

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MARCH 24, 2009



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Steve Lambert, District 4
Kim Yamaguchi, District 5

Gregory G. Iturria, Interim 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 *** State of California Department of Rehabilitation (DOR) - approval is requested for an agreement with DOR for the provision of vocational rehabilitation services to mutual clients receiving services from the Butte County Department of Behavioral Health (BCDBH) and DOR. The term of the agreement is January 1, 2009 through June 30, 2011 with a maximum amount payable of \$250,000 (department budget utilizing MHSA funding) - action requested - APPROVE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION WHICH AUTHORIZES THE DIRECTOR OF BEHAVIORAL HEALTH TO SIGN AGREEMENT AND CERTAIN AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN.
- 3.02 *** Superior Court of California, County of Butte - approval is requested for a revenue agreement with the Superior Court for the provision of Alcohol and Drug Services and substance abuse testing for clients involved in Prop 36 Treatment Court. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount receivable of \$44,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03 *** Crestwood Behavioral Health, Inc. - amendment - approval is requested for an amendment to the sole source agreement with Crestwood Behavioral Health, Inc. for the provision of Institutions for Mental Disease (IMD) and Enhancement Services. There is an increased need for placement of clients. The amendment increases the maximum amount payable by \$141,484.20 (department budget utilizing realignment funds)- action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.04 * Youth with a Mission - amendment - approval is requested for an amendment to the agreement with Youth with a Mission for the Reach for the Future Conference due to an increased number of registrants. The amendment increases the maximum amount payable by \$5,591.04 (department budget utilizing grant revenue)- action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.05 * Caminar, Inc. - amendment - approval is requested for an amendment to the agreement with Caminar, Inc. in order to extend the vocational services program Rehabilitation of our Friends (ROOF) through June 30, 2009. The amendment increases the maximum amount payable by \$87,161.54 (department budget utilizing realignment funding) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 * Butte County Behavioral Health Board - action requested - APPOINT ERIC ALMQUIST AS A COMMUNITY MEMBER TO A TERM TO END DECEMBER 31, 2011.

3.07 * Substance Abuse and Mental Health Services Administration (SAMHSA) Grant for Fiscal Year (FY) 2008/2009 - The SAMHSA Block Grant funds are to be used to provide integrated services to adults and children who are at risk of or currently suffering from substance abuse or serious mental health issues. The FY 2008/2009 award to Butte County will be \$339,416. The term of the agreement is July 1, 2008 through June 30, 2009 - action requested - APPROVE THE REQUEST FOR CONTINUED FUNDING AND AUTHORIZE THE CHAIR TO SIGN.

3.08 * Department of Alcohol and Drug Programs - Safe and Drug Free Schools and Communities - approval is requested for a revision to this revenue agreement in order to allocate funding for FY 2008/2009, which is Project Year 2. The amount receivable for Project Year 2 is \$220,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BOARD OF SUPERVISORS

3.09 Oroville Cemetery District - action requested - APPOINT ERIC H. RAMSEY TO A TERM TO END JANUARY 1, 2011. (Supervisor Connelly)

CHIEF
ADMINISTRATIVE
OFFICE

3.10 * Approval of Minutes - action requested - APPROVE MINUTES FROM MARCH 3, 2009 BOARD OF SUPERVISORS MEETING.

3.11 * Introduction of an Ordinance Amending Chapter 8 of the Butte County Code Relating to Emergency Services - consideration of an ordinance which will change the name of the Butte County Office of Emergency Services to the Butte County Office of Emergency Management in order to remain consistent with the California Emergency Management Agency, formerly called the State Office of Emergency Services. The ordinance also contains minor changes to be consistent with State and Federal emergency response guidelines - action requested - WAIVE FIRST READING OF THE ORDINANCE.

3.12 * Annual Audit Reports for Fiscal Year (FY) 2007/2008 - submitted are the Comprehensive Annual Financial Report, the Single Audit Report, and the Independent Accountant's Report for the Appropriations Limit Calculation for the FY ending June 30, 2008 - action requested - ACCEPT FOR INFORMATION.

3.13 * Recommended Adjustments to the Fiscal Year (FY) 2008/2009 Budget - approval is requested for two adjustments to the FY 2008/2009 budget. The Elections budget contains a \$1,274,636 revenue gap caused by budgetary timing and reimbursement for the FY 2007/2008 special election costs. The FY 2007/2008 year-end General Fund balance inadvertently included \$136,490 of funds deposited with Development Services in FY 2007/2008 for the "Las Plumas Master Environmental Assessment" project. This revenue will not be realized for FY 2008/2009 as it has already been received as revenue for FY 2007/2008. The Board's approval of this action will leave a remaining balance of \$600,977 in Appropriations for Contingencies - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.14 * 2008 DNA Identification Fund Report - pursuant to Government Code Section 76104.6, submitted is the 2008 DNA Identification Fund Report. The report includes the total fines collected, allocated, and expended for each authorized program under the DNA Fingerprint, Unsolved Crime and Innocence Protection Act. The County is required to submit the report to the Legislature and the Department of Justice by April 1 each year - action requested - ACCEPT REPORT FOR INFORMATION.

3.15 * Superior Court of California, County of Butte - approval is requested for the Fiscal Year 2008/2009 services agreement with the Superior Court of California, County of Butte. The agreement identifies the service to be provided, the method of service delivery, the term of the agreement which is July 1, 2008 through June 30, 2009, the anticipated services outcome, and the cost of services to be provided - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHILD SUPPORT
SERVICES

3.16 * Butte County Department of Development Services (DDS) - approval is requested for a Plan of Cooperation with DDS in order to utilize the services of a Code Enforcement Officer for early intervention services in the collection of child support owed by non-custodial parents. The term of the agreement is March 1, 2009 through June 30, 2009 with a maximum payable to DDS of \$30,000 (salary savings within CSS budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFERS AS DETAILED IN THE AGENDA REPORT.

DEVELOPMENT
SERVICES

3.17 * A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Appeal of Six Conditions of Approval on Tentative Parcel Map (TPM) 06-09 (Hennigan) - At the January 27, 2009 Board of Supervisors meeting, the Board considered the appeal of six conditions of approval on TPM06-09 (Hennigan). The Board made a motion of intent with findings to: 1) deny in part the appeal, by maintaining Condition 20 with some modifications, and; 2) grant in part the appeal, modifying conditions 15, 17, 18, 25, and 28 as requested. Staff has incorporated the changes to the conditions of approval and corresponding findings as detailed in the resolution provided with the agenda report - action requested - ADOPT RESOLUTION GRANTING IN PART AND DENYING IN PART THE APPEAL BY THE APPLICANT AND AUTHORIZE THE CHAIR TO SIGN.

3.18 Adoption of an Ordinance Amending Section 32A-7 of Chapter 32A of the Butte County Code - consideration of an ordinance which will amend Chapter 32A of the Butte County Code to allow travel time in cost recovery and to clarify administrative costs - action requested - - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-3-09 [Item 4.05])

DISTRICT
ATTORNEY

3.19 *

State Department of Toxic Substances Control (DTSC) - amendment - approval is requested for an agreement amendment with DTSC for the District Attorney to assist in the enforcement of laws and regulations governing the generation, storage, transportation, and disposal of hazardous waste. The amendment extends the term of the agreement through March 14, 2011 and increases the maximum amount receivable by \$311,463 -action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

3.20 *

Resolution Recognizing March 2009 as Social Work Month in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.21 *

Transitional Housing Placement - Plus (THP-Plus) Program - approval is requested for amendments to three agreements for the provision of the THP-Plus program, which was established by the State to provide affordable housing and comprehensive supportive services for youths transitioning out of foster care and probation. The State of California is providing increased allocations for the (THP-Plus) Program for FY 2008-2009. The amendment with Northern California Youth and Family Programs increases the maximum amount payable by \$25,980. The amendments with Youth for Change and Remi Vista, Inc. increase the maximum amount payable on each agreement by \$2,580 - action requested - APPROVE AGREEMENT AMENDMENTS (3) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.22 *

Butte County Department of Behavioral Health (BCDBH) - amendment - approval is requested for an amendment to the agreement with BCDBH for the provision of alcohol and other drug, mental health, substance abuse, and domestic services for CalWORKS participants. The amendment increases the maximum amount payable by \$102,474 (unanticipated revenue from the State of California) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.23 *

In-Home Supportive Services Advisory Committee - action requested - APPOINT ROBIN KEEHN AND LAURA FUNKHOUSER TO TERMS TO END DECEMBER 19, 2011.

GENERAL
SERVICES

3.24 *

Surplus Vehicles and Equipment - approval is requested to declare surplus a total of twenty-three items which include vehicles and equipment. Various departments requested the disposal of the vehicles and equipment which are described in the agenda report. An auction of this equipment through Ramay Auctions proceeded Board authorization, therefore, this action requires ratification. A total of \$32,450 in revenue was received through the auction - action requested - DECLARE VEHICLES AND EQUIPMENT SURPLUS AND RATIFY THE DISPOSITION BY THE PURCHASING AGENT.

HUMAN
RESOURCES

3.25 *

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

COUNTY COUNSEL - requests to delete one (1) position of Chief Deputy County Counsel/Deputy County Counsel IV/Deputy County Counsel III/Deputy County Counsel II/Deputy County Counsel I; and one (1) position of Deputy County Counsel IV/Deputy County Counsel III/Deputy County Counsel II/Deputy County Counsel I. These changes will decrease the total allocated positions in budget unit 100 from 11 to 9.

ASSESSOR - requests to delete one (1) position of Assessment Clerk, Senior/Assessment Clerk; one (1) position of Supervisor, Property Appraiser/Property Appraiser, Principal; one (1) position of Property Appraiser, Senior/Property Appraiser/Property Appraisal Specialist; and one (1) position of Auditor Appraiser. These changes will decrease the total allocated positions in budget unit 080 from 43 to 39.

LIBRARY - requests to delete one (1) position of Library Assistant, Senior/Library Assistant; and one and a half (1.5) positions of Library Assistant. These changes will decrease the total allocated positions in budget unit 630 from 31.5 to 29.

GENERAL SERVICES - requests to delete one (1) position of Grounds Maintenance Worker, Senior/Grounds Maintenance Worker; and one (1) position of Building Crafts Worker, Senior/Building Crafts Worker. These changes will decrease the total allocated positions in budget unit 720 from 39 to 37.

CHIEF ADMINISTRATIVE OFFICE - requests to delete one (1) position of Administrative Assistant, Senior/Administrative Assistant; and one (1) position Management Analyst, Principal/Management Analyst, Senior/Management Analyst/Management Analyst, Associate. These changes will decrease the total allocated positions in budget unit 020 from 31 to 29.

TREASURER/TAX COLLECTOR - requests to delete one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; and one (1) position of Accounting Specialist/Account Clerk, Senior/Account Clerk. These changes will decrease the total allocated positions in budget unit 070 from 25 to 23.

PUBLIC WORKS - From budget unit 440-004, the department requests to delete one (1) position of Surveyor, Associate/Surveyor, Assistant; and one (1) position of Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant. These changes will decrease the total allocated positions in budget unit 440-004 from 8 to 6. From budget unit 533, the department requests to delete one (1) position of Surveyor, Associate/Surveyor, Assistant; and one (1) position of Engineer Assistant, Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant/Engineering Aide. These changes will decrease the total allocated positions in budget unit 533 from 108.75 to 106.75.

DISTRICT ATTORNEY - requests to delete one (1) position of Deputy District Attorney IV/Deputy District Attorney III/Deputy District Attorney II/Deputy District Attorney I; one (1) position of Supervisor, Information Systems Analyst/Information Systems Analyst, Principal; and one (1) position of Assistant Chief Investigator. These changes will decrease the total allocated positions in budget unit 320-001 from 83.5 to 80.5.

SHERIFF-CORONER - requests to delete one (1) position of Sheriff's Clerk III/Sheriff's Clerk II/Sheriff's Clerk I. This change will decrease the total allocated positions in budget unit 360-001 from 56 to 55.

PROBATION - requests to delete one (1) position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; two (2) positions of Legal Office Specialist; and one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant. These changes will decrease the total allocated positions in budget unit 430-001 from 96 to 92.

PUBLIC HEALTH - requests to delete two (2) positions of Public Health Assistant, Senior/Public Health Assistant; one (1) position of Accounting Specialist/Account Clerk, Senior/Account Clerk; one (1) position of Environmental Health Specialist, Senior/Environmental Health Specialist/Environmental Health Specialist, Associate; one (1) position of Medical Records Technician, Senior/Medical Records Technician/Public Health Assistant, Senior/Public Health Assistant; one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; two (2) half time positions of Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate/Staff Nurse, Senior/Staff Nurse/Staff Nurse, Associate; one and a half (1.5) positions of Certified Nurse Practitioner/Physicians Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate; one (1) position of Administrative Assistant/Office Specialist, Senior; one (1) position of Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate; one (1) position of Clinic Manager; one (1) position of Community Relations Coordinator; and .80 position of Occupational Therapist, Senior/Occupational Therapist/Physical Therapist, Senior/Physical Therapist. These changes will decrease the total allocated positions in budget unit 540-011 from 176.35 to 163.05.

In addition, the department is requesting to extend the following sunset and term positions to end June 30, 2010: one (1) position of Butte County Children and Families Commission, Director; three (3) positions of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; one (1) position of Administrative Assistant/Office Specialist, Senior; and one (1) position of Public Health Education Specialist, Senior/Public Health Education Specialist/Public Health Education Specialist, Associate. All positions have been included in the FY 2009-2010 budget and are fully funded through June 30, 2010.

EMPLOYMENT AND SOCIAL SERVICES - requests to delete one (1) position of Administrative Analyst/Administrative Analyst, Associate and one (1) position of Manager, Support Services. These changes will decrease the total allocated positions in budget unit 570-001 from 157 to 155.

INFORMATION SYSTEMS - requests to delete one (1) position of Telecommunications Specialist, Senior/Telecommunications Specialist. This change will decrease the total allocated positions in budget unit 725 from 6 to 5.

DEVELOPMENT SERVICES - requests to reduce one (1) position of Plan Check Engineer (Class Code 3305) from a one hundred percent (100%) position to an eighty percent (80%) position effective January 16, 2009. The department is also requesting to delete the following positions effective January 16, 2009: one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; two (2) positions of Permit Technician/Permit Assistant; one (1) position of Planner, Senior/Planner, Associate/Planner, Assistant; one (1) position of Supervisor, Code Enforcement; one (1) position of Building Plans Examiner; and one (1) position of Code Enforcement Officer. These changes will decrease the total allocated positions in budget unit 440-001 from 37 to 29.8.

CHILD SUPPORT SERVICES - requests to delete three (3) positions of Account Clerk, Senior/Accounting Specialist and adds two (2) positions of Child Support Specialist. These changes will better fill the needs of the department to complete case management activities. These changes will decrease the total allocated positions in budget unit 550-001 from 111 to 110.

HUMAN RESOURCES - requests to make the following changes to the ranges of Non-Represented Classifications - Salary Plan for Classified Positions: With the exception of the Assistant Chief Probation Officer, Superintendent, Juvenile Hall and the Assistant, Treasurer Tax-Collector, certain classifications are being adjusted based on the performance measures received by their respective department heads. The Assistant Chief Probation Officer and Superintendent, Juvenile Hall salaries are being adjusted due to the contract renewal received by the Chief Probation Officer on July 15, 2008. The Assistant Treasurer Tax-Collector is being adjusted to include the CPI increase that the Treasurer Tax-Collector received in July 2008. The salaries for the following classifications that are linked to department head salaries and will be adjusted effective July 1, 2008:

REFERENCE K, NON-REPRESENTED CLASSIFICATIONS - Assistant Director, General Services- from range 69 to 71; Assistant Director, Public Works from range 75 to 77; Assistant Director, Water and Resource Conservation - from range 69 to 73; Assistant Treasurer (Tax Collector) - from range 66 to 67; Assistant Chief Probation Officer - from range 73 to 74; and Superintendent, Juvenile Hall - from range 64 to 65.

In addition, concurrent with the Public Works Department's request to reclassify the position of Manager, Solid Waste (Class Code 4341) to Manager, Waste Management Division (Class Code 4340), the Human Resources Department is requesting to add the classification of Manager, Waste Management Division (Class Code 4340) to section 57, Reference F of the Salary Ordinance titled, "Management, Confidential, And Supervisory Unit". The salary range for the classification will be set at 64. The effective date of this change will be retroactive to July 22, 2008.

PUBLIC WORKS - requests to reclassify one (1) position of Manager, Solid Waste (Class Code 4341) to Manager, Waste Management Division (Class Code 4340). This reclassification was agreed to by both the Butte County Management Employee Association and the Human Resources Department. The effective date for this change will be retroactive to July 22, 2008.

AGRICULTURE - requesting to extend one (1) sunset position of Agricultural Biologist/Weights & Measures Inspector I (Class Code 1116) to end June 30, 2010. This position was included in the requested FY 2009/2010 budget and is fully funded - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.26 *

Resolution Recognizing Shirley Ekroll for 55 Years of Service to the Butte County Libraries - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.27 *

Library Donations - pursuant to Government Code Section 2535, donations of \$600 from the Oroville Friends of the Library; \$3,400 from Chico Friends of the Library; \$2,400 from Paradise Friends of the Library; \$1,000 from Loy Brayley and Joan Regan; and \$171 from an anonymous source have been received for Books; \$471.60 Paradise Friends of the Library; and \$100 from Oroville Friends of the Library for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLIC
HEALTH

3.28 *

Category Five Professional Consultants, Inc. - approval is requested for a sole source agreement with Category Five Professional Consultants, Inc. for the development and/or update of plans for effective operation during and after emergencies such as natural disasters, terrorist attacks, hazardous material releases, and pandemics as required by the California Department of Public Health-Emergency Preparedness Office and the Centers for Disease Control. The term of the agreement is February 24, 2009 through July 31, 2009 with a maximum amount payable of \$55,845 (grant funded) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.29 *

California Family Health Council, Inc. (CFHC) - approval is requested for a revenue agreement with CFHC for family planning services. The term of the agreement is January 1, 2009 through December 31, 2009 with a maximum amount receivable of \$124,617 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.30 *

Accept Unanticipated Revenue - approval is requested to accept and appropriate \$87,441 in unanticipated revenue from the State of California. Appropriations must be spent by August 9, 2009 and will be used for the following programs: Federal Pandemic Influenza, CDC Emergency Preparedness, and the Hospital Preparedness Program (HPP) - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.31 *

California Department of Public Health - amendments - approval is requested for the following three (3) amendments to agreements with the State for a variety of AIDS related services under Master Agreement 07-65042: 1) Early Intervention Program - decreases the maximum amount receivable by \$1,900; 2) HIV/AIDS Surveillance Program - decreases the maximum amount receivable by \$1,435; and 3) HIV/AIDS Counseling and Testing Program - decreases the maximum amount payable by \$12,118. The total decrease in revenue for FY 2008/2009 is \$15,453 - action requested - APPROVE MASTER AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; APPROVE THREE (3) RELATED AMENDMENTS TO PROGRAMS AND AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER DECREASING REVENUE AND APPROPRIATIONS AS DETAILED IN THE AGENDA REPORT.

PUBLIC
WORKS

3.32 *

Resolution for Acquisition of Real Property for Public Road Purposes and Temporary Construction Easements for the Lower Wyandotte Road Safe Routes to School Project, Butte County Project Number 23513-06-01 - consideration of a resolution authorizing the Director of Public Works to negotiate and enter into agreements with landowners of the properties adjacent to the project. The temporary easements would only be required until construction is complete - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 *

Resolution for Acquisition of Real Property for Public Road Purposes and Temporary Construction Easements for the Monte Vista Avenue Safe Routes to School Project, Butte County Project Number 23521-07-01 - consideration of a resolution authorizing the Director of Public Works to negotiate and enter into agreements with landowners of the properties adjacent to the project. The temporary easements would only be required until construction is complete - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.34 *

URS Corporation - amendment - approval is requested for an amendment to the agreement with URS for the provision of environmental monitoring and reporting for Neal Road Sanitary Landfill. The amendment extends the term of the agreement through January 31, 2010 and increases the maximum amount payable by \$12,004 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.35 *

Budget Transfer - approval is requested for a \$421,854 budget transfer from the Roads and Bridges Countywide Impact Fund to the Public Works Road fund to provide reimbursement for two recently completed traffic signal projects - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.

SHERIFF-
CORONER

3.36 *

California Department of Boating and Waterways (DBAW) - approval is requested for a revenue agreement with DBAW for the provision of safety education and enforcement on Butte County Waterways. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount receivable of \$159,342 - action requested - APPROVE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER AND AUTHORIZE THE SHERIFF OR HIS DESIGNEE TO SIGN THIS AGREEMENT AND ALL OTHER DOCUMENTS RELATED TO THIS GRANT; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

WATER AND
RESOURCE
CONSERVATION

3.37 *

Letter Regarding the Non-Payment of Funding for Work Completed Under Proposition 50 - approval is requested for the department to send a letter to the State Department of Water Resources (DWR) regarding the economic hardship to Butte County associated with the stop-work orders issued by the State for bond-funded projects and to encourage payment - action requested - AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO SEND LETTER TO DWR.

3.38 *

Recommendation of the Butte County Water Commission to Submit an Application to the CALFED Science Program - consideration of a resolution which will authorize an application to the CALFED Science Program to fund a pilot project of the Environmental Monitoring Program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO PREPARE AND SIGN ALL NECESSARY DOCUMENTS FOR SUBMITTAL OF THE APPLICATION.

OTHER
DEPARTMENTS
AND AGENCIES

3.39 *

Resolution Recognizing April 2009 as Sexual Assault Awareness Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.40 *

Resolution Designating the Friends of the Arts-Butte County, a Program of the 501C Upstate Community Enhancement Foundation, as the Local Partner for the California Arts Council's State-Local Partnership Program - consideration of a request from the California Arts Council that the Board renew its designation of the Friends of the Arts-Butte County as the local arts agency for the purpose of participating in the State-Local Partnership Program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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 Interim 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 * Introduction of an Ordinance Adopting Standards for Limited Density Owner-Built Dwellings with Findings - consideration of an ordinance adding regulations for Limited Density Owner-Built Rural Dwellings as provided in Title 25 of the California Code of Regulations to Chapter 26 of the Butte County Code - action requested - action requested - WAIVE FIRST READING OF THE ORDINANCE. (Development Services)

4.06 * Butte County Fire Department Volunteer Fire Program - The Fire Department will provide a report regarding the draft Volunteer Fire Fighter Training and Response Guidelines and the progress of other Volunteer Fire Program Initiatives, including the addition of a Volunteer Fire Program Liaison who will assist the department to improve communications with the volunteers - action requested - ACCEPT FOR INFORMATION. (Fire)

4.07 *

Resolution for Disposition - Biggs Veterans Memorial Hall - The Biggs Veterans Memorial Hall Committee submitted a letter to the County proposing the merger of the VFW Russel Baker Post 3811 and VFW Warren H. McCutcheon Post 5731 due to declining membership. The committee is proposing they relinquish the use of and all rights to the Biggs Veterans Memorial Hall located at 280 B Street, Biggs, CA with conditions as detailed in the agenda report - action requested - ACCEPT THE LETTER FROM THE BIGGS VETERANS HALL COMMITTEE AND AGREE TO THE CONDITIONS REQUESTED IN THE LETTER; AND ADOPT THE RESOLUTION FOR DISPOSITION OF THE BIGGS MEMORIAL HALL AND THE HALL COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN. (General Services)

4.08

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

5.00**PUBLIC HEARINGS AND TIMED ITEMS**

9:45 A.M. 5.01 *

Public Hearing - Adoption of an Ordinance Amending Chapter 2 Administration; Chapter 3 Fees; Chapter 4 Animals; Chapter 11 Junk Dealers, Pawnbrokers and Secondhand Dealers; Chapter 23-C Registration Requirements for Commercial Weighing and Measuring Instruments; Chapter 36 Incarceration; Chapter 40 Alarm Systems; and Chapter 43 Public Health Department Fees of Butte County Code - consideration of the following: 1) an ordinance to remove existing fee tables and reference a new Master Fee Schedule; 2) a resolution to establish a New Master Fee Schedule with existing fees; and 3) a resolution to amend the Butte County Master Fee Schedule with proposed fee revisions - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; ADOPT RELATED RESOLUTIONS (2) ESTABLISHING A NEW COMPREHENSIVE MASTER FEE SCHEDULE WITH EXISTING FEES AND ADOPTING PROPOSED FEE REVISIONS. (Chief Administrative Office)

9:55 A.M. 5.02 *

Continued Public Hearing - Itemized Cost of Nuisance Abatement for Property Located at 5855 Pine Canyon Drive, Magalia, APN 066-360-033 - After the hearing officer's decision, the property was self-abated by the property owner between July 7 - September 16, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,700.29; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Continued Open on 2-24-09 [Item 5.01-H]) (Development Services)

1:30 P.M. 5.03 *

Timed Item - Recommendations for Ongoing Cost Reductions - Pursuant to the most recent review of the County's revenue streams in March 2009, the Butte County General Fund has an annualized structural budget deficit of \$19.1 million due to the deepening global economic recession and reductions in State funding sources. The interim Chief Administrative Officer will provide recommendations for immediate cost reduction measures which will provide approximately \$4.4 million of the \$19.1 million in savings needed for a balanced budget. The immediate cost reduction measures include the reduction of an additional 42.3 County positions and an annualized amount of approximately \$2.5 million in contracted services for fire protection with CalFire - action requested -

- 1) DIRECT STAFF TO IMPLEMENT STAFF ALLOCATION REDUCTIONS AS PROVIDED IN ATTACHMENT A;
- 2) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CURRENT FISCAL YEAR EXPENSES BY APPROXIMATELY \$250,000; AND
- 3) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CONTRACT COSTS FOR FISCAL YEAR 2009/2010 BY APPROXIMATELY \$2.5 MILLION IN THE SCHEDULE-A AGREEMENT BETWEEN THE COUNTY AND CALFIRE. (Chief Administrative Office)

6.00 PUBLIC COMMENT

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

7.00 CLOSED SESSION

7.01 ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): FOUR 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. LIGHTNER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 136070;
4. BORGE DEVELOPMENT V. COUNTY OF BUTTE - USDC CASE NO. 06-02228.

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
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

7.03 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
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530-538-7631
www.buttecounty.net/cob