

BUTTE COUNTY BOARD OF SUPERVISORS
AGENDA
December 14, 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) - agreement with CDFA to implement the Federal Emergency Order restricting interstate movement of nursery stock and conduct emergency response activities as a result of detections of Sudden Oak Death in nurseries. The term of the agreement is July 1, 2010 through June 30, 2011 with a maximum amount payable to \$37,519 (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** * Butte County Behavioral Health Board – action requested – APPOINT NEAL CLINE AS COMMUNITY MEMBER TO A VACATED TERM TO END DECEMBER 31, 2011.
- 3.03** * Steiner Medical Registry, Inc. dba Western Medical Registry - agreement with Matthew Steiner, M.D. for psychiatric services. The term of the agreement is December 20, 2010 through June 30, 2011 with a maximum amount payable of \$78,400 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.04** * Northern Valley Catholic Social Service (NVCSS) - amendment to the agreement with NVCSS for low-cost or free mental health, housing vocational and support services to individuals and families. The amendment increases the maximum amount payable by \$17,462.06 (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 * Thomas Michael Buckley, M.D. - agreement with Thomas Michael Buckley, M.D. for psychiatric services. The term of the agreement is November 19, 2010 through June 30, 2011 with a maximum amount payable of \$61,250 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06 * Pat Rowen Customized Landscape and Maintenance - amendment to the agreement with Pat Rowen for landscaping services at the Butte County Department of Behavioral Health Psychiatric Health Facility. The amendment extends the term of the agreement to June 30, 2011 and increases the maximum amount payable by \$3,800 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07 * Gridley Guardians – revenue agreement with Gridley Guardians for a training for staff from the Department of Behavioral Health, Chico Unified School District and Gridley School District for the purpose of reducing alcohol and drug abuse among students. The term of the agreement is July 29, 2010 through June 30, 2011 with a maximum amount receivable of \$1,602.95 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.08 * Gary Bess Associates - amendment to the agreement with Gary Bess Associates for the addition of a new consultation project which will provide supportive services to the Youth Early Intervention Task Force project. The amendment extends the term of the agreement to June 30, 2011 and increases the maximum amount payable to \$21,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER
- 3.09 * Netsmart Technologies - amendment to the agreement with Netsmart Technologies for the annual renewal of electronic medical record software. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount payable by \$106,932.80 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.10 * Butte County Probation Department – agreement with Butte County Probation for services related to the Drug Court Program. The term of the agreement is July 1, 2010 through June 30, 2011 with a maximum amount payable of \$327,812.86 (department budget utilizing grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.11 * California Department of Mental Health (CDMH) - CDMH requires counties to execute a Medi-Cal Privacy and Security Agreement to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII). The term of this agreement begins upon Board approval - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.
- 3.12 * Substance Abuse and Mental Health Services Administration (SAMHSA) – revenue agreement with SAMHSA for the Butte County Dependency Drug Court Family Enrichment Support Team project. The term of the current agreement is September 30, 2010 through September 29, 2011 with a maximum amount receivable of \$370,000 – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.13 * Budget Adjustment – request to accept a total of \$243,848 in grant funds. This amount includes funds from the State Department of Alcohol and Drug Programs and carryover grant awards from Fiscal Year 2009/2010 – action requested – ACCEPT UNANTICIPATED REVENUE AND APPROVE BUDGET ADJUSTMENT. (4/5 vote required)
- 3.14 * Resolution Approving Second Amendment to the Sutter-Butte Flood Control Agency (SBFCA) Joint Exercise of Powers Agreement – The SBFCA was formed in 2007 through a Joint Powers Agreement (JPA) to improve flood protection in Sutter and Butte Counties. This amendment will revise the boundaries of the SBFCA as defined by the previously adopted JPA – action requested – APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.15 * Local Agency Improvement Fees – submitted is the Impact Fee or Local Agency Improvement Fee Report for Fiscal Year 2009/2010. This report, which has been available for public review since November 22, 2010, includes both county department and special district impact fee information with findings – action requested – ACCEPT FOR INFORMATION, MAKING FINDINGS AS DETAILED IN THE REPORT.
- 3.16 * Arnerich Massena and Associates, Inc – amendment to the agreement with Arnerich Massena for consulting services related to the County's 457 Deferred Compensation Plan. The amendment extends the term of the agreement through December 31, 2011, increases the maximum amount payable by \$60,000, a decrease from previous year's amount (Human Resources department budget) – action requested – APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHIEF
ADMINISTRATIVE
OFFICE

- 3.17 * Approval of Minutes – action requested – APPROVE MINUTES OF NOVEMBER 9, 2010 AND NOVEMBER 23, 2010.

COUNTYCOUNSEL

- 3.18 * Durham Recreation and Park District – approval is requested to amend Appendix A of Durham Recreation and Park District’s Conflict of Interest Code and accept the 2010 Local Agency Biennial Notice. The report and amendment has been reviewed by County Counsel and determined to be proper – action requested – ACCEPT BIENNEL REPORT AND APPROVE AMENDMENT.
- 3.19 * Palermo Union School District - approval is requested to amend Palermo Union School District’s Conflict of Interest Code and accept the 2010 Local Agency Biennial Notice. The report and amendment has been reviewed by County Counsel and determined to be proper – action requested – ACCEPT BIENNIAL REPORT AND APPROVE AMENDMENT.
- 3.20 * Wastewater Advisory Committee – pursuant to Government Code Section 87306.5(b), approval is requested to accept the 2010 Local Agency Biennial Conflict of Interest Code Notices for the Wastewater Advisory Committee. The report has been reviewed by County Counsel and determined to be proper – action requested – ACCEPT BIENNIAL REPORT.
- 3.21 * Oroville City Elementary School District - approval is requested to amend Oroville City Elementary School District’s Conflict of Interest Code and accept the 2010 Local Agency Biennial Notice. The report and amendment has been reviewed by County Counsel and determined to be proper – action requested – ACCEPT BIENNIAL REPORT AND APPROVE AMENDMENT.
- 3.22 * Butte County Association of Governments, Berry Creek Community Services District and Buzztail Community Services District – each district has reviewed their Conflict of Interest Codes and has determined that their agency’s codes are current and do not need revision. County Counsel has reviewed the 2010 Local Agency Biennial Notices and determined them to be proper – action requested – ACCEPT BIENNIAL REPORTS.
- 3.23 * Abbott & Kindermann, LLP - amendment to the agreement with Abbott & Kindermann, LLP for retention of attorney services related to the General Plan. The effective date of the amendment is November 30, 2010 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.24 * James A. Curtis – agreement with James A. Curtis for attorney services. The effective date of the agreement is November 24, 2010 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

DEVELOPMENT
SERVICES

- 3.25** * Butte County Land Conservation (Williamson) Act Applications for Inclusion – On November 1, 2010, the Butte County Land Conservation Act (LCA) Advisory Committee recommended approval of two 2010 inclusion applications. When considering inclusion of lands within urban spheres of influence and special planning areas, the Board shall consider whether such lands are subject to specific plans, special plans, and/or joint planning agreements. Both sites are located in such areas. The applications are: 1) LCA10-001 (Franklin), APN 041-080-106 – 161.9 acres partially within the Town of Paradise Sphere of Influence and Paradise Urban reserve Specific Plan; and 2) LCA10-002 (Kidd-Paddock), APN 038-170-045 – 20.6 acres within the Durham Dayton Nelson Plan – action requested – FIND EACH WILLIAMSON ACT AGREEMENT TO BE EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL ACT PER CATEGORICAL EXEMPTION 15317 AND APPROVE BOTH APPLICATIONS.

EMPLOYMENT AND
SOCIAL SERVICES

- 3.26** * Youth for Change - amendment to the agreement with Youth for Change for supervised visitation services. The amendment increases the maximum amount payable by \$22,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.27** * California Children and Family Services – 2010 Butte County Assessment – submitted is the 2010 County Self Assessment Report prepared by Butte County Children’s Services and their community partners as required by the California Department of Social Services (CDSS) – action requested – ACCEPT FOR INFORMATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES TO SUBMIT REPORT TO THE STATE.
- 3.28** * Butte County Department of Behavioral Health (BCDBH) – amendment to the agreement with BCDBH for alcohol, drug, mental health, and domestic abuse treatment services for CalWORKs participants. The amendment increases the maximum amount payable by \$108,652. There is no impact on the General Fund – action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT RELATED BUDGET ADJUSTMENT (4/5 vote required).
- 3.29** * Request to Solicit Bids and Purchase Work Stations – request for approval to solicit bids and purchase fourteen work stations for the Community Employment Center at 78 Table Mountain Blvd in Oroville. DESS is coordinating with General Services for the bid and purchasing process. The estimated cost and installation for the work stations, which will be fixed assets, is \$37,500 – action requested – APPROVE REQUEST TO SOLICIT BIDS AND APPROVE FIXED ASSET PURCHASES; AND APPROVE RELATED BUDGET ADJUSTMENT.

FIRE

- 3.30** * Budget Adjustment and Fixed Asset Purchase – request to appropriate designated Fiscal Year (FY) 2009/2010 Department of Homeland Security grant fund balance to the FY 2010/2011 fire budget. The original grant amount of \$320,000, was designated to be spent over two fiscal years. The remaining balance is \$30,374.67 which will be used to purchase equipment for training and fire prevention, including a forcible entry simulator estimated at \$8,200 – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required); AND APPROVE FIXED ASSET PURCHASE.
- 3.31** * Donation on Behalf of the Sylvester Family and Budget Adjustment – The Butte County Fire Department has received a donation of \$25,000 from FCI Contractors on behalf of the Sylvester Family. Ron Sylvester was injured when the freeway overpass construction on Hwy 149 fell on his truck. He negotiated a donation from FCI to thank rescue personnel who assisted him. The department has also received reimbursement for Terrorism Consequence Training in the amount of \$15,300 – action requested – ACCEPT DONATION; AND APPROVE BUDGET ADJUSTMENTS (4/5 vote required).

HUMANRESOURCES

- 3.32** * Budget Adjustment – Butte County has an existing agreement with Liebert, Cassidy, Whitmore for labor negotiation services through October 31, 2011. A budget adjustment from the General Fund Appropriation for Contingencies in the amount of \$60,000 is requested for ongoing labor negotiations - action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required).
- 3.33** * Resolution to Amend the Salary Ordinance - The resolution will amend the salary ordinance as follows:

BEHAVIORAL HEALTH – requests to add one (1) position of Supervisor, Behavioral Health Counselor and one (1) position of Medical Records Technician, Senior/Medical Records Technician. The funding for these new positions will come from a new grant the department received from the Substance Abuse & Mental Health Services Administration for Family Enrichment Support. These changes will increase the allocation in budget unit 541-012 from 21.5 to 23.5 and increase total allocations in the department from 306.75 to 308.75.

SHERIFF – requests to delete one (1) vacant Deputy Sheriff position and add one (1) Sheriff's Sergeant position. With the increased county collection of boat tax revenue, the Sheriff is obligated to assign a full-time officer to the boat program. With the creation of this position, the Sheriff will now assign one sergeant to county-drug operations and the other to the water/boat program. Any additional funding needed for the position will be provided by Rural County Supplemental Funding. These changes will leave the total allocations in the department unchanged – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

- 3.34 * Library Donations – The Library has received the following donations for books: \$600 from Chico Friends of the Library; \$600 from the Oroville Friends of the Library; and \$200 from Maudie Penney – action requested – ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
- 3.35 * Library Donation – The Paradise Friends of the Library has donated a lighted sign to the Paradise Library to make the entrance to the Library more visible and easier to identify. The sign is valued at approximately \$4,499 – action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION.

PUBLICHEALTH

- 3.36 * Resolution for Grant Application for “Greater Oroville Safe Access to Schools” Program – The department requests authorization for the submittal of a grant application to the California Department of Public Health’s Kids’ Plates Program. Funds from the grant would provide the Greater Oroville Safe Access to Schools Program the ability to improve the safety of school zones – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.37 * Decade Software Company, LLC - amendment to the agreement with Decade Software Company, LLC for billing and project tracking software. The amendment increases the maximum amount payable by \$15,876 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLICWORKS

- 3.38 * Resolution in Appreciation of Leonard “Wayne” Copeland Upon His Retirement from Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.39 * Resolution in Appreciation of Stuart “Stu” Edell Upon His Retirement from Butte County – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.40 * California Department of Parks and Recreation (DPR) - revenue agreement with DPR for annual grant funding for the Over Snow Vehicle Program to groom snowmobile trails and provide roadway snow removal for winter recreation in Butte County. The Fiscal Year 2010/2011 award is \$60,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.41 * Letter of Appeal of the Plumas National Forest's Record of Decision (ROD) for Motorized Travel Management - On October 27, 2010, the ROD for the Plumas National Forest's (PNF) Motorized Travel Management Plan was issued. The PNF selected the Motorized Travel Management Plan-Alternate 5 which will have a negative economic impact to Butte County and the surrounding areas. Specifically Alternate 5 fails to accept the historic mixed use (use by both off-road and on-road vehicles) on most of the Forests inventoried. This reduction in mixed use will reduce the areas attraction for recreation thus decreasing the purchase of food, fuel and overnight accommodations from visitors. The reduction of this economic activity will have a negative impact to rural communities that depend on seasonal recreation activities for their income. The deadline to appeal the ROD is December 27, 2010. Staff is coordinating efforts with other counties within the PNF to appeal the decision in a unified manner. Staff seeks Board authorization to send the appeal letter when it is finalized – action requested - AUTHORIZE THE CHAIR TO SIGN A LETTER OF APPEAL OF THE PNF'S RECORD OF DECISION SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE CHIEF ADMINISTRATIVE OFFICER.

SHERIFF-
CORONER

- 3.42 * Budget Adjustment – request to transfer \$10,000 from the Drug/Gang Activity Fund to be used for development of an educational video to target drug use among school aged children – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required).

- 3.43 * Securus Technologies – revenue agreement with Securus Technologies for inmate telephone services. The term of the agreement is December 11, 2010 through December 10, 2013 - action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.44 * Keefe Commissary Network – amendment to the agreement with Keefe Commissary for inmate commissary services. The amendment extends the term of the agreement through August 31, 2014 - action requested – APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

TREASURER/
TAX COLLECTOR

- 3.45 * Monthly Investment Report – submitted is the Monthly Investment Report dated October 31, 2010, in accordance with the Statement of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION.

- 3.46 * Franchise Tax Board (FTB) – agreement with the FTB to participate in the Court-Ordered Debt Program. The term of the agreement is January 1, 2011 through December 31, 2013. Under this program, the FTB will collect seriously delinquent court-ordered fines and fees on behalf of Butte County. The FTB will retain 15 % of the debt collected but the County will recover the cost through the Comprehensive Fine Program – action requested – AUTHORIZE THE TREASURER-TAX COLLECTOR TO ENTER INTO AN AGREEMENT WITH THE FTB.

- 3.47 * Relief from Accountability – request for relief from accountability for a \$100 cash shortage discovered on November 8, 2010 during the daily balancing of the property tax cash register receipts. An investigation was conducted and there was no evidence that the shortage was a result of fraud or gross negligence – action requested – APPROVE THE RELIEF FROM ACCOUNTABILITY IN THE AMOUNT OF \$100.

WATER & RESOURCE
CONSERVATION

- 3.48 * Bay Delta Conservation Plan (BDCP) Comment Letter – The BDCP is a collaborative program lead by state, federal and local water agencies to formulate a plan that could ultimately be approved as a Habitat Conservation Plan. The department requests approval for a comment letter to the BDCP Steering Committee - action requested – APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

- 3.49 * California Statewide Groundwater Elevation Monitoring (CASGEM) Program – The CASGEM program will establish a statewide program to collect groundwater elevation data, facilitate collaboration between local monitoring entities and the Department of Water Resources (DWR) and provide an avenue to report information to the public. The State requires local entities notify DWR by January 1, 2011 of intent to assume responsibility for compiling and submitting the data as a designated Monitoring Entity. The department requests approval to be designated as one of the Multiple Monitoring and Reporting Entities within Butte County. If DWR takes over monitoring of a basin, entities in the basin will be ineligible for future water grants or loans administered by the State - action requested – AUTHORIZE DEPARTMENT TO BE ONE OF THE MULTIPLE MONITORING AND REPORTING ENTITIES AND DIRECT THE DIRECTOR OF WATER AND RESOURCES CONSERVATION TO NOTIFY DWR.

- 3.50 * Drought Status Report - The department has submitted this report which details the current drought situation in California and the Drought Task Force's (DTF) priorities for drought response - action requested - ACCEPT FOR INFORMATION.

- 3.51 * Department of Water Resources (DWR) – third amendment to the tolling agreement with DWR for the suspension of the water supply contract requirement to submit formal protests of State Water Project (SWP) bills for calendar years 2007 through 2010. The amendment extends the tolling period expiration date to December 31, 2012 which allows all parties to continue discussions concerning possible resolution of claims related to SWP billing - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE COUNTY COUNSEL TO SIGN AGREEMENT ON BEHALF OF BUTTE COUNTY.

OTHER
DEPARTMENTS
AND AGENCIES

- 3.52 * Butte County Children and Families Commission – the Commission submits recommendations for appointments to the Commission – action requested – APPOINT JOHN BURGHARDT AS COMMISSIONER TO A VACATED TERM TO END JUNE 30, 2011; TALIA SCHERQUIST AS ALTERNATE TO A VACATED TERM TO END JUNE 30, 2011; AND LORENZO TOBIAS AS ALTERNATE TO A VACATED TERM TO END JUNE 30, 2012.

3.53 * First 5 Butte County Children and Families Commission Annual Audit – pursuant to Butte County Code, submitted is the Fiscal Year 2009/2010 annual audit – action requested – ACCEPT FOR INFORMATION.

3.54 * Bangor Cemetery District -- action requested – REAPPOINT JENNIFER HEILMANN AND KEN SARNECKI AS TRUSTEES TO TERMS TO END DECEMBER 31, 2014.

PRESENTATION OF RESOLUTIONS ADOPTED ON THE CONSENT AGENDA

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 * Actions to Encourage Economic Growth in Butte County – Economic growth is a priority of the Board of Supervisors. As part of the General Plan, the Board adopted an Action Plan related to economic development. While many items contained within the Action Plan are long-term goals and activities, there are certain actions that can be taken immediately to encourage economic growth and to provide financial relief to county residents – actions requested – 1) MAINTAIN USER FEES AT CURRENT LEVELS WITH NO INCREASES IN 2011; 2) MAINTAIN DEVELOPMENT IMPACT FEES WITH NO INCREASES IN 2011; AND 3) DEFER COLLECTION OF DEVELOPMENT IMPACT FEES UNTIL THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. (Chief Administrative Office)

4.06 * Additional Option for Securing Costs of Nuisance Abatement Process – On November 9, 2010, staff presented options for recovering the costs of the County’s nuisance abatement process through the placement of liens and special assessments collected at the same time and manner as property taxes. The Board requested staff return with information on another option which would allow the landowner to enter into an agreement with the County in order to use the property as collateral for the lien through recorded Deed of Trust. Staff will provide a report on this option – action requested – ACCEPT FOR INFORMATION AND PROVIDE DIRECTION TO STAFF. (Chief Administrative Office)

4.07 * Certification of Statement of Votes Cast – November 2, 2010 Consolidated General Election – Presentation by the County Clerk-Recorder/Registrar of Voters on the November 2, 2010 election turnout, vote by mail and provisional ballot processing - action requested – ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST. (Clerk-Recorder/Registrar of Voters)

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

Adjourn as the Butte County Board of Supervisors and convene as the Butte County In-Home Supportive Services Authority Board.

BUTTE COUNTY
IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
AGENDA
DECEMBER 14, 2010

1.00 **CALL TO ORDER** – Butte County Board of Supervisors Room, 25 County Center Drive, Oroville

2.00 **CONSENT AGENDA**

2.01 * Brian Frink – agreement with Brian Frink for training services for the newly appointed Public Authority Supervisor. The term of the agreement is November 1, 2010 through December 31, 2010 with a maximum payable of \$1,100 – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.00 **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 is prohibited from taking action on any item not listed on the agenda.

ADJOURNMENT

Adjourn as the In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

5.00 PUBLIC HEARINGS AND TIMED ITEMS

- 9:30 A.M. **5.01** * Public Hearing – Adoption of the Update of the Thermalito Master Drainage Plan and Ordinance Adopting the Associated Thermalito Drainage Area Fee Schedule - 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, update, and consolidate the plans into one and to develop a nexus study and proposed fees for necessary capital improvements in Thermalito. The updated Thermalito Master Drainage Plan has been developed using hydration methods that can allow for more detailed evaluation of storm water retention than the original Plan – action requested – ADOPT UPDATE OF THE THERMALITO MASTER DRAINAGE PLAN; AND ADOPT ASSOCIATED ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 9:35 A.M. **5.02** * State Flood Plain Requirements in Butte County – The State Department of Water Resources (DWR) will provide a presentation on the State Plan of Flood Control and the FloodSAFE California program – action requested – ACCEPT FOR INFORMATION. (Public Works)
- 10:00 A.M. **5.03** * Timed Item – Application to the Local Agency Formation Commission (LAFCo) for an Expansion of Powers of Community Service Area (CSA) 114 – consideration of a resolution approving the submittal of an application to LAFCo to expand the powers of CSA 114 in order to pay certain sewer connection fees to facilitate the provision of sewer service – actions requested – APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT COUNTY STAFF TO WORK WITH LAFCO TO PREPARE THE NECESSARY MUNICIPAL SERVICES AGREEMENT AND SPHERE OF INFLUENCE PLAN. (Chief Administrative Office)

- 10:15 A.M. **5.04** * Public Hearing – Signalized Intersection West, LLC - Appeal of Planning Commission Denial of Grading Permit GRD06-01 (APNs 017-090-138 and 017-090-139) – On October 26, 2010, the Board set aside and vacated Resolution 08-151 which denied Signalized Intersection West’s appeal of the Planning Commission denial of a grading permit (GRD06-01) and reopened the hearing on the appeal. The project location is approximately two miles northeast of Honey Run Road and Centerville Road intersection. Staff will provide three options for Board consideration – action requested – PROVIDE DIRECTION TO STAFF. (Development Services)
- 1:00 P.M. **5.05** * Timed Item - 2011 Butte County Legislative Platform – Each year the Butte County Board of Supervisors considers and adopts a state and federal legislative platform that has been developed through discussions with Butte County’s legislative advocates, County Department Heads, and the Chief Administrative Officer and staff. Paul Yoder of Strategic Local Government Services, LLC will present the state legislative matters and Kristi More with The Ferguson Group will present the federal legislative matters – action requested – ACCEPT FOR INFORMATION AND ADOPT 2011 LEGISLATIVE PLATFORM AMENDING IF NEEDED. (Chief Administrative Office)
- 1:15 P.M. **5.06** * Public Hearing – Zoning Code Amendment – Wind Turbine Ordinance (ZCA10-0004) - consideration of an ordinance establishing standards for the design, placement, and permitting of wind turbines. If approved, the standards will apply to all areas of unincorporated Butte County. The Butte County Planning Commission recommends approval of the ordinance – action requested – ADOPT RESOLUTION ADOPTING A NEGATIVE DECLARATION WITH FINDINGS AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 2:15 P.M. **5.07** * Timed Item – Recognition of Supervisor Jane Dolan - The Board of Supervisors and County Department Heads will recognize and honor Supervisor Jane Dolan. Community organizations and individuals are invited to honor Supervisor Dolan during this time - action requested – ADOPT RESOLUTION AND AUTHORZE CHAIR TO SIGN.

**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