

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

SEPTEMBER 9, 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**

**BEHAVIORAL**  
**HEALTH**

- 3.01 \***            MCPP Healthcare Consulting - amendment - approval is requested for an amendment to the sole source agreement with MCPP for the provision of services related to the department's transition to the Avatar Electronic Medical Record system. The amendment will add an additional Scope of Work to cover a Data Management Consultation project and increases the maximum amount payable by \$13,600 (department budget). 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. (Contract No. X17265)
- 3.02 \***            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 increases the Fiscal Year 2007/2008 amount receivable by \$16,084 (department budget) - 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 AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40955)
- 3.03 \***            Laurie Dana - approval is requested for an agreement with Laurie Dana for the development and oversight of the Connecting Circles of Care social marketing/communications plan. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$60,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.04 \* Rowell Family Empowerment of Northern California, Inc. - approval is requested for this agreement for services related to the Connecting Circles of Care program. The term of the agreement is July 1, 2008 through September 30, 2008 with a maximum amount payable of \$113,645 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.05 \* Budget Transfer and Fixed Asset Purchase - approval is requested to accept and appropriate \$183,900 received through Substance Abuse and Mental Health Services Administrations (SAMHSA) Connecting Circles of Care grant funds. The SAMHSA grant is designed to create and expand services for severely emotionally disturbed children. Approval is also requested for the purchase of a passenger van for \$18,000 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF PASSENGER VAN.

CHIEF  
ADMINISTRATIVE  
OFFICE

3.06 \* Resolution Recognizing the Continuing Existence of Local Emergency Declarations - approval is requested for a resolution recognizing the continuance of the local emergency declarations for the June 2008 Firestorm (Ophir-Humboldt fires) which began on June 10, 2008, and the June 2008 Butte Lightning Complex which began on June 21, 2008 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.07 \* Response to the 2007/2008 Grand Jury Final Report - submitted is the draft Board of Supervisors' response to the findings and recommendations contained in the 2007/2008 Grand Jury Final Report. The report also includes a copy of the responses provided directly to the Presiding Judge from the elected and appointed department heads - action requested - APPROVE THE RESPONSE; OR DIRECT STAFF TO AMEND, IF NEEDED, AND TO BRING BACK AMENDED RESPONSE FOR FINAL APPROVAL AT SEPTEMBER 23, 2008 BOARD OF SUPERVISORS MEETING.

3.08 \* Fiscal Year 2007 Public Safety Interoperable Communications (PSIC) Grant - approval is requested to accept and appropriate \$773,937 in unanticipated revenue received from the Office of Homeland Security to be used to purchase authorized equipment as detailed in the agenda report and for a planning consultant for a Northern Planning Area Interoperability Assessment - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AUTHORIZE THE EMERGENCY SERVICES OFFICER TO PURCHASE AUTHORIZED EQUIPMENT AS DETAILED IN THE AGENDA REPORT.

3.09 \* Fiscal Year (FY) 2007 State Homeland Security Grant Program - approval is requested to re-appropriate \$30,988 from the FY 2007 State Homeland Security Grant as detailed in the agenda report. The re-appropriated funds will be used for approved equipment purchases for the Oroville Fire Department, community outreach projects, and training in the current fiscal year Assessment -action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

CLERK OF  
THE BOARD

3.10 \* Approval of Minutes - action requested - APPROVE MINUTES OF JUNE 16, 2008; JULY 9, 2008; AUGUST 5, 2008; AND AUGUST 19, 2008.

CLERK-RECORDER/  
ELECTIONS

3.11 \* Modification to County Employee Precinct Officer Program and Stipend for Precinct Officers - approval is requested to increase administrative leave from eight to twelve hours for County overtime exempt volunteers who serve as Precinct Officers and Technical Support Rovers on Election Day. Management volunteers who have requested split shifts to accommodate regular working hours and work at the polls would receive six hours of administrative leave. It is also requested the total maximum stipend for Citizen Precinct Officer Volunteers increase as follows: \$175 for Precinct Inspector; \$145 for Chief Inspectors; \$155 for Voting System Specialists; and \$130 for clerks - action requested - AUTHORIZE INCREASE IN ADMINISTRATIVE LEAVE FOR MANAGEMENT EMPLOYEES TO TWELVE HOURS; AUTHORIZE INCREASE IN PRECINCT OFFICER STIPEND; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) FROM GENERAL FUND IN THE AMOUNT OF \$6,000 AS DETAILED IN THE AGENDA REPORT.

3.12 \*

Special Districts - Appointments in Lieu of Elections - California Elections Code Section 10515 allows the Board of Supervisors to appoint various special district board members for districts scheduled to elect members on November 4, 2008, where the number of persons filing a declaration of candidacy is equal to or less than the number of offices to be filled, and there was no petition submitted calling for an election. The Clerk-Recorder submits a Certificate of Facts-Exhibit A, listing the following: 1) El Medio Fire Protection District - Colene Davis, Joe A. Farmer, and Gary R. Nystuen - each for four year terms; 2) Durham Irrigation District, Division 2 - Raymond Cooper, four year term; 3) Durham Irrigation District, Division 3 - Nick Gore, four year term; 4) South Feather Water and Power Agency, Division 4 - James L. Edwards, four year term; 5) Paradise Irrigation District, Division 1 - Ken Hunt, four year term; 6) Paradise Irrigation District, Division 5 - Rick Hall, four year term; 7) Thermalito Irrigation District, Division 1 - Brad Taggart, four year term; 8) Thermalito Irrigation District, Division 2 - Gary Allen, four year term; 9) Thermalito Irrigation District, Division 4 - Stan Houston, four year term; 10) Lake Oroville Public Utility District - Keith J. Frasier and T.C. Dennis - each for four year terms; and Steve Onken, two year term; 11) Durham Recreation and Park District - Roy Farrell and Casey Sohnrey - each for four year terms; 12) Paradise Recreation and Park District - Morgan S. Miller and Steve Williams - each to four year terms; and 13) Richvale Recreation and Park District - Audrey G. Stephens and Gregory A. Stephens - each to four year terms - action requested - APPOINT NOMINEES.

DISTRICT  
ATTORNEY

3.13 \*

Budget Transfer - approval is requested for a budget transfer in the amount of \$29,076 as detailed in the agenda report. These funds will be used to facilitate the completion of the planned upgrade of computer programs and equipment - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.14 \*

Budget Transfer - approval is requested for a budget transfer in the amount of \$38,865 as detailed in the agenda report. This amount is the balance of remaining funds from the Fiscal Year 2007/2008 Special Distribution Fund. The balance will provide funding for a DA investigator position assigned to local Indian Gaming Casinos through October 17, 2008 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.15 \* Accept Donation - approval is requested to accept a Spectrum Analyzer donated by the California Department of Fish and Game. The estimated value of the analyzer is \$45,000 - action requested - ACCEPT DONATION AND AUTHORIZE THE SPECTRUM ANALYZER BE ADDED TO THE FIXED ASSET INVENTORY LIST.

3.16 \* Valley Toxicology Services, Inc. - amendment - approval is requested for an amendment to the agreement with Valley Toxicology Services, Inc. for the provision of forensic alcohol and drug testing, reporting and court testimony. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$77,016 -action requested - APPROVE AGREEMENT AMENDEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.17 \* Equitable Sharing Agreement and Certification - approval is requested for the Fiscal Year 2007/2008 Equitable Sharing Agreement and Certification which will be submitted to the Department of Justice and the United States Department of the Treasury as required by law - action requested - AUTHORIZE THE CHAIR TO SIGN AGREEMENT.

EMPLOYMENT  
AND SOCIAL  
SERVICES

3.18 \* Remi Vista, Inc. - amendment - approval is requested for an amendment to the agreement with Remi Vista, Inc. for the provision of the Transitional Housing Placement-Plus (THP-Plus) program. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$141,240 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.19 \* Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for the provision of the Transitional Housing Placement-Plus (THP-Plus) program. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$141,240 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

FIRE

3.20 \*

Office of Traffic Safety Grant - approval is requested to accept and appropriate \$197,373 in grant funds received from the State of California Business, Transportation, and Housing Agency. The funds will be used to purchase three sets of fully equipped extrication systems and a rescue vehicle. There is a required match of \$119,000 which will come from the Community Cost Share Trust Fund - action requested - 1) APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; 2) APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND 3) AUTHORIZE FIXED ASSET PURCHASES OF EXTRICATION SYSTEMS AND A RESCUE VEHICLE.

HUMANRESOURCES

3.21 \*

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY - requests to delete one position of Investigator II, I. This deletion was part of the final budget for Fiscal Year 2008/2009 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.22 \*

Delta Dental of California - approval is requested for renewal of the agreement with Delta Dental which provides the dental care services benefit for Butte County employees. The agreement was originally established in 1996, and the renewal is effective January 1, 2007 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.23 \*

Delta Dental of California - amendment - approval is requested for an amendment to the agreement with Delta Dental for the provision of the dental care services benefit for Butte County employees. The amendment provides for changes in the monthly premiums for County employees and their dependents 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.

INFORMATIONSYSTEMS

3.24 \*

AT&T - approval is requested to participate with the State of California's agreement with AT&T for communications related services known as California Integrated Information Network 2 (CalNet 2). Participation in the existing CalNet agreement has resulted in communication service cost reductions and improved communication capabilities - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

LIBRARY

3.25 \* Resolution Recognizing September 2008 as Library Card Sign-Up Month in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.26 \* Library Donations - pursuant to Government Code Section 25355, donations of \$731.80 from the Oroville Friends of the Library; \$390.50 from an anonymous source; \$4,195 from the Chico Friends of the Library; \$100 from David Oberlin in honor of Richard C. Peters, O.D.; \$2,400 from Paradise Friends of the Library; \$100 from Maudie Penney have been received for the purchase of books; \$929.82 from the Paradise Friends of the Library has been received for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.27 \* Library Donations - pursuant to Government Code Section 25355, donations of \$2,100 from Oroville Friends of the Library; \$10,200 from Chico Friends of the Library; \$3,600 from Paradise Friends of the Library; \$500 from Gridley Friends of the Library; \$400 from Durham Friends of the Library; and \$8,233.70 from North Valley Community Foundation have been received for professional services to assess community perception of current services and to help create the future goals and direction of the Library; \$1,285.34 from North Valley Community Foundation has been received for supplies. Approval is requested to appropriate \$26,319 as detailed in the agenda report - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.28 \* Boys and Girls Club - approval is requested for a sole source agreement with the Boys and Girls Club for the provision of after school programs in Oroville, Paradise, and Chico. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$262,179 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.29 \* Budget Transfer and Fixed Asset Purchase - approval is requested to transfer \$11,000 as detailed in the agenda report for the purchase of a Relief Feature climbing wall to be installed at Juvenile Hall. The department's Minor Adjustments Program will use the wall for program related activities - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF CLIMBING WALL SYSTEM.

3.30 \* Gary Bess - amendment - approval is requested for an amendment to the agreement with Gary Bess for the provision of evaluation consultation services. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$40,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.31 \* Three (3) Agreements for Counseling Services - The Probation Department recently completed a competitive bid process for the provision of counseling services for minors at Juvenile Hall. The term of each agreement is September 1, 2008 through June 30, 2009. The agreements are with the following providers: 1) Christina Wong, Licensed Clinical Social Worker for a maximum amount payable of \$66,000 (department budget); 2) Jennifer Kennelly, licensed psychologist for a maximum amount payable of \$15,000 (department budget); and 3) Lisa Creamer O'Donnell, Licensed Marriage and Family Therapist for a maximum amount payable of \$99,000 (department budget)- action requested - APPROVE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC  
HEALTH

3.32 \* Release of Lien on 7850 Lava Street, Stirling City, APN 059-096-019 - The property in question was abated by the Public Health Department in 1998 and, as a result, a lien in the amount of \$9,349.92 was placed on the property in 1998. The parcel is 37.5 ft. by 75 ft. (0.06 acres), has limited potential for development and has become a depository of scrap and debris. The current owner has proposed to transfer the strip of land to an abutting property owner, and that property owner has agreed to abate the property and to pay the assessed value of the land based on tax assessor records. That assessed amount is \$2,380. The County conducted an appraisal of the parcel and has determined it has no value in the general market due to the estimated cost of debris removal - action requested - ADOPT A RESOLUTION THAT 1) MAKES FINDINGS THAT IT IS IN THE PUBLIC INTEREST TO REMOVE THE PUBLIC NUISANCE AND TO REHABILITATE THE PROPERTY AS SOON AS POSSIBLE; 2) AUTHORIZES THE PUBLIC HEALTH DEPARTMENT TO REDUCE THE LIEN TO THE ASSESSED VALUATION OF \$2,380, OR THE SALE PRICE OF THE PARCEL, WHICHEVER IS GREATER; 3) DIRECTS THE PUBLIC HEALTH DEPARTMENT TO ESTABLISH AN ESCROW AGREEMENT TO ASSURE THAT ALL SCRAP AND DEBRIS ARE REMOVED FROM THE PROPERTY WITHIN 60 DAYS OF THE DATE OF THIS RESOLUTION AND TO ASSURE THE MERGER OF THE PARCELS; AND 4) AUTHORIZES THE DEPARTMENT TO RECORD A SATISFACTION OF LIEN ONCE VERIFICATION OF THE CONDITIONS ESTABLISHED IN THE ESCROW AGREEMENT ARE MET.

3.33 \* Butte County Office of Education (BCOE) - approval is requested for a sole source agreement with BCOE for the provision of tobacco education to school age children in Butte County. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$42,070 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.34 \* American Lung Association of California - approval is requested for a sole source agreement with the American Lung Association for the provision of tobacco education and smoking cessation activities. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$57,930 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.35 \* Office of Traffic Safety (OTS) Grant Agreement - approval is requested for a revenue agreement with OTS for the provision of an educational campaign intended to decrease the number of children and teens injured or killed in motor vehicle accidents. The term of the agreement is October 1, 2008 through September 30, 2010 with a maximum amount receivable of \$197,197 (department budget). Approval is also requested for related budget transfers as detailed in the agenda report - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.36 \* Budget Transfer and Fixed Asset Purchase - approval is requested to accept and appropriate \$30,000 in grant funds as detailed in the agenda report. Approval is also requested for the fixed asset purchase of a hybrid vehicle for use in the Women, Infants, and Children's program. The purchase will be funded 100% with grant funds - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF TOYOTA PRIUS.

PUBLIC  
WORKS

3.37 \* Accept Donation - approval is requested to accept a donation from the Paradise Recreation and Park District in the amount \$10,000 to be used for the Skyway Lookout Point Parking and Pedestrian Viewing Facility - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION.

3.38 \* Contract Change Order for the Overlay of the Riceton Highway from Afton Road to the Union Pacific Railroad Tracks, County Project No. 16321-07-01 - approval is requested for this change order which provides for increased funding for extra work at the intersection of Riceton Highway and Afton Road to remove unsuitable chip seal surfacing and to rebuild the intersection with a full depth section of asphalt concrete. This contract change order results in an overall increase to the contract of \$10,097.37 - action requested - APPROVE CONTRACT CHANGE ORDER AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.39 \* Notice of Completion - Overlay of the Riceton Highway from Afton Road to the Union Pacific Railroad Tracks, County Project No. 16321-07-01 - All contract work has been completed. The work consisted of an asphalt concrete overlay. Thermoplastic pavement markers and lane lines were also placed along with retro-reflective pavement markers - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.

3.40 \* Fiscal Year 2008/2009 Budget Adjustments for Various County Service Areas - submitted are various County Service Area (CSA) budget adjustments for Fiscal Year 2008/2009 - action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

SHERIFF-  
CORONER

3.41 \* Accept Donation - approval is requested to accept the donation of a 2007 Sportsman All Terrain Vehicle valued at \$3,805 from the Pacific Gas and Electric Company. The vehicle will be used by officers working in areas of Butte County that are inaccessible by regular patrol vehicles - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION.

3.42 \* Budget Transfer - approval is requested to appropriate a \$22,454 fund balance from Special Distribution Funds received in Fiscal Year (FY) 2007/2008 as detailed in the agenda report. The grant received in FY 2007/2008 was used to fund two deputy sheriff positions and one clerk position. It is requested the balance of funds be transferred to FY 2008/2009 to continue to support the clerk position through November 28, 2008 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.43 \* Budget Transfer - approval is requested to accept and appropriate \$22,455 in unanticipated revenue from the Sexual Assault Felony Enforcement (SAFE) grant that is administered through Shasta County. The majority of the funds will be used to support a clerk position assisting in the investigations unit - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.44 \* Budget Transfer - approval is requested to appropriate \$13,700 from the Civil Equipment cash account as detailed in the agenda report for the purchase of computers and office equipment as well as a Plotter to print maps. The cash account is funded by civil process collections intended for purchases within the civil division - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF A PLOTTER.

TREASURER/  
TAX COLLECTOR

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

3.46 \* Resolution Confirming and Increasing the Central Collections Change Fund - consideration of a resolution which will increase the Central Collections Change Fund from \$100 to \$250. The current amount of \$100 is insufficient to handle the daily volume of cash transactions - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.47 \* Two Resolutions Related to the Fire Station 55 Renovation Project - approval is requested for two resolutions. The first resolution will approve the forms of the legal documents related to the issuance of Certificates of Participation in an amount not to exceed \$1,100,000 as required by the United States Department of Agriculture (USDA). The second resolution details the terms and conditions of the loan agreement with the USDA - action requested - ADOPT RESOLUTIONS (2) AND AUTHORIZE THE CHAIR TO SIGN.

OTHER  
DEPARTMENTS  
AND AGENCIES

3.48 \* Resolution Regarding National POW/MIA Recognition Day - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Connelly)

3.49 \* Oroville Memorial Hall Committee - action requested - APPOINT STANLEY E. RINEHART, DELEGATE, POST 9602 AND ROY BOYETTE, ALTGERNATE, POST 9602 TO TERMS TO END JUNE 30, 2009.

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 \*

Presentation of Certificates of Commendation for Heroic Actions - Butte County Fire Chief, Henri Brachias will present Certificates of Commendation to Joshua Gilbertson, Jimmy Willford and Tony Koester - action requested - RECOGNIZE AND THANK CITIZENS FOR HEROIC ACTIONS. (Fire)

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4.06 Presentation by Sylvia Milligan of the Recreation Outdoors Coalition - action requested - ACCEPT FOR INFORMATION AND PROVIDE DIRECTION TO STAFF AS NEEDED. (Supervisor Yamaguchi)

4.07 \* State Citizen's Option for Public Safety (COPS) Spending Plan - The District Attorney's Office and the Sheriff's Office have submitted their expenditure plans for Fiscal Year 2008/2009. The Supplemental Law Enforcement Oversight Committee has approved these plans - action requested - TAKE PUBLIC COMMENT; AND ACCEPT AND APPROVE THE STATE COPS SPENDING PLAN. (Sheriff)

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

4.09 Recess as the Butte County Board of Supervisors and Convene as the Butte County Public Facilities Financing Corporation Board of Directors

**BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION**

**AGENDA**

**SEPTEMBER 9, 2008**

1. **Call to Order** - Board of Supervisors Room, 25 County Center Drive, Oroville.
2. **Approval of Minutes** - action requested - APPROVE MINUTES OF FEBRUARY 12, 2008.
3. **Approval of Certificates of Participation** - Resolution for Issuance of Certificates of Participation (COP) for Butte County Fire Station 55 - consideration of resolution authorizing and directing the execution of documentation related to the sale and delivery of the Certificates of Participation to fund the renovation of Fire Station 55 in Bangor. The United States Department of Agriculture (USDA) requires the County to issue these certificates as part of a USDA low-interest loan program. The USDA will subsequently purchase the COP which is expected to be issued in September 2008 in the amount of \$1,100,000 or less - action requested - ADOPT RESOLUTION APPROVING LEASE AGREEMENT AND RELATED DOCUMENTS AND AUTHORIZE THE PRESIDENT OF THE BOARD OF DIRECTORS TO SIGN.
4. **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.
5. **Other Business**

**Adjournment**

Adjourn as the Butte County Public Facilities Financing Corporation Board of Directors and reconvene as the Board of Supervisors.

5.00PUBLIC HEARINGS AND TIMED ITEMS

10:00 A.M. 5.01 \*

Timed Item - Two Resolutions Regarding Paradise Irrigation District's Magalia Raw Water Bypass Project and Butte County's Lower Tuscan Aquifer Project; and Approval of the Proposition 50 Agreement with the Department of Water Resources (DWR) - approval is requested for two resolutions regarding California Environmental Quality Act (CEQA) requirements for projects funded through Proposition 50. Approval is also requested for a related agreement with the DWR - action requested - 1) ADOPT RESOLUTION CERTIFYING THAT THE BOARD OF SUPERVISORS HAS REVIEWED AND CONSIDERED, AS A RESPONSIBLE AGENCY, A MITIGATED NEGATIVE DECLARATION PREPARED BY THE PARADISE IRRIGATION DISTRICT FOR THE MAGALIA RAW WATER BYPASS PROJECT; AND 2) ADOPT RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE LOWER TUSCAN AQUIFER MONITORING, RECHARGE AND DATA PROJECT. (Department of Water and Resource Conservation)

10:45 A.M. 5.02 \*

Public Hearing - Two appeals of the Planning Commission's Approval of UP07-0006 (Roberta Kirshner/Barry R. Kirshner Wildlife Foundation) - A hearing on the Planning Commission's approval to expand an existing wild and exotic animal park allowed by UP 98-09 and 01-10, modification of UP98-09 and finding that the violations of UP 98-09 and 01-10 were rectified through a building permit and approval of UP07-0006. One appeal requests expansion of the use permit and one appeal requests action be taken on the violations - action requested - 1) RECEIVE STAFF REPORT; 2) OPEN PUBLIC HEARING AND TAKE PUBLIC TESTIMONY; AND 3) CONTINUE HEARING OPEN UNTIL OCTOBER 7, 2008 AT 10:00 A.M. (Department of Development Services)

2:00 P.M. **5.03 \*** Timed Item - Butte County Department of Behavioral Health (BCDBH) Financing Workshop - As directed by the Board of Supervisors, this workshop will provide additional information regarding BCDBH's adopted final budget for Fiscal Year 2008/2009 - action requested - ACCEPT FOR INFORMATION. (Department of Behavioral Health)

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**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.

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**7.00**            **CLOSED SESSION**

7.01            ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. FIRST RESPONDER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.

7.02            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](http://www.buttecounty.net/cob).

### **Agenda Information:**

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (\*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

### **Agenda Format and Meeting Order:**

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. Consent Agenda: these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. Regular Agenda: this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. Public Hearing and Timed Items: this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

### **Public Participation:**

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the: Clerk of the Board of Supervisors  
County Administrative Office  
25 County Center Drive, Oroville, CA 95965  
530-538-7631  
[www.buttecounty.net/cob](http://www.buttecounty.net/cob)