57])

3.56 * Relief of Accountability - approval is requested for relief of accountability for a \$100 cash shortage as a result of a loss on March 17, 2008. An investigation by the Auditor's office found no evidence of fraud or gross negligence or any disregard of procedures or undue lack of care - action requested - RELIEVE ACCOUNTABILITY IN THE AMOUNT OF \$100.00.

3.57 * Discharge Delinquent Unsecured Accounts - pursuant to Revenue and Taxation Code Sections 2923, approval is requested to discharge from the property tax roll all delinquent unsecured accounts that are 10 years or older as uncollectible debt - action requested - APPROVE DISCHARGE OF DELINQUENT UNSECURED ACCOUNTS THAT ARE 10 YEARS OR OLDER AS UNCOLLECTIBLE DEBT.

SHERIFF-
CORONER

3.58 * Data 911 - approval is requested for an agreement with Data 911 for the management of the emergency telephone call tracking, dispatching, and report writing systems. The term of the agreement is July 1, 2008 through June 30, 2011 with a maximum amount payable of \$251,453 (proposed department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.59 * Accept Search and Rescue Boat - approval is requested to accept a 1993 Jet Craft boat and trailer offered by the Department of Boating and Waterways (DBAW). While DBAW will remain the owner or lien holder of the boat and trailer, the vehicles will be registered to Butte County and assigned to Search and Rescue. The estimated value of the vehicles is \$13,500 - action requested - ACCEPT THE LOANED ASSETS OF A 1993 JET CRAFT BOAT AND TRAILER.

3.60 * California Forensics Medical Group (CFMG) - approval is requested for an agreement with CFMG for the provision of medical care to jail inmates and individuals in juvenile hall. The term of the agreement is July 1, 2008 through June 30, 2011. The first year of the agreement has a maximum amount payable of \$3,177,504. The subsequent two years of the agreement are based on the medical Consumer Price Index - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

WATER &
RESOURCE
CONSERVATION

3.61 *

Butte County Water Advisory Committee - action requested - APPOINT ROCKY DONATI AS THE AGRICULTURE AT-LARGE REPRESENTATIVE TO A TERM TO END JUNE 24, 2010.

OTHER
DEPARTMENTS
AND AGENCIES

3.62 *

Butte County Children and Families Commission Fiscal Year 2008/2009 Budget - pursuant to Butte County Code, submitted is the Fiscal Year 2008/2009 budget adopted by the Commission on May 16, 2008 - action requested - ACCEPT FOR INFORMATION.

3.63 *

Butte County Children and Families Commission - action requested - REAPPOINT KAREN MARLATT, LINDA MOORE, AND DAVE SCOTT TO TERMS TO END JULY 1, 2010.

3.64 *

Housing Authority of the County of Butte - action requested - REAPPOINT SHIRLEY ANDREWS AND LENA WHITE TO TERMS TO END APRIL 13, 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.

4.04 *

Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION
AND DISCUSSION
ITEMS

4.05 *

Mid-Valley Title and Escrow Co. - amendment - approval is requested for an amendment to the lease agreement with Mid-Valley Title and Escrow Co. for the property located at 183 E. 6th Street, Chico. The property houses the Assessor's Chico branch office. The amendment extends the term of the lease agreement through June 30, 2014, increases the monthly rent by \$154, and provides for an increase in months 25 and 49 based on the Consumer Price Index - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Assessor)

4.06 *

Recovery Assistance for Victims of Butte Fire Storm - June 2008 - The Chair of the Board declared a state of emergency on June 11, 2008 due to the Ophir and Humboldt fires. Due to the hardship suffered by property owners, the County is considering fee assistance or waivers, temporary County Code amendments, and streamlined services under County jurisdiction. Specific criteria will have to be met as detailed in the agenda report. Pursuant to Section 3-40.5 of the Butte County Code, the Board may find it is in the public interest to waive certain fees. Staff will provide a report of potential costs and fiscal impacts at the June 24th Board meeting - action requested -

1) FIND IT IS IN THE PUBLIC INTEREST TO WAIVE CERTAIN FEES, IN COMPLIANCE WITH BUTTE COUNTY CODE SECTION 3-40.5;

2) DIRECT STAFF TO DEVELOP CRITERIA, A PLAN, AND PROCEDURES FOR WAIVING APPROPRIATE FILING AND PERMIT FEES FOR VICTIMS OF THE BUTTE FIRE STORM 2008;

3) AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO APPROVE THE CRITERIA, PLAN, AND PROCEDURES AND TO WAIVE VARIOUS FEES IN SITUATIONS THAT MEET DEFINED REQUIREMENTS; AND

4) RETURN TO THE BOARD IN SEPTEMBER 2008 TO REPORT ON REQUESTS AND ACTIONS TAKEN REGARDING RECOVERY EFFORTS. (Chief Administrative Office)

4.07 *

Resolution Regarding the Butte County-Palmdale Water District Emergency Table A Water Transfer for 2008 and 2009 - consideration of a resolution which certifies the Board has reviewed and considered a Negative Declaration prepared by the Palmdale Water District and authorizes participation in the Table A transfer. Approval of the resolution authorizes the Chair to sign agreements with the Palmdale Water District and the Department of Water Resources - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Water and Resource Conservation)

4.08

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

Recess 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
JUNE 24, 2008

1.00 **Call to Order** - Butte County Board of Supervisors Room,
25 County Center Drive, Oroville.

2.00 **Closed Session**

2.01 CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT
CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS / LAURA
BRUNSON/JACK HUGHES

EMPLOYEE ORGANIZATION: CUHW

3.00 **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**10:00 A.M. **5.01 ***

Timed Item - Four Appeals of Planning Commission Resolution 08-24 Modifying and Adopting a Revised Order to Comply Regarding an Amended Mining and Reclamation Permit for the New Era Mine - The modified Revised Order to Comply, which became effective on April 21, 2008, requires seven actions of the New Era operators, including requirements to take all appropriate actions necessary to obtain approval of an amended mine permit, reclamation plan, and a financial assurance mechanism in accordance with a compliance schedule. Action 7 of the Revised Order to Comply allows the operators to continue mining operations in Pits 1 and 2 while taking appropriate actions to obtain approval of an amended mining permit and reclamation plan over an 18-month period from the effective date of the order. On June 10, 2008, the Board heard public testimony and closed the Public Hearing. This item was continued for Board deliberation - action requested - STAFF RECOMMENDS THE BOARD UPHOLD THE PLANNING COMMISSION'S APRIL 10, 2008 MODIFICATION OF THE REVISED ORDER TO COMPLY AND DENY THE FOUR APPEALS FROM NORTH CONTINENT LAND AND TIMBER, THE NEW ERA MINE OPERATORS; RICHARD MEYERS; THE RESIDENTS OF BUTTE VALLEY; AND LUCY COOKE. (Development Services) (From 6-10-2008 [Item 5.04])

11:00 A.M. **5.02 ***

Timed Item - Update on Animal Control Ordinance - the Director of Public Health will provide a report regarding the June 4, 2008 public forum held in Oroville - action requested - ACCEPT FOR INFORMATION AND PROVIDE DIRECTION AS NEEDED. (Public Health)

1:30 P.M. **5.03 ***

Public Hearing - Butte County Fiscal Year 2008/2009
Final Budget - action requested:

1. RECEIVE RECOMMENDED ADJUSTMENTS TO THE PROPOSED BUDGET SUBMITTED BY THE CHIEF ADMINISTRATIVE OFFICER PER ATTACHED SCHEDULE A, SCHEDULE 9 PURCHASING, SCHEDULE B, AND SCHEDULE C;
2. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
3. UPON CONCLUSION OF THE PUBLIC HEARING, PROVIDE DIRECTION TO STAFF TO PREPARE A FINAL BUDGET RESOLUTION FOR CONSIDERATION ON JULY 22, 2008. PROVIDE DIRECTION THAT IF GENERAL FUND BALANCE AVAILABLE IS LESS OR GREATER THAN PROJECTED, CONTINGENCIES BE LOWERED OR INCREASED TO MAKE UP THE DIFFERENCE;
4. OPEN PUBLIC HEARING TO CONSIDER A TRANSFER OF UP TO \$1,466,374 FROM THE PUBLIC HEALTH REALIGNMENT TRUST FUND TO THE SOCIAL SERVICES REALIGNMENT TRUST FUND, PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 17600.20(c)1; AND FOLLOWING THE CLOSE OF THE PUBLIC HEARING, ADOPT A RESOLUTION APPROVING THE TRANSFER AND AUTHORIZE THE CHAIR TO SIGN; AND
5. APPROVE CASH ADVANCE OF UP TO \$4 MILLION FROM THE GENERAL FUND INTO THE BEHAVIORAL HEALTH FUND FOR FISCAL YEAR 2007/2008. (Chief Administrative Office) (FROM 6-10-2008 [Item 3.21])

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): THREE CASES

1. JONES V. COUNTY OF BUTTE, ET AL (CONSENT DECREE); BUTTE COUNTY SUPERIOR COURT 084429;
2. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA.

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

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

PROPERTY: 183 E. 6TH STREET, CHICO, CA.
AGENCY NEGOTIATOR: CHIEF ADMINISTRATIVE OFFICER
NEGOTIATING PARTY: DANIEL F. HUNT
NEGOTIATIONS: PRICE AND TERMS OF LEASE.

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/INTERIM 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
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