

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

DECEMBER 16, 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 *** Stairways Recovery, Inc. - approval is requested for an agreement with Stairways Recovery, Inc. for the provision of vocational services and supports for Butte County adults who are eligible. This program is within the Mental Health Services Act (MHSA) State approved plan and will serve clients in the Oroville Area. The term of the agreement is December 1, 2008 through June 30, 2009 with a maximum amount payable of \$54,053.40 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.02 *** Courage to Commit - approval is requested for an agreement with Courage to Commit for the provision of residential and outpatient mental health services to foster care children in Butte County. This program is within the Mental Health Services Act (MHSA) State approved plan and will serve clients within Butte County. The term of the agreement will begin on the date of execution of the agreement through June 30, 2009 with a maximum amount payable of \$269,276.23 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03 *** Butte County Behavioral Health Board - action requested - APPOINT LIEUTENANT ANDY DUCH, LAW ENFORCEMENT MEMBER TO A TERM TO END DECEMBER 31, 2011.

- 3.04 * Tulare County Office of Education (TCOE) - approval is requested for a revenue agreement with TCOE for the Friday Night Live mentoring program. The term of the agreement is October 1, 2008 through September 30, 2009 with a maximum amount receivable of \$33,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.05 * Tulare County Office of Education (TCOE)/ Butte County Friday Night Live Partnership - approval is requested for a revenue agreement with TCOE for the purpose of implementing a statewide leadership conference for high school students which will be held in March 2009. The term of the agreement is October 27, 2008 through September 30, 2009 with a maximum amount receivable of \$50,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.06 * Tulare County Office of Education (TCOE)/California Friday Night Live Partnership - approval is requested for a revenue agreement with TCOE to fund a regional training for Butte County youth regarding environmental prevention projects. The term of the agreement is October 1, 2008 through September 30, 2009 with a maximum amount receivable of \$20,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.07 * Accept Unanticipated Revenue - approval is requested to accept \$2,148,537 in unanticipated Mental Health Services Act (MHSA) revenue and reduce realignment revenue by \$284,328 as detailed in the agenda report - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

BOARD OF
SUPERVISORS

- 3.08 Resolution Honoring Chair Curt Josiassen for his Years of Service to the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.09 * Resolution Recognizing Alice R. Smith on her 100th Birthday - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Yamaguchi)

CLERK-
RECORDER/
ELECTIONS

3.10 * Certification of Statement of Votes Cast - pursuant to California Elections Code Section 15372, the County Clerk-Recorder/Registrar of Voters submits the certification for the November 4, 2008 Consolidated General Election and reports for the following 2008 elections: the Presidential Primary held on February 5, 2008; the Direct Primary held June 3, 2008; and the November 4, 2008 Consolidated General Election - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.

COUNTY
COUNSEL

3.11 * Best, Best & Krieger, LLP - amendment - approval is requested for an amendment to the agreement with Best, Best & Krieger, LLP for the provision of legal services. The effective date of the amendment is December 1, 2008 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.12 * Paradise Irrigation District - pursuant to Government Code Section 87306.59(b), approval is requested for the Local Agency Biennial Conflict of Interest Code for the Paradise Irrigation District. The report has been reviewed by County Counsel and determined to be proper - action requested - ACCEPT BIENNIAL REPORT.

DEVELOPMENT
SERVICES

3.13 * Williamson Act Contract Amendment - Estate of George R. Chaffin - approval is requested for an amendment to an existing Williamson Act contract to add 134-acre APN 041-710-004 to the original 1968 contract - action requested - APPROVE THE WILLIAMSON ACT CONTRACT AMENDMENT WITH THE DETERMINATION THAT THE CONTRACT AMENDMENT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15317.

3.14 * New Williamson Act Contract - Gary Little requests approval of a new Williamson Act contract on +/- 779 acres of land consisting of six parcels: 021-050-018, 019, 020, 021-050-035, 021-050-009, 011, and 022-310-001, 002, 034. The project site is located approximately 1.8 miles west of the City of Gridley boundary and Sphere of Influence on the Colusa Highway contract - action requested - APPROVE THE WILLIAMSON ACT CONTRACT WITH THE DETERMINATION THAT THE CONTRACT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15317.

3.15 * New Williamson Act Contract - Brett Storm requests approval of a new Williamson Act contract on +/- 832 acres of land consisting of eight parcels: 022-210-098, 099, 100; 022-300-048, 049, 065 and 022-130-047, 048. The project site is located approximately 1.2 miles northwest of City of Gridley boundary and Sphere of Influence on Lively Road and Farris Road - action requested - APPROVE THE WILLIAMSON ACT CONTRACT WITH THE DETERMINATION THAT THE CONTRACT AMENDMENT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15317.

DISTRICT
ATTORNEY

3.16 * Accept Donation - The University of Phoenix has provided a \$1,000 donation for the Butte County Drug Endangered Children's (DEC) program - action requested - ACCEPT DONATION; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.17 * Accept Unanticipated Revenue - approval is requested to accept \$8,610 in revenue from the Department of Insurance for the Workers' Compensation Insurance Fraud Program. These funds are carry-over from the Fiscal Year 2007/2008 budget - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.18 * Chico Environmental Science and Planning, LLC - approval is requested for an agreement with Chico Environmental Science and Planning, LLC which has assisted in the prosecution of several environmental cases. The term of the agreement is September 1, 2008 through June 30, 2011 with a maximum amount payable of \$45,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.19 *

Resolution Authorizing a Fee Increase for the District Attorney's Real Estate Fraud Investigation and Prosecution Program - consideration of a resolution that will increase fees to maintain a program for the investigation and prosecution of real estate fraud. On August 19, 2008, the Board adopted resolution 08-10 to establish a fee of \$2 to be paid on five recordation documents. Recently the Governor signed SB 1390, which authorized an increase in fees from \$2 to \$3. The State recognized that the numbers of recordings which generated program revenue were decreasing but the incidents of real estate fraud were decreasing. The fee increase in Butte County will allow the program to continue at the existing level of service - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

EMPLOYMENT
AND SOCIAL
SERVICES

3.20 *

Agreements for Indigent Burial Services - approval is requested for four agreements for the provision of indigent burial services. The term of each agreement is July 1, 2008 through June 30, 2013. The agreement amounts are as follows: 1) Newton Bracewell Funeral Homes for a maximum amount payable of \$50,457; 2) Brusie Funeral Homes and Cemeteries for a maximum amount payable of \$141,280; 3) Paradise Chapel of the Pines for a maximum amount payable of \$80,731; and 4) Ramsey Funeral Homes for a maximum amount payable of \$232,102 (department budget) - action requested - APPROVE AGREEMENTS (4) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.21 *

First 5 Butte County Children and Families Commission (BCCFC) - approval is requested for a revenue agreement with BCCFC to provide funding for the Parent Education Experiential Resource Program. The term of the agreement is September 1, 2008 through June 30, 2011 with a maximum amount payable of \$300,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.22 * Parent Education Experiential Resource Program (PEER) - approval is requested for two agreements for the provision of facilitation and coordination services for the PEER program with Northern Valley Catholic Social Services and Counseling Solutions. The term of each agreement is September 1, 2008 through June 30, 2011 with a maximum amount payable of \$120,000 for each (department budget) - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.23 * Butte County Department of Behavioral Health (DBH) - approval is requested for an agreement with DBH for the provision of services for CalWORKs Welfare-to-Work participants. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$900,116 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

GENERAL
SERVICES

3.24 * Award of Contract for Stucco Repair of the Southside Oroville Community Center - Invitation for Bids No. 15-09 was issued on October 27, 2008 and responses were received from three companies. SkyVa Construction of Granite Bay was the responsive and responsible company with the lowest bid of \$220,704 - action requested - AWARD CONTRACT TO SKYVA CONSTRUCTION AND AUTHORIZE CHAIR TO SIGN.

3.25 * Ray Morgan Company - approval is requested for an agreement with Ray Morgan Company for the provision of copiers countywide. In September 2008, a Request for Proposals was issued and only two vendors responded with proposals. This is a five year agreement with a current maximum amount payable of \$1,893,960 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

HUMAN
RESOURCES

3.26 * Resolutions Honoring Butte County Employees for Dedicated Years of Service - presentation of awards to Butte County employees. Rebecca Hadley has 30 years of service, and Janice Beruk has 35 years of service - action requested - ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.

3.27 *

Side Letter Agreement with Communications Workers of America (CWA) - approval is requested for a Side Letter Agreement with CWA on behalf of Terrie Olson, who is an Employment Case Manager, Senior for the Department of Employment and Social Services. Ms. Olson has been offered and accepted a temporary position to provide services to the State of California through the California Statewide Automated Welfare System (ISAWS) Migration Program while maintaining her status as a Butte County Employee - action requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.28 *

Side Letter Agreement with Communications Workers of America (CWA) - approval is requested for a Side Letter Agreement with CWA on behalf of Kimberly Lamb, who is an Employment Case Manager, Senior for the Department of Employment and Social Services. Ms. Lamb has been offered and accepted a temporary position to provide services to the State of California through the California Statewide Automated Welfare System (ISAWS) Migration Program while maintaining her status as a Butte County Employee - action requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.29 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows:

DISTRICT ATTORNEY - requests to change the classification of one (1) existing flexibly staffed position (PCN 320-15003) from Information Systems Analyst/Information Systems Analyst Associate (Class Codes 1335/1336) to be flexed to Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate (Class Codes 1334/1335/1336), as this will better meet the needs of the department and will leave the allocated positions in budget unit 320-001 unchanged at 83.5. The department also requests to change the classification of one (1) existing position (PCN 320-11003) from Supervisor, Information Systems Analyst (Class Code 1331) to be flexed to Supervisor, Information Systems Analyst/ Information Systems Analyst, Principal (Class Codes 1331/1333), to provide more hiring options and afford career advancement opportunity. This change will leave the allocated positions in budget unit 320-001 unchanged at 83.5.

PROBATION - requests to transfer one (1) position of Legal Office Specialist (Class Code 7027) from budget unit 430-001 to budget unit 420-001. The department also requests to transfer one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant (Class Codes 1055/1056/1057) from budget unit 420-001 to budget unit 430-001. These transfers are based on the need in budget unit 420-001 for a higher level clerical position to assist the Administrative Assistant, Senior position.

EMPLOYMENT AND SOCIAL SERVICES - requests to add one (1) flexibly staffed position of Employment Case Manager, Senior/Employment Case Manager (Class Codes 5353/5354) with a term date of July 31, 2010. This position is to backfill for an incumbent currently on temporary assignment to the State under a two (2) year contract for the C-IV project. C-IV is the replacement eligibility computer system that will replace the current ISAWS system. The department has funding for this position in their fiscal year 2008-2009 budget - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.30 *

Library Advisory Board - action requested - REAPPOINT PATRICIA BRICE, PENNY LOUOTON, AND PAT KOSKINEN TO TERMS TO END DECEMBER 31, 2012.

3.31 *

The Library Corporation - amendment - approval is requested for an amendment to the agreement with The Library Corporation for the provision of software products and support for the Library's automated system. The amendment extends the term of the agreement through October 31, 2009 and decreases the maximum amount payable by \$3,360 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.32 *

Accept Unanticipated Revenue - approval is requested to accept \$4,950 received through a Public Library Staff Education grant for tuition reimbursement for library staff members - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.33 *

Library Donations - pursuant to Government Code Section 25355, donations of \$600 from the Oroville Friends of the Library; \$300 from Ron and Nancy Brower; \$200 from an anonymous source; \$3,600 from the Chico Friends of the Library; \$200 from Ruthmarie Ferris; \$6,550 from the Paradise Friends of the Library in honor of Tulia Faugh; and \$100 Maudie Penney have been received for the purchase of books. \$470.62 has been received from the Paradise Friends of the Library for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLIC
HEALTH

3.34 *

Clean King by DeHart - amendment - approval is requested for an amendment to the sole source agreement with Clean King by DeHart for provision of cleaning services at 82 Table Mountain Boulevard in Oroville. The amendment extends the term of the agreement through December 31, 2009 and increases the maximum amount payable by \$9,816 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15863)

3.35 *

Enloe Medical Center - amendment - approval is requested for an amendment to the sole source agreement with Enloe Medical Center for the provision of ambulance services to residents within County Service Area 37, which includes the Richvale, Biggs, and Gridley areas. The amendment extends the term of the agreement through December 31, 2009 and continues the current annual maximum payable of \$60,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13329)

3.36 *

Northern Valley Indian Health, Inc. (NVIH) - amendment - approval is requested for an amendment to the sole source agreement with NVIH for the provision of the Children's Dental Project Treatment Services Program. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$8,607 (funded through BCCFC grant) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17034)

- 3.37 * Northern Valley Indian Health, Inc. (NVIH) - approval is requested for a sole source agreement with NVIH for the provision of the Women, Infants, and Children (WIC) program. The term of the agreement is October 1, 2008 through September 30, 2009 with a maximum amount payable of \$25,600 (funded through state WIC grant)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.38 * Redwood Toxicology Laboratory, Inc. - approval is requested for an agreement with Redwood Toxicology Laboratory, Inc. for the provision of drug testing services. The term of the agreement is January 1, 2009 through June 30, 2010 with a maximum amount payable of \$60,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.39 * California Department of Public Health (CDPH) - approval is requested for a revenue agreement with CDPH for the provision of the Women, Infants, and Children (WIC) program. The term of the agreement is October 1, 2008 through September 30, 2011 with a maximum amount receivable of \$4,606,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.40 * California Department of Public Health (CDPH) - approval is requested for a revenue agreement with CDPH for the purpose of planning and implementing the Immunization Network of Northern California (INNC). The Butte County Department of Public Health has been chosen to be the lead county for the INNC and will manage the central database, train on the use of the system, and draft the provider participation agreements and the regional charter. The term of the agreement is July 1, 2008 through June 30, 2009 with an maximum amount receivable of \$285,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.41 * Declaration of Intent - Emergency Medical Services Appropriation (EMSA) - approval is requested for a Declaration of Intent which will authorize the State to directly administer and distribute the County's allocation of Emergency Medical Services funds - action requested - APPROVE OPTION 2 ON THE DECLARATION OF INTENT AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
WORKS

- 3.42 Adoption of an Ordinance Establishing Speed Limits on Certain Roads - In response to citizens' concerns regarding the speed on portions of the following roads: Miners Ranch Road, Oroville - from 1.2 miles north of Oro Bangor Highway to Oro Bangor Highway; 12th Street - from Oroville Dam Boulevard to Nelson Avenue; and Santa Clara Avenue, Chico - from End to the Chico City Limits. The department has performed speed studies and Engineering & Traffic Surveys. Based on these findings, it is recommended that the speed limits be changed on the designated portions as follows: Miners Ranch Road to 45 mph and 12th Street and Santa Clara Avenue to 35 mph - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-18-08 [Item 4.08])
- 3.43 * Contract Change Order for Skyway and Honey Run Road Signalization, County Project No. 51261-1-06-1 - approval is requested for this change order which provides increased funding for the following: installation of two signs, placement of a paint binder tack coat, payment for one day of drilling time, and a change of the program operating software for the traffic signal. This contract change order results in an overall increase to the contract of \$16,934.96. Due to cost savings elsewhere, the project has funds available to cover the increase - action requested - APPROVE CONTRACT CHANGE ORDER AND AUTHORIZE CHAIR TO SIGN.
- 3.44 * Notice of Completion - Skyway and Honey Run Road Signalization, County Project No. 51261-1-06-1 - All contract work has been completed in accordance with the plans and specifications - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.
- 3.45 * City of Oroville - approval is requested for an agreement with the City of Oroville for striping services. The City has requested the County provide striping services within the Oroville city limits and will reimburse the County for the cost. After the Department of Public Works performs the 2009 county-wide striping maintenance, the department will provide the requested service to the City - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.46 * Resolution Establishing a No Parking Zone When Snow Conditions Exist on a Portion of Humboldt Road - consideration of a resolution which will establish a no parking zone along Humboldt Road from 0.5 miles West of the Skyway to 2.5 miles East of the Skyway for the purpose of snow removal when needed - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

SHERIFF-
CORONER

3.47 * Resolution Recognizing Mary McMillan upon her Retirement from Butte County after Twenty-One Years of Service - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.48 * Resolution Recognizing Keith J. Krampitz upon his Retirement from Butte County after Twenty-Seven Years of Service - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.49 * Special Enforcement Unit Budget Adjustments - approval is requested to adjust the Special Enforcement Unit budget as detailed in the agenda report to match the reductions in State revenue allocations - action requested - ACCEPT BUDGET ADJUSTMENTS AND DIRECT THE AUDITOR-CONTROLLER TO MAKE APPROPRIATE CHANGES.

3.50 * Relief of Accountability - approval is requested for relief of accountability for a MCS System with Voice Scrambler. The item was purchased in 2001 for \$5,040. It is believed the item was used in a Crime Prevention Unit vehicle that was lost in a fire - action requested - RELIEVE ACCOUNTABILITY FOR FIXED ASSET NUMBER 26398 AND APPROVE ITEM TO BE REMOVED FROM FIXED ASSET LEDGER.

3.51 * Ratify Purchase of Jail Fire Suppression Equipment - approval is requested for authorization of the installation and purchase of jail kitchen fire equipment totaling \$9,405.62 payable to Wilgus Fire, Inc. The request for funding was approved in the budget process and \$9,350 was appropriated for the purchase, however, a contract for services was not obtained - action requested - AUTHORIZE PAYMENT OF \$9,405.62 TO WILGUS FIRE, INC.; AND APPROVE RELATED BUDGET TRANSFER OF \$56 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.52 *

Paradise Unified School District (PUSD) - approval is requested for an agreement with PUSD for the provision of a School Resource Officer at Ridgeview High School and Pine Ridge School. PUSD will pay the Sheriff's Office \$74,528 for the 2008/2009 school year for a full-time deputy sheriff to be the liaison between staff, faculty, students, and parents - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.53 *

Butte County Office of Education (BCOE) and Oroville Union High School District (OUHSD) - approval is requested for an agreement with BCOE and OUHSD for the provision of a School Resource Officer (SRO) at Las Plumas High School. For the 2008/2009 school year, BCOE and OUHSD will provide \$52,000 and \$5,000 respectively for a part-time SRO to manage calls for service on and around the campus and to participate in the school task force programs targeting students at risk - action requested - APPROVE AGREEMENT 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.

3.54 *

Fixed Asset Purchase - approval is requested for ratification of the purchase of two Uninterruptable Power Supply (UPS) units for the electronic door and monitoring systems in the jail. The estimated cost of the two UPS units is approximately \$11,000 - action requested - RATIFY THE FIXED ASSET PURCHASE OF TWO UPS SYSTEMS; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

TREASURER/
TAX COLLECTOR

3.55 *

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

WATER &
RESOURCE
CONSERVATION

3.56 *

Department of Water Resources (DWR) and California Water Service Company (Cal Water) - amendment - approval is requested for an amendment to the 1969 agreement with DWR and Cal Water that provides for access by Cal Water on behalf of the County to construct water supply turnout on the Thermalito Power Canal for the delivery of State Water Project water. The amendment provides for an amendment to a right-of-way so that an expanded pumping plant facility can be constructed by Cal Water. All water taken at this facility would be purchased from the County's State Water Project Table A allocation - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.57 *

Paradise Irrigation District - approval is requested for an agreement with Paradise Irrigation District to provide reimbursement funds received from DWR totaling \$480,000. These funds are reimbursement for the construction costs for the Paradise Irrigation District's Magalia Raw Water Bypass Project - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

OTHER
DEPARTMENTS
AND AGENCIES

3.58 *

Butte County Children and Families Commission - pursuant to Butte County Code Section 2-100.70(d), submitted is the Fiscal Year 2007/2008 Annual Audit - action requested - ACCEPT FOR INFORMATION.

3.59 *

Butte County Children and Families Commission - Strategic Plan - pursuant to Butte County Code, submitted is an annual update of the 2007 - 2010 Butte County Children and Families Commission Strategic Plan - action requested - ACCEPT FOR INFORMATION

3.60 *

Butte County Indian Gaming Local Community Benefit Committee - On November 17, 2008, the County was notified that the City of Oroville selected Mayor Steve Jernigan as the City of Oroville representative to the Butte County Indian Gaming Local Community Benefit Committee - action requested - APPOINT STEVE JERNIGAN TO A TERM TO END JUNE 30, 2012.

3.61 * Assessment Appeals Board - action requested - REAPPOINT GIL JONES AND DAVID B. JOHNSON TO TERMS TO END SEPTEMBER 5, 2011.

3.62 * Sacramento River Conservation Area Forum - action requested - APPOINT SHIRLEY LEWIS TO A TERM TO END DECEMBER 31, 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.

* 1. 2009 State and Federal Legislative Platforms - Introduction by the Assistant Chief Administrative Officer and presentation by Kristi More from the Ferguson Group and by Paul Yoder from Shaw/Yoder - action requested - ACCEPT FOR INFORMATION; AND ADOPT THE 2009 STATE AND FEDERAL LEGISLATIVE PLATFORM.

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

4.04 *

Discussion of the Existing List of Upcoming Code Amendments - On November 18, 2008, the Board of Supervisors expressed interest in discussing the prioritization of upcoming code amendments, including but not limited to a Noise Ordinance - action requested - ADD, DELETE, AND/OR MODIFY THE ITEMS ON THE LIST OF CODE AMENDMENTS AND IDENTIFY A PRIORITY RANKING OF THE ITEMS ON THE LIST.

PRESENTATION
AND DISCUSSION
ITEMS

4.05 *

Determination of Williamson Act Compatibility of Lot Line Adjustment (LLA 07-0026); and Acceptance of Habitat Easement as Management Plan - Sierra View Landscape, dba Restoration Resources, requests determination that LLA 07-0026 is compatible with the Williamson Act and also requests approval of simultaneous partial rescission of the existing Williamson Act contract on APN 041-150-059 and execution of a new contract. Sierra View Landscape also requests to change the use on a portion of Williamson Act contracted land from grazing to habitat/vernal pool conservation use which is an allowed "open-space" use. The project site is located at the northwest corner of the intersection of State Highway 149 and State Highway 70. The Butte County Land Conservation Act Advisory Committee recommends approval - action requested - ADOPT RESOLUTION THAT: 1) DETERMINES THE WILDLIFE HERITAGE FOUNDATION HABITAT CONSERVATION EASEMENT, WHEN EXECUTED, IS AN ACCEPTABLE "RESOURCE MANAGEMENT PLAN" FOR THE HABITAT CONSERVATION/MANAGED WETLANDS; 2) APPROVES THE RESCISSION OF EXISTING WILLIAMSON ACT CONTRACT WHILE EXECUTING NEW CONTRACT; AND 3) DETERMINES THAT PROJECT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15317.

4.06 *

Determination of Tentative Parcel Map TPM07-0016 Williamson Act Compatibility - Robert and Joanne Kidd request a determination that TPM07-0016 is compatible with the Williamson Act and also request approval of simultaneous rescission of an existing Williamson Act contract on APN 039-250-062 while executing a new contract to reflect the boundaries of the reconfigured parcel. The project is located on the west side of Holland Avenue and the north side of Hanlon Road in the community of Durham - action requested - DETERMINE THAT TPM07-0016 IS COMPATIBLE WITH THE WILLIAMSON ACT; APPROVE RESCISSION OF EXISTING WILLIAMSON ACT CONTRACT WHILE EXECUTING NEW CONTRACT; AND DETERMINE THAT PROJECT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15305(a) AND SECTION 15317.

4.07 *

Agricultural/Residential Buffer Implementation Guidelines - consideration of the Buffer Implementation Guidelines established to implement the agricultural buffers required by Section 24-286 to protect agriculturally-designated land. These guidelines will also provide guidance relative to requests for determination of unusual circumstances pursuant to Butte County Code Section 24-286(c) and (d) - action requested - FIND THAT THE BUFFER IMPLEMENTATION GUIDELINES ARE CONSISTENT WITH SECTION 15162 OF THE CEQA GUIDELINES WHICH PROVIDES THAT NO ADDITIONAL ENVIRONMENTAL REVIEW IS REQUIRED; AND ADOPT THE AGRICULTURAL/RESIDENTIAL BUFFER IMPLEMENTATION GUIDELINES AS REQUIRED BY BUTTE COUNTY CODE SECTION 24-286(c)(2). (Department of Development Services)

4.08 *

Review of Development Impact Fees and Request for Direction for an Implementation Strategy Applicable to Incorporated Communities within Butte County - Development impact fees have been adopted by the Board for Library Facilities, General Government, and Jail Facilities. The fees would apply to the cities of Biggs, Chico, Gridley, Oroville, and the Town of Paradise, but the incorporated communities must consent to charge the fees within their jurisdictions. To date, these communities have not consented to charge the fees - action requested - PROVIDE DIRECTION TO STAFF REGARDING AN IMPLEMENTATION STRATEGY FOR THE FEES TO BE APPLIED IN THE INCORPORATED AREAS OF BUTTE COUNTY. (Chief Administrative Office)

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

5.00 **PUBLIC HEARINGS AND TIMED ITEMS**

9:50 A.M. **5.01 *** Public Hearing - Resolution Adopting a Maximum Load Posting for the Bridge on Lower Wyandotte Road Crossing Branch Wyman Ravine, State Bridge No. 12C-0344 - After required biennial inspections of bridges under County jurisdiction, Caltrans Area Bridge Maintenance Engineers have determined that the Maximum Load Posting for the bridge on Wyandotte Road crossing Branch Wyman Ravine shall be reduced from "18 tons per Truck, 29 tons per Semi-Trailer Combination, 36 tons per Truck and Full Trailer" to "18 tons per Truck, 28 tons per Semi-Trailer Combination, 34 tons per Truck and Full Trailer" - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

9:55 A.M. **5.02 *** Public Hearing - Resolution Adopting a Maximum Load Posting for the Bridge on Grape Way Crossing the Lindo Channel, State Bridge No. 12C-0067 - After required biennial inspections of bridges under County jurisdiction, Caltrans Area Bridge Maintenance Engineers have determined that the Maximum Load Posting for the bridge on Grape Way crossing the Lindo Channel shall be reduced from "Weight Limit 10 tons" to "6 tons per Truck, 9 tons per Semi-Trailer Combination, 11 tons per Truck and Full Trailer" - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

10:00 A.M. **5.03 *** Public Hearing - Ordinance Amending Section 24-90, Entitled A-5 Through A-160 (Agricultural) Zones, of Article III of Chapter 24 of the Butte County Code; and Amending Section 24-286, Entitled Agricultural Buffer Setback, of Article IV of Chapter 24 of the Butte County Code - consideration of an ordinance which amends the zoning code to be consistent with Resolution 07-120 and the Board's direction - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Department of Development Services)

11:00 A.M. 5.04 * Public Hearing - Ordinance Amending Chapter 3 Fees of the Butte County Code and Ordinance Amending Chapter 23C Registration Requirements for Commercial Weighing and Measuring Instruments of the Butte County Code - consideration of two ordinances which will amend fees in Sections 3-61 and 23C-5 of the Butte County Code. Adoption of the recommended fees will result in additional General Fund Revenues of approximately \$71,000 in the next fiscal year - action requested - ADOPT ORDINANCES (2) AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office and Agriculture)

1:30 P.M. 5.05 * Budget Related Matters -

1. Budget Update and Required Expenditure Savings - Due to the State of California's budget deficit and failure to fund mandated services and the decrease in revenue, staff has developed several specific cost saving measures to close the current fiscal year budget shortfall beginning with a recommended allocation of \$4 million in Required Expenditure Savings (RES) to County departments. The agenda report details the recommended RES allocations - action requested - APPROVE BUDGET REDUCTIONS TO VARIOUS COUNTY DEPARTMENTS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)

2. Recommended Capital Budget Reductions - Due to the current budget year deficit, approval is requested for specific budget reductions as detailed in the agenda report to reduce capital expenditures. If approved, these budget adjustments will save the County \$1,991,001 in general purpose revenue spending and an additional \$2,471,306 in expenditures anticipated to be funded with alternative revenue sources - action requested - APPROVE BUDGET ADJUSTMENTS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)

3. Public Hearing - Realignment Transfer - consideration of reallocation of money among local health and welfare realignment funds. Approval is requested to transfer 10% (estimated at \$773,000) from 2008/2009 Behavioral Health realignment revenues to the Social Services Fund and an additional transfer of up to 10%, not to exceed \$1,110,695 for Public Health realignment revenues to the Social Services Fund - action requested - AUTHORIZE THE TRANSFER OF 10% (ESTIMATED AT \$773,000) OF FISCAL YEAR 2008/2009 MENTAL HEALTH REALIGNMENT REVENUES TO THE WELFARE FUND AND THE TRANSFER OF AN ADDITIONAL 10%, NOT TO EXCEED \$1,110,695 FROM FISCAL YEAR 2008/2009 PUBLIC HEALTH REALIGNMENT REVENUE TO THE WELFARE FUND; AND MAKE THE FINDING THAT THE TRANSFER OF REALIGNMENT REVENUES IS BASED ON THE MOST COST-EFFECTIVE USE OF AVAILABLE REVENUES TO MAXIMIZE THE CLIENT OUTCOMES. (Chief Administrative Office)

4. Development Services Mid-Year Budget Adjustments - approval is requested for budget adjustments related to declining revenues and the related elimination of positions and impacts on services. It is requested to reduce appropriations by \$298,111 and revenues by \$280,000 - action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Department of Development Services)

5. Department of Behavioral Health Reorganization and Required Expenditure Savings - approval is requested for a reorganization that will eliminate thirteen positions and add three positions in order to comply with the Required Expenditure Savings Plan and allow for a Realignment transfer to the Department of Employment and Social Services - action requested - APPROVE REORGANIZATION; AND REDUCE APPROPRIATIONS AS DETAILED IN THE AGENDA REPORT. (Department of Behavioral Health)

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): FIVE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING; COMMISSION; CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. ALAMEDA COUNTY, ET AL., V. DWR; SACRAMENTO SUPERIOR COURT CASE NO. 05AS01775;
4. BUTTE ENVIRONMENTAL COUNCIL V. COUNTY OF BUTTE; BUTTE SUPERIOR COURT CASE NO. 144968;
5. MILLER V. COUNTY OF BUTTE, ET AL, U.S. DISTRICT COURT CIV NO. S-00-1733.

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

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

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

7.04 CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO
GOVERNMENT CODE SECTION 54957.6:
LABOR NEGOTIATORS: BILL AVERY/LAURA BRUNSON
EMPLOYEE ORGANIZATION: BCEA, BCMEA, CWA, DSA -
MANAGEMENT/SUPERVISORY
UNIT, DSA - GENERAL UNIT,
BCCOA - SUPERVISORY UNIT,
BCCOA - GENERAL UNIT,
PPOA, AND PEA.

**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
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