

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

November 9, 2010



County Supervisors

Bill Connelly, District 1

Jane Dolan, District 2

Maureen Kirk, District 3

Steve Lambert, District 4

Kim Yamaguchi, District 5

Paul Hahn, Chief Administrative Officer
and
Clerk of the Board

Bruce Alpert, County Counsel

9:00 A.M.

1.00 CALL TO ORDER

- 1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
- 1.02 Pledge of Allegiance to the Flag of the United States of America.
- 1.03 Observation of a Moment of Silence.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

AGRICULTURE

- 3.01** * California Department of Food and Agriculture (CDFA) – revenue agreement with CDFA for provision of the High-Risk Pest Exclusion Program. The term of the agreement is July 1, 2010 through June 30, 2011 with a maximum amount receivable of \$40,332 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BEHAVIORAL

HEALTH

- 3.02** * Ahmed Abouesh, M.D. - amendment to the agreement with Ahmed Abouesh, M.D. for managed care services and treatments for Butte County Behavioral Health clients. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount payable by \$24,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03** * Trilogy Integrated Resources LLC - amendment to the agreement with Trilogy Integrated Resources LLC for the maintenance of the Network of Care website which provides on-line social services for the public. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount payable by \$18,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHIEFADMINISTRATIVEOFFICE

- 3.04 * MGT of America, Inc - amendment to the agreement with MGT of America, Inc for Senate Bill (SB) 90 claiming services on behalf of Butte County. The amendment extends the term of the agreement through June 30, 2013 and increases the maximum amount payable by \$51,900 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.05 * Fiscal Year 2010 State Homeland Security Grant Program – approval is requested to accept and appropriate \$537,875 received from the Office of Homeland Security. As detailed in the agenda report, these funds will be used to purchase equipment and fixed assets for various departments and incorporated jurisdictions in Butte County - action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.
- 3.06 * Sharon Stone - employment agreement with Sharon Stone as the Director of Child Support Services. The term of the agreement is February 1, 2011 through January 31, 2014 with an annual salary of \$140,314.98, which is the same rate as the prior term - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07 * Cathi Grams - employment agreement with Cathi Grams as the Director of Employment and Social Services. The term of the agreement is December 31, 2010 through December 30, 2013 with an annual salary of \$150,804, which is the same rate as the prior term - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.08 * Approval of Minutes – action requested – APPROVE MINUTES OF OCTOBER 26, 2010.

DEVELOPMENTSERVICES

- 3.09 * Design, Community, and Environment (DC&E) – amendment to the agreement with DC&E to study and present specific General Plan map amendments. The amendment increases the maximum amount payable by \$39,684. On October 26, 2010, the Board of Supervisors approved Resolution No. 10-155 directing the department to initiate a General Plan Amendment to solely consider the re-designation of approximately 4,566 acres of land currently designated agriculture to rural residential in the Biggs, Gridley, and Palermo areas. The department requests a related budget adjustment from the General Fund Appropriation for Contingencies for this amendment – action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).

DISTRICT
ATTORNEY

- 3.10 * Appropriate Fund Balance – The department requests appropriation of \$46,953 in carry over funds from Fiscal Year 2009/2010 from the Supplemental Law Enforcement Fund. The funds will be used for computer replacement – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.

EMPLOYMENT AND
SOCIAL SERVICES

- 3.11 * Budget Adjustments – Due to the recent approval of the State’s budget, the Department of Employment and Social Services (DESS) has reevaluated budgeted revenues based on analysis provided by the County Welfare Directors Association and the California Department of Social Services. DESS requests approval of budget adjustments totaling \$580,621 for the addition of sixteen full time positions and to increase two seventy-percent positions back to full time. The details regarding these positions are listed in the Human Resources Agenda Item No. 3.15 on this agenda. None of the recommended adjustments will cause unbudgeted impacts to the General Fund – action requested - APPROVE BUDGET ADJUSTMENTS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

FIRE

- 3.12 * California Department of Forestry and Fire Protection – Volunteer Fire Assistance Grant - Butte County has been awarded \$20,000 in grant funds to purchase thermal imaging cameras and accessories. The grant does require a \$10,000 County match (department budget) – action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; APPROVE RELATED RESOLUTION; APPROVE BUDGET ADJUSTMENT (4/5 vote required); AND APPROVE FIXED ASSET PURCHASE OF IMAGING CAMERAS.

GENERAL
SERVICES

- 3.13 * Private Industry Council (PIC) of Butte County – lease agreement with PIC for the property located at 205 Mira Loma Drive, Suite 40 in Oroville. Butte County Department of Public Health currently utilizes the property for warehouse space. The term of the lease is December 1, 2010 through November 30, 2015, and the lease amount will remain the same at \$1,374.75 per month (\$0.45 per square foot) – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

HUMAN
RESOURCES

- 3.14 * Resolution Honoring Butte County Employees for Dedicated Years of Service – Presentation of awards to Lisette Kroepelin, Neva Youngs, and Jackie Graeff for thirty years of service and Peter Meadowson for thirty-five years of service to Butte County – action requested – ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.

- 3.15 * Resolution to Amend the Salary Ordinance - The resolution will amend the salary ordinance as follows:

EMPLOYMENT AND SOCIAL SERVICES – requests to delete two (2) vacant Accounting Specialist/Account Clerk, Senior/Account Clerk positions. These position deletions were included in the department’s FY 2010/2011 budget.

The department is also requesting to add the following positions:

1) Four flexibly staffed Office Specialist, Senior/Office Specialist/Office Assistant positions. These positions are needed due to increased demands for services in the department’s reception area. Funding is provided through unanticipated State revenue. There is no impact to the County’s General Fund;

2) Ten Eligibility Specialist positions. These positions are needed to assist with the 21% increase in Food Stamp caseload over the past 18 months. Funding for these positions will be provided by unanticipated Food Stamp revenue. There is no impact to the County’s General Fund;

3) One Social Services Aide position. This position is needed to assist with the growing Options for Recovery Program. Funding for this position will be provided through unanticipated revenues in the Options for Recovery Program. There is no impact to the General Fund;

4) One flexibly staffed Social Worker, Senior/Social Worker/Social Worker, Associate position. This position will address increased workloads due to new rules for provider enrollment under the IHSS program. In addition this position will help the County make progress toward the goal of the “worker hours to client cases” ratio recommended by the California Department of Social Services. Funding for this position will be provided by unanticipated IHSS administrative funds. There is no net impact to the County’s General Fund.

Lastly, the department requests to restore a seventy percent (70%) position of Veterans Services Representative and a seventy percent (70%) Veterans Services Officer to full time positions. Funding for these changes will be provided partially from an increase in State funding for California Department of Veterans Administration. There is no impact to the County’s General Fund.

The above changes will increase the allocations in budget unit 570-001 from 157 to 160; increase the allocations in budget unit 570-003 from 229 to 239; increase the allocations in budget unit 570-004 from 114 to 115 and increase the allocations in budget unit 605 from 2.4 to 3.

HUMAN RESOURCES – requests to delete Section 58, Reference C, titled, “Board of Supervisors’ Members” from the Salary Ordinance. This section no longer needs to be included on the Salary Ordinance as the information being deleted was adopted by Ordinance # 4025 on August 10, 2010 by the Board of Supervisors and all future changes will be made by separate ordinance – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

INFORMATION
SYSTEMS

- 3.16** * Fiscal Year 2007 Public Safety Interoperable Communications (PSIC) Grant - approval is requested to accept and appropriate \$500,708 in PSIC funds from the California Emergency Management Agency (Cal EMA). These funds will be used for interoperable communications systems planning activities for the eighteen counties that comprise the Northern Planning Area. The funds will also be used to extend the agreement with North Highland Company to continue interoperable planning for the region – action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

LIBRARY

- 3.17** * Resolution to Adopt the Butte County Library Collection Development Policy – consideration of a Butte County Library Collection Development Policy which provides guidelines for the selection, organization, and maintenance of book and material collections – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
WORKS

- 3.18** * Lassen National Forest Travel Management Plan – request for approval of a letter to the Forest Supervisor of the Lassen National Forest requesting reconsideration to allow the use off-highway vehicles on three forest service roads within Butte County (Road Nos. 27N06, 26N27, 25N05) – action requested – APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

SHERIFF-
CORONER

- 3.19** * Appropriation of Restricted Cash – The department requests approval of a budget adjustment to appropriate a total of \$98,025 from restricted cash accounts for the purchase of new helicopter rotor blades - action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.
- 3.20** * Appropriation of Restricted Cash – The department requests approval of budget adjustments to appropriate \$42,599 in restricted cash accounts for certain projects, including the installation of cabling in the west jail facility and the purchase of Document Capture Software, scanners, and a system to access Pay Gov for credit card payment – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.
- 3.21** * Accept Donation – approval is requested to accept two snow machines to be used in search and rescue operations. The snow machines were donated to the Sheriff's office by Butte County Search and Rescue – action requested – ACCEPT DONATION OF TWO SNOW MACHINES.
- 3.22** * California Department of Boating and Waterways - approval is requested for ratification of a grant agreement with the State to accept \$27,500 in grant funds for the purchase of marine equipment, including binoculars, night vision thermal image monoculars, and a Flir Navigator System (a fixed asset) – action requested – RATIFY AGREEMENT SIGNED BY SHERIFF SMITH; APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS; AND APPROVE FIXED ASSET PURCHASE OF NAVIGATOR SYSTEM.

**TREASURER/
TAX COLLECTOR**

3.23 * Monthly Investment Report – submitted is the Monthly Investment Report dated September 30, 2010 in accordance with the Statement of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION.

3.24 * California Department of Motor Vehicles (DMV) - The Treasurer-Tax Collector recently executed an agreement with the DMV to obtain wage and employment verification data to collect delinquent court fines and fees. The DMV now requires an additional agreement to establish a procedure for connecting to the DMV database. The term of the agreement is December 1, 2010 through June 30, 2014 with a maximum amount payable of \$1,075 (department budget) - action requested – AUTHORIZE THE TREASURER-TAX COLLECTOR TO EXECUTE AGREEMENT WITH THE DMV.

**OTHER
DEPARTMENTS
AND AGENCIES**

3.25 * Resolution Recognizing Hunger and Homelessness Awareness Week – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.26 * Resolution Recognizing November 2010 as National Adoption Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PRESENTATION OF RESOLUTIONS ADOPTED ON THE CONSENT AGENDA

PRESENTATION OF CALIFORNIA STATE ASSOCIATION OF COUNTIES’ CIRCLE OF SERVICE AWARD TO SUPERVISOR JANE DOLAN

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 of Current Budget and Legislative Issues by the Chief Administrative Officer.
- 4.03 Update of General Plan 2030 Process by Director of Development Services

4.04 * Update Regarding Upcoming Butte County Code Amendments by Director of Development Services.

PRESENTATION
AND DISCUSSION
ITEMS

- 4.05 * Discussion of Nuisance Abatement Lien Process – The Department of Development Services will provide a report on the current process for the placement of liens and special assessments on properties abated by Butte County through the Nuisance Abatement program. The department will also provide a report on alternate options for this process – action requested – ACCEPT FOR INFORMATION AND PROVIDE DIRECTION TO STAFF. (Department of Development Services)
- 4.06 * Fiscal Year (FY) 2010-2011 First Quarter Financial Report – The First Quarter Financial Report provides economic, expenditure, and revenue data as well as summary information for the first three months of FY 2010-2011 – action requested – ACCEPT FOR INFORMATION. (Chief Administrative Office)
- 4.07 * Update on the Thermalito Master Drainage Plan – The original Master Drainage Plans for the Thermalito Area were completed in 1980. One plan was for the unincorporated County area of Thermalito and one for the City of Oroville’s jurisdiction. The County and City retained RBF Consulting to revise and update the plans and to develop a nexus study and proposed fees for necessary capital improvements in Thermalito. Staff will provide a report on this update – action requested – PROVIDE DIRECTION TO STAFF AND SCHEDULE PUBLIC HEARING ON DECEMBER 14, 2010 TO CONSIDER ADOPTION OF THE UPDATED THERMALITO MASTER DRAINAGE PLAN AND PROPOSED IMPACT FEES. (Department of Public Works)
- 4.08 * Report on the Temporary Assistance for Needy Families Emergency Contingency Fund Programs – In October of 2009, the Department of Employment and Social Services (DESS) partnered with the Private Industry Council to develop the Butte Employment and Subsidized Training (BEST) Program. The Director of DESS will provide a report on the BEST program – action requested – ACCEPT FOR INFORMATION. (Department of Employment and Social Services)
- 4.09 * Introduction of an Ordinance Amending Butte County Code Chapter 26 Entitled “Buildings” in Order to Adopt the 2010 California Building Standards Codes - The proposed ordinance will amend Chapter 26 of the Butte County Code to include the new California Building Standards Code which contains twelve parts that incorporate public health, life safety, and general welfare standards used in the design and construction of buildings in California. These codes are mandated by the State to be enforced on January 1, 2011 – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Department of Development Services)
- 4.10 Items Removed from the Consent Agenda for Board Consideration and Action.

5.00 **PUBLIC HEARINGS AND TIMED ITEMS**

- 9:30 A.M. **5.01** * Public Hearing - Resolution Vacating a Portion of An Unnecessary Public Right of Way in Nelson Between the Southern Pacific Rail Road Right of Way and AP 038-260-013 – approval of this request was recommended by the Butte County Planning Commission - action requested - FIND THAT THE PUBLIC RIGHT OF WAY IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT CLERK OF THE BOARD TO FILE AND RECORD A CERTIFIED COPY OF THE RESOLUTION. (Department of Public Works)
- 9:35 A.M. **5.02** * Public Hearings – Itemized Cost of Nuisance Abatements for the Following Properties –
- A. 3956 Cribbage Lane, Oroville, APN 058-230-029 (CE08-1347) – This property was abated by the County between February 19, 2010 and March 18, 2010 – action requested – APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,970.44 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.
 - B. 3965 Cribbage Lane, Oroville, APN 058-230-027 (CE08-0141) - This property was abated by the County between March 5, 2010 and March 18, 2010 – action requested – APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$6,471.21 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. (Department of Development Services)
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6.00 **PUBLIC COMMENT** (each speaker limited to five minutes)

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.

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