

MINUTES



BOARD OF SUPERVISORS

R.J. "BOB" BEELER, 1ST DISTRICT
JANE DOLAN, 2ND DISTRICT
MARY ANNE HOUX, 3RD DISTRICT
CURT JOSIASSEN, 4TH DISTRICT
KIM YAMAGUCHI, 5TH DISTRICT

March 26, 2002

Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Beeler, Dolan, Houx, Yamaguchi, and Chair Josiassen. Also present: Lawrence Odle, Interim Chief Administrative Officer; Bruce Alpert, County Counsel; and Marion Reeves, Assistant Clerk of the Board.

Pledge of Allegiance to the Flag of the United States of America.

Invocation - Pastor Bruce Murray, First Assembly of God Church, Chico. (NOT PRESENT)

Consent Agenda

- 02-081
1. Approval of Minutes - action requested - APPROVE MINUTES OF FEBRUARY 12, 2002; AND FEBRUARY 26, 2002.
 2. Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-341 (SHERIFF/INMATE WELFARE FUND); B-342 (SHERIFF/INMATE WELFARE FUND); B-330 (WORKERS COMPENSATION INSURANCE); B-336 (COUNTY SERVICES AREA 90-ZONE 2 [SOUTHGATE ACRES FIRE PROTECTION]); AND B-337 (COUNTY SERVICE AREA 90-ZONE 3 [SOUTHGATE ACRES FIRE PROTECTION]). All budget transfers listed above require a 4/5 vote.
 3. Library Donations - pursuant to Government Code Section 25355, a donation of \$1,000 from the Paradise Friends of the Library group has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
 4. County Service Area 137 - Annexation - Welsh Etter Investment Company has requested annexation to County Service Area 137 (Durham Dayton Industrial Partners) for fire protection services. The annexation is subject to ballot proceedings and approval by the Local Agency Formation Commission (LAFCo). Board approval is requested for a resolution setting a public hearing for the ballot proceedings for Tuesday May 21, 2002, at 10:30 a.m., and making application to LAFCo - action requested - ADOPT RESOLUTION 02-036 SETTING A PUBLIC HEARING FOR TUESDAY, MAY 21, 2002, AT 10:30 A.M., AND MAKING APPLICATION TO LAFCo AND AUTHORIZE THE CHAIR TO SIGN.

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5. Award of Bid No. 48-02 - Department of Employment and Social Services - Phase II Cabling - bids have been received for the installation of voice and data cabling at 202 Mira Loma Drive, Oroville, with the low bidder meeting specifications being 3D DATACOM of Rancho Cordova, in the amount of \$89,364 - action requested - APPROVE AWARD AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. Southside Oroville Community Center - Board approval is requested by the Administrative Office to purchase portable staging for the Southside Oroville Community Center in an amount not to exceed \$12,000. The purchase will be funded with project grant funds - action requested - APPROVE FIXED ASSET PURCHASE OF PORTABLE STAGING IN AN AMOUNT NOT TO EXCEED \$12,000.
7. Chico Maintenance Yard - Property Purchase - Board approval is requested by the Public Works Department to purchase property located at 40 Bellermine Court, in the McGowan Industrial Park off Meyers Street in southwest Chico, and identified as APN 039-430-124, for the purpose of expanding the current maintenance yard for the Public Works Department. Mr. and Mrs. Clay McGowan have signed an offer to purchase in the amount of \$289,675. The price is within the range of values as established by a land appraisal report. The Butte County Planning Commission, on February 28, 2002, approved a Determination of General Plan Conformity for the acquisition, and the Public Works Department has provided public notice pursuant to Government Code Section 25350 - action requested - APPROVE THE PROPERTY ACQUISITION AND AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATE OF ACCEPTANCE.
8. Awning for Outside Employee Break Room - 25 County Center Drive - the Administrative Office, Treasurer-Tax Collector, District Attorney, Assessor, Clerk-Recorder and Auditor-Controller have agreed to share the cost of providing a covered shelter area outside the main employee break room in the Administration Building. Facilities Services has estimated the cost of installation to be not more than \$3,690. Board approval is requested by the Auditor to transfer \$615 from within each department's services and supplies budget to provide the necessary funding - action requested - APPROVE BUDGET TRANSFER B-346 (4/5 vote required).
9. Development Services Department - Savings Incentive Program Expenditure Plan - Board approval is requested by the Development Services Department for an expenditure plan for the department's Savings Incentive Program funds (\$29,720) - action requested - APPROVE BUDGET TRANSFER B-344 (4/5 vote required) ACCEPTING AND APPROPRIATING SAVINGS INCENTIVE PROGRAM FUNDS AS DETAILED IN THE AGENDA REPORT AND APPROVE PURCHASE OF FIXED ASSET ITEMS AS DETAILED IN THE EXPENDITURE PLAN.

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10. Juvenile Justice Crime Prevention Act - Interest Utilization and Agreements - Board approval is requested by the Probation Department to utilize \$60,572 in interest income generated from the trust fund which holds funds received from the California State Board of Corrections for the purpose of providing a Comprehensive Multi-agency Juvenile Justice Plan under the Juvenile Justice Crime Prevention Act of 2000. The Juvenile Justice Coordinating Council and the California State Board of Corrections have approved the following proposed expenditures: 1) \$10,000 to Matson & Isom Accountancy Corporation for the purpose of training the community based organizations on acceptable record-keeping procedures; 2) \$25,000 for a caged vehicle to transport individuals; and 3) the following three contract amendments for the provision of services in support of the program, in the total amount of \$25,572: A) Parent Education Network - increase maximum amount payable by \$20,000; B) Boys & Girls Club - increase maximum amount payable by \$15,000; and C) Butte County Superior Court - decrease maximum amount payable by \$9,428 - action requested - APPROVE BUDGET TRANSFER B-343 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED INTEREST INCOME REVENUE; APPROVE FIXED ASSET PURCHASE OF CAGED VEHICLE; APPROVE RECORD-KEEPING TRAINING EXPENDITURE; AND APPROVE THREE CONTRACT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN. (CONTRACT NO. X13234, X13238, AND X13286)
11. Victim Witness Assistance Program - Board approval is requested by the Probation Department to accept and appropriate \$40,000 from the State of California Victim Compensation and Government Claims Board. The funds are utilized to pay relocation expenses for victims of domestic violence and/or sexual assault, and to pay for funeral/burial expenses. The Probation Department has requested the State increase the total account balance from \$40,000 to \$80,000 based on utilization - action requested - APPROVE BUDGET TRANSFER B-340 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.
12. Substance Abuse and Mental Health Services Administration Block Grant - Board approval is requested by the Butte County Department of Behavioral Health to accept an additional \$94,983 in funds received from the Federal Substance Abuse and Mental Health Services Administration. The funds are to be used to provide integrated services to adults, older adults with serious mental illness, and children who are emotionally disturbed. Additionally, the department has been notified that there are fiscal year 2000-2001 carryover funds in the amount of \$90,485, which will also need to be accepted as unanticipated revenue. The department is requesting the Board appropriate \$80,477.10 of those funds as detailed in the agenda report - action requested - APPROVE BUDGET TRANSFER B-348 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

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13. Monthly Investment Report - The Treasurer-Tax Collector submits the February 28, 2002, report in accordance with the Butte County Statement of Investment Policy dated July 1, 2001 - action requested - ACCEPT FOR INFORMATION.
 14. California Department of Motor Vehicle "Kids" License Plate Revenue - Board approval is requested by the Department of Employment and Social Services to accept and appropriate \$2,658 received from the State Department of Social Services as the County's fiscal year 1999-2000 and 2000-2001 KIDSPLATE allocation. The allocation is intended to fund programs to reduce child injury and child abuse. The Department of Employment and Social Services will use the funds to replace all child safety seats in use by the department - action requested - APPROVE BUDGET TRANSFER B-345 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.
 15. Drug Endangered Children Program Grant - Board approval is requested by the District Attorney to accept \$173,240 received from the State Office of Criminal Justice Planning for Drug Endangered Children programs. The department is requesting the Board appropriate \$86,620 into the fiscal year 2001-2002 budget, with the remaining funds to be appropriated in the department's fiscal year 2002-2003 budget - action requested - APPROVE BUDGET TRANSFER B-335 (4/5 vote required) ACCEPTING GRANT FUNDS AND APPROPRIATING \$86,620 IN UNANTICIPATED REVENUE.

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16. Resolution Amending the Butte County Salary Ordinance - the Human Resources Department has prepared a resolution amending the Butte County salary ordinance as follows: PUBLIC HEALTH-GENERAL SERVICES - adds three flexibly staffed positions of Public Health Nurse III/II/I, one flexibly staffed position of Public Health Assistant II/I, one flexibly staffed position of Information Systems Analyst III/II/I, and one flexibly staffed position of Medical Records Technician II/I. All positions are in support of Butte County Children and Families First Commission grants, and all positions have a sunset date of December 31, 2004. PROBATION - deletes one position of Receptionist and adds one flexibly staffed position of Legal Typist Clerk/Office Assistant III/II/I. Flexibly staffing the position will provide the department with greater staffing choices, and provide employee growth opportunity. SALARY PLAN FOR CLASSIFIED POSITIONS - a new salary table for the Probation Peace Officers' Association bargaining unit has been created and the appropriate position classifications are deleted from the old salary tables and are incorporated into the new table. SECTION 70, REFERENCE F, MANAGEMENT, CONFIDENTIAL, AND SUPERVISORY UNIT CLASSIFICATIONS (EFFECTIVE 12-22-01) - adds market adjustments to selected BCMEA position classifications pursuant to the bargaining process. BEHAVIORAL HEALTH-GENERAL SERVICES - adds two flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker in support of the Chico Adult Outpatient Program and Older Adult Outpatient Program (the positions are funded with Substance Abuse Mental Health Services Administration Block Grant funds); re-titles the position of Assistant Director-Mental Health Administration to Assistant Mental Health Director-Administration, adjusts the compensation rate for the position to be consistent with the classification of Assistant Mental Health Director, and revises the job specifications as a result of a classification study. LIBRARY - adds one position of Library Assistant I with a sunset date of June 30, 2002. The position is requested as a result of a vacancy created by an incumbent on extended medical leave. ADMINISTRATION-PURCHASING - deletes one position of Procurement Administrator and one flexibly staffed position of Buyer II/I, and adds two flexibly staffed positions of Buyer III/II/I (new classification). The proposed changes will provide for employment advancement within the Buyer classification series. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE B, BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION-SUPERVISORY UNIT CLASSIFICATION - updates the salary table to reflect agreed upon terms of the new Memorandum of Understanding - action requested - ADOPT RESOLUTION 02-037 AND AUTHORIZE THE CHAIR TO SIGN.
17. Resolution in Recognition of Vickie Stempel Upon Retirement from the County Clerk-Recorder's Office, County of Butte - action requested - ADOPT RESOLUTION 02-038 AND AUTHORIZE THE CHAIR TO SIGN.

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18. Resolution Amending the Composition of the Americans with Disabilities Act (ADA) Advisory Committee - Board approval is requested by the Human Resources Department for a resolution amending the composition of the ADA Advisory Committee to provide for the addition of a general public member representative to the committee - action requested - ADOPT RESOLUTION 02-039 AND AUTHORIZE THE CHAIR TO SIGN.
 19. Pavement Overlay on Various Butte County Roadways - County Project No. AC-02-1 - the project consists of a total of 2.02 miles of asphalt concrete overlay on fifteen Butte County roadways in the Chico and Oroville areas. An additional 1.47 miles of asphalt concrete overlay on twelve roadways will be included as a bid additive. The bid additive roadways will be recommended incrementally for award up to a threshold of a \$400,000 construction contract. The project is budgeted in the fiscal year 2001-2002 budget - action requested - APPROVE PLANS AND SPECIFICATIONS, AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN PLANS, ADOPT A WAGE SCALE; AND AUTHORIZE PUBLIC WORKS TO ADVERTISE FOR BIDS.
 20. Underground Utility Allocation Credits - Board approval is requested by the Public Works Department for a resolution authorizing the use of Rule 20A credits allocated by Pacific Gas and Electric Company to the County of Butte, in the estimated amount of \$600,000, to the City of Chico Underground Utility District No. 15-Cohasset Road (from Pillsbury Road to Azalea Avenue) pursuant to Decision Nos. 73078 and 82-01-18 of the California Public Utilities Commission - action requested - ADOPT RESOLUTION 02-040 AND AUTHORIZE THE CHAIR TO SIGN.
 21. Butte County Correctional Officers' Association-Supervisory Unit - Memorandum of Understanding - the Department of Human Resources submits the negotiated agreement with the Butte County Correctional Officers' Association-Supervisory Unit. The term of the agreement is October 1, 2001, through September 30, 2002, and includes the following major provisions: an increase in County contributions to employee health premiums effective January 1, 2002; a 3% Cost of Living Allowance effective September 29, 2001; a Countywide classification/compensation study; and an equity adjustment in the amount of 14% for Correctional Sergeants and 15% for Correctional Lieutenants, effective the first pay period of April 2002 - action requested - APPROVE THE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.

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- 02-081 22. State of California-Department of Mental Health - Board approval is requested by the Butte County Department of Behavioral Health for a revenue agreement with the State of California-Department of Mental Health for the provision of outpatient mental health services to Medi-Cal qualified individuals. The term of the agreement is July 1, 2001, through June 30, 2002, with a maximum amount payable to the County of \$2,021,373. The final allocation from the State was \$318,328 above the department's anticipated revenue for this agreement, and Board approval is requested to offset the new revenue with a reduction to Realignment - action requested - APPROVE BUDGET TRANSFER B-339 (4/5 vote required) ACCEPTING THE UNANTICIPATED REVENUE AND REDUCING REALIGNMENT REVENUE AS DETAILED IN THE AGENDA REPORT; AND ADOPT RESOLUTION 02-041 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40421)
23. State of California-Department of Alcohol and Drug Programs - Board approval is requested by the Butte County Department of Behavioral Health for a revenue agreement with the State of California-Department of Alcohol and Drug Programs for Youth Development and Crime Prevention Grant funds. The term of the agreement is June 28, 2001, through June 30, 2002, with a maximum amount payable to the County of \$309,081 (\$114,659 for fiscal year 2000-2001 and \$194,422 for fiscal year 2001-2002) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40422)
24. Award of Contract to Past Employee - submitted is a professional services agreement with Dr. Edith Lopez for the provision of consultation services to clinical staff treating children (0-5), and training to clinical staff in how to provide psychotherapy to infants, toddlers, and preschool children. The term of the agreement is March 15, 2002, through May 31, 2002, with a maximum amount payable of \$2,750 (Proposition 10 grant funds/project budget). Pursuant to established Board policy, agreements under \$25,000 can be approved by the Administrative Office; however, pursuant to Section 13.3 of the Butte County Purchasing Policy Manual, notification to the Board of intent to award an agreement to employees who have discontinued County services during the past two years is required - action requested - ACCEPT FOR INFORMATION.

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25. Award of Contract to Past Employee - submitted is a professional services agreement with Rick Minniefield for the provision of services in support of the Youth Development Summit and Reach for the Future Conference, and the preparation of all Friday Night Live mentoring reports. The term of the agreement is December 1, 2001, through June 30, 2002, with a maximum amount payable of \$15,000 (project budget). Pursuant to established Board policy, agreements under \$25,000 can be approved by the Administrative Office; however, pursuant to Section 13.3 of the Butte County Purchasing Policy Manual, notification to the Board of intent to award an agreement to employees who have discontinued County services during the past two years is required - action requested - ACCEPT FOR INFORMATION.
 26. Award of Contract to Past Employee - submitted is a professional services agreement with Brent Roden d.b.a Performance Trust for the provision of analysis, tracking, and feedback data for the Youth Performance Outcome Measures, and for database design, website design, and transmission of Youth Performance Outcome Measures data to the State Department of Mental Health. The term of the agreement is January 1, 2002, through June 30, 2002, with a maximum amount payable of \$20,000 (project budget). Pursuant to established Board policy, agreements under \$25,000 can be approved by the Administrative Office; however, pursuant to Section 13.3 of the Butte County Purchasing Policy Manual, notification to the Board of intent to award an agreement to employees who have discontinued County services during the past two years is required - action requested - ACCEPT FOR INFORMATION.
 27. Butte County Probation Department - Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health for a Memorandum of Understanding with the Butte County Probation Department for the assignment of three part-time Probation Officers to the Inter-agency Services Placement Unit for the delivery of State mandated services. The term of the agreement is July 1, 2001, through June 30, 2002, with a maximum amount payable to the Probation Department of \$58,785 (department budget) - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13369)
 28. William W. Abbott - Abbott & Kindermann, LLP - Board approval is requested by County Counsel for an agreement with William W. Abbott of Abbott & Kindermann, LLP, for attorney services regarding the County's General Plan issues and other land use matters. The term of the agreement is one year, with a compensation rate of \$225 per hour (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF THE AUDITOR-CONTROLLER.

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29. CBA, Inc. - Amendment - Board approval is requested by the Development Services Department for an amendment to the agreement with CBA Inc., for the provision of contract staff services for the Planning Division. The amendment increases the maximum amount payable by \$20,000 (department budget), and clarifies the duties of the County Project Manager regarding invoice approval and case assignment. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13327)
 30. California Department of Health Services - Women, Infants and Children - Amendment - Board approval is requested by the Public Health Department for an amendment to the revenue agreement with the California Department of Health Services for funds to support the Women, Infants and Children program. The amendment provides an additional allocation of \$28,085 for the period of October 1, 2001, through September 30, 2002. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40199)
 31. Private Industry Council - Sublease Agreement - Amendment - Board approval is requested by the Public Health Department for an amendment to the sublease agreement with the Private Industry Council for the Public Health Clinic space located at 78 Table Mountain Road, Oroville. The amendment clarifies which items will be payable by the department under the category of Utilities, Services and Maintenance Charges. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13127)
 32. Private Industry Council - Sublease Agreement - Amendment - Board approval is requested by the Public Health Department for an amendment to the sublease agreement with the Private Industry Council for office space at 202 Mira Loma Drive, Oroville. The site will be utilized by Public Health Administration, nursing staff, Health Education and Animal Control. The amendment increases the amount of funds available for change orders by \$76,574 (department budget), amends the contract start date to April 15, 2002, and clarifies which items will be payable by the department under the category of Utilities, Services and Maintenance Charges. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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33. California Integrated Waste Management Board - Enforcement Assistance Grant Program (EA-12 and EA-13) - Board approval is requested by the Public Health Department to submit grant applications for two grants from the California Integrated Waste Management Board for funds up to \$34,000 (\$17,000 per grant) to support local solid waste landfill permit and inspection programs. The funds are 100% State funds with no County match required - action requested - ADOPT RESOLUTION 02-042 AUTHORIZING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.
 34. California State University, Chico - Amendment - No Fare Bus Program - Board approval is requested by the Public Works Department for an amendment to the agreement with California State University, Chico to provide transportation services on Butte County Transit free of charge to university faculty, students and staff. The university reimburses the County monthly based on actual use. The amendment extends the term of the agreement from January 1, 2002, through December 31, 2002, and increases the maximum amount payable to the County by \$18,000. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40046)
 35. Golder Associates, Inc. - Neal Road Landfill Base Liner Design - Board approval is requested by the Public Works Department for an agreement with Golder Associates, Inc., for the provision of design services for Module 4 at the Neal Road Landfill to provide compliance with Regional Water Quality Control Board regulations for minimum standards for landfill module design. The term of the agreement is through completion of the project, with a maximum amount payable of \$48,213 (Neal Road Landfill Management Fund) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
 36. Bidwell Canyon Marina and Lime Saddle Marina - Used Oil and Spent Bilge Pads Collection - Board approval is requested by the Public Works Department for agreements with Bidwell Canyon Marina and Lime Saddle Marina for the collection of used oil, oil filters and spent bilge pads from boaters who use Lake Oroville marinas. The agreements provide for no compensation to the contractor, the County will pay for removal of the oil, filters, and bilge pads to an oil recycling company directly under separate contract. The County will install two collection tanks funded with grant funds provided to the County to implement a clean boating program for Lake Oroville - action requested - APPROVE AGREEMENTS WITH MARINAS AND AUTHORIZE THE CHAIR TO SIGN.

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02-081 37. Sacramento River Reclamation District - Conflict of Interest Code - on March 4, 2002, the Sacramento River Reclamation District adopted its agency's Conflict of Interest Code. It is being submitted to the County, as the code reviewing body, to determine the code's compliance with Government Code Section 87302. County Counsel has reviewed the code and finds it to be proper - action requested - APPROVE CODE. (43)

MOTION: I MOVE TO ADOPT THE CONSENT AGENDA AS PRESENTED.

S M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

Regular Agenda

02-082 Appointments - Boards, Commissions, and Committees. (64)

1. Appointments to listed vacancies. (NONE)

02-083 Update on legislative and budget activities. (79) LAWRENCE ODLE, INTERIM CHIEF ADMINISTRATIVE OFFICER, PROVIDES THE BOARD WITH A SUMMARY OF FOUR BILLS OF POTENTIAL IMPORTANCE TO THE COUNTY: AB 2678-PROVIDES THE COUNTY WITH AN OPPORTUNITY TO PROVIDE ENHANCED PRE-RETIREMENT BENEFITS TO SURVIVORS OF DECEASED COUNTY EMPLOYEES; AB 1282-WILL REQUIRE THE DEPARTMENT OF MANAGED CARE TO ADOPT REGULATIONS THAT ESTABLISH ACCESSIBILITY STANDARDS FOR ACCESS TO HEALTH CARE PROVIDERS; AB 2118-PROVIDES AN EXTENSION OF THE REQUIREMENTS FOR VOLUNTEER FIREFIGHTERS SET OUT IN SB1207, EFFECTIVE JANUARY 1, 2002; AND SB 1605-PROVIDES AUTHORITY TO THE COUNTY AND CITY OF CHICO CONCERNING THE TRANSFER OF RIGHTS AND TITLE HELD IN BIDWELL PARK TO ADDRESS LINDO CHANNEL FLOOD ISSUES.

02-084 Presentation to the Board - Drug Endangered Children Community Service Project - presentation by the Beta Sigma Phi Sorority regarding the designation of the Drug Endangered Children Program as its Community Service Project - action requested - ACCEPT FOR INFORMATION. (166)

PRESENTATION OF CARE BAGS TO THE DRUG ENDANGERED CHILDREN PROGRAM BY KAREN LAMALFA AND JANET THENGVALL, BETA SIGMA PHI SORORITY.

02-085 Oroville Adult School - Informational Presentation and Resolution - presentation to the Board regarding the Oroville Adult School and its benefits to the community, and consideration of a resolution in support of Adult Education in Oroville and the State of California - action requested - ACCEPT FOR INFORMATION; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (490)

PRESENTATION TO THE BOARD BY DWAYNE ROBINSON, PRINCIPAL; CORY WILLENBERG, ASSISTANT PRINCIPAL; AND NANCY HERNANDEZ, JOB READINESS COORDINATOR, OROVILLE ADULT HIGH SCHOOL.

MOTION: I MOVE TO ADOPT RESOLUTION 02-043 AND AUTHORIZE THE CHAIR TO SIGN.

M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

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02-086 Presentation to the Board - Countywide Tourism Marketing Program Update - presentation by the Butte County Economic Development Corporation regarding the County's tourism marketing efforts - action requested - ACCEPT FOR INFORMATION. (1485)

PRESENTATION TO THE BOARD BY SUSAN PETERSON, TREASURER-TAX COLLECTOR'S OFFICE; BOB LINSCHIED AND DEBRA LUCERO-AUSTIN, BUTTE COUNTY ECONOMIC DEVELOPMENT CORPORATION.

02-087 Designation of Local Partner for the California Arts Council's State-Local Partnership Program - consideration of a resolution which designates the Friends of the Arts group as the local partner for the California Arts Council's State-Local Partnership Program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (2364)

MOTION: I MOVE TO ADOPT RESOLUTION 02-044 AND AUTHORIZE THE CHAIR TO SIGN.

M S
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

RECESS: 10:23 A.M.

RECONVENE: 10:39 A.M.

Public Hearing and Timed Items

02-088 Continued Public Hearing - John and Sharon Byrne - Tentative Parcel Map - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map proposing four 1+/- acre parcels and a 5.35+/- acre remainder from an existing 9.41+/- acre parcel (this is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given). Water supply will be provided by the California Water Company or domestic wells. Sewer will be provided by individual septic systems. Access to the parcels will be provided by Rocking H Circle and an additional easement connecting onto Eaton Road. The property is zoned SR (Suburban Residential) and is located at the southwest corner of Eaton Road and Godman Avenue in the Chico area, and identified as APN 007-260-081 and 082 (File No. TSM 01-03 [DB]) - action requested - STAFF RECOMMENDS THE BOARD CONTINUE THE HEARING OPEN TO AN UNSPECIFIED DATE, AND DIRECT STAFF TO RE-NOTICE THE HEARING IF/WHEN THE APPEAL IS BROUGHT BACK TO THE BOARD FOR CONSIDERATION. (FROM 1-29-02 [5.01]) (2850)

PUBLIC HEARING RECONVENED: 10:40 A.M.

MOTION: I MOVE TO CONTINUE THE HEARING OPEN TO AN UNSPECIFIED DATE, AND DIRECT STAFF TO RE-NOTICE THE HEARING IF/WHEN THE APPEAL IS BROUGHT BACK TO THE BOARD FOR CONSIDERATION.

S M
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

Regular Agenda

02-089 In-Home Supportive Services - Aids Budget Adjustment, Request for Approval for an Optional Wage Increase to In-Home Supportive Services Individual Providers, and Agreement Amendment with Addus Healthcare, Inc. - consideration of budget adjustments to the In-Home Supportive Services Aids Budget for 2001-2002, a 2.31% wage increase to in-home supportive services workers, and an amendment to the contract with Addus Healthcare, Inc., increasing the maximum hourly contract rate and decreasing maximum hours - action requested - APPROVE BUDGET TRANSFER B-338 (4/5 vote required) PROVIDING ADJUSTMENTS AS DETAILED IN "ATTACHMENT B" OF THE STAFF REPORT; APPROVE AGREEMENT AMENDMENT WITH ADDUS HEALTHCARE, INC., AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE THE 2.31% INCREASE FOR INDIVIDUAL PROVIDERS EFFECTIVE MAY 1, 2002. (FROM 3-12-02 [4.05]) (2932) (**00)

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-338 PROVIDING ADJUSTMENTS AS DETAILED IN "ATTACHMENT B" OF THE STAFF REPORT; APPROVE AGREEMENT AMENDMENT WITH ADDUS HEALTHCARE, INC., AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE THE 2.31% INCREASE FOR INDIVIDUAL PROVIDERS EFFECTIVE MAY 1, 2002.

VOTE: M S
1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

Public Hearings and Timed Items

02-090 Continued Public Hearing - Appeal - Art Cummings Tentative Parcel Map - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map to divide two (2) existing parcels totaling 93 acres into four (4) parcels ranging in size from 20 to 29 acres on property zoned A-20 (Agriculture - 20 acre parcels). This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located on the north side of Fimple Road and on the west side of Marjac Way, approximately 0.26 miles south of Konning Road, at 10240 Fimple Road, south of Chico, and identified as APN 039-220-055 and 056 (CBS [TPM 02-01]) - action requested - STAFF RECOMMENDS THE BOARD APPROVE THE APPEAL AND TAKE THE FOLLOWING ACTIONS:

1. AMEND THE INITIAL STUDY PREPARED FOR THIS PROJECT, SPECIFICALLY SECTION 4.2, AND MITIGATION MEASURE #1, CHANGING THE 200-FOOT BUFFER TO A 300-FOOT BUFFER, AND ADOPT AN AMENDED "EXHIBIT A" TO THE INITIAL STUDY DEPICTING THE SETBACK AREA;
2. SUBJECT TO FINDINGS II(A-E) AS DETAILED IN THE STAFF REPORT DATED MARCH 26, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION;

March 26, 2002

- 02-090
3. FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ENTIRE SITE IS CULTIVATED IN ORCHARDS AND DOES NOT REPRESENT SIGNIFICANT HABITAT VALUE; AND
 4. SUBJECT TO FINDINGS IV(A-F) AND THE CONDITIONS OF APPROVAL IDENTIFIED IN "EXHIBIT A" OF THE STAFF REPORT DATED MARCH 26, 2002, APPROVE TENTATIVE SUBDIVISION MAP 02-01/APPEAL 02-03 FOR ART CUMMINGS. (FROM 2-26-02 [5.01]) (**441)

PUBLIC HEARING RECONVENED: 11:08 A.M.
PUBLIC HEARING CLOSED: 11:54 A.M.

MOTION: I MOVE TO APPROVE THE INITIAL STUDY PREPARED FOR THIS PROJECT, AND ADOPT THE MAP IDENTIFIED AS "EXHIBIT A TO I.S.", MARKED AS PAGE 39 OF THE STAFF REPORT DATED MARCH 26, 2002, DEPICTING A 200-FOOT SETBACK AREA; SUBJECT TO FINDINGS II(A-E) AS DETAILED IN THE STAFF REPORT DATED MARCH 26, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION; FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ENTIRE SITE IS CULTIVATED IN ORCHARDS AND DOES NOT REPRESENT SIGNIFICANT HABITAT VALUE; AND SUBJECT TO FINDINGS IV(A-F) AND THE CONDITIONS OF APPROVAL IDENTIFIED IN "EXHIBIT A" OF THE STAFF REPORT DATED MARCH 26, 2002, AS AMENDED TO DELETE CONDITIONS 12 AND 23, WHICH ARE DUPLICATES OF CONDITIONS 6 AND 2 RESPECTIVELY, AND CORRECTING CONDITION 25 TO READ, "PLACE A NOTE ON A SEPARATE DOCUMENT...", FURTHER MOVE TO APPROVE TENTATIVE SUBDIVISION MAP 02-01/APPEAL 02-03 FOR ART CUMMINGS.

S M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

Regular Agenda

02-091 Policy Statement for Butte County's Geographic Information System - Board approval is requested by the Development Services Department and the Administrative Office for a Policy Statement which would establish guidelines for the development and cooperative utilization of an integrated Geographic Information System for Butte County - action requested - APPROVE POLICY STATEMENT. (**2229)

MOTION: I MOVE TO APPROVE THE GEOGRAPHIC INFORMATION SYSTEM POLICY STATEMENT.

M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

March 26, 2002

02-092 Board Meeting Procedures - consideration of revisions to the Board's meeting procedures - action requested - APPROVE REVISIONS AND ADOPT AMENDED PROCEDURES. (FROM 2-26-02 [4.04]) (**2533)

MOTION: I MOVE TO APPROVE THE AMENDED PROCEDURES, FURTHER AMENDING SECTION 11 (B) TO READ, "...WITHOUT RELINQUISHING THE CHAIR. THE CHAIR MAY MAKE OR SECOND A MOTION ONLY AFTER OTHER MEMBERS HAVE BEEN AFFORDED THE OPPORTUNITY TO MAKE OR SECOND ANY MOTION ON THE ISSUE."

S M

VOTE: 1 Y 2 Y 3 Y 4 NV 5 N (Motion Carried)

02-093 Items removed from the Consent Agenda for Board consideration and action. (**3359) (NONE)

Public Comment

02-094 COMMENTS REGARDING ITEMS NOT LISTED ON THE AGENDA. PRESENTATIONS WILL BE LIMITED TO FIVE MINUTES. THE BOARD OF SUPERVISORS IS PROHIBITED FROM TAKING ACTION ON ANY ITEM NOT LISTED ON THE AGENDA. (**3366)

1. ED CHOMBEAU ADDRESSED THE BOARD AND REQUESTED THAT THE NEWLY FORMED RESOURCE CONSERVATION DISTRICT BOARD BE INCLUDED IN PLANNING PROCESS IN THE COUNTY.

02-095 **Closed Session:** THE BOARD RECESSED AT 12:19 P.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): COUNTY OF BUTTE V. GINNO CONSTRUCTION, ET AL., BUTTE COUNTY SUPERIOR COURT CASE NO. 126172; AND CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATORS: JEANNE GRAVETTE AND WILLIAM AVERY; EMPLOYEE ORGANIZATIONS: BUTTE COUNTY PROBATION PEACE OFFICERS' ASSOCIATION AND THE PROFESSIONAL EMPLOYEES' UNIT. (**3466)

Reconvene: THE BOARD RECONVENED AT 1:44 P.M. FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): COUNTY OF BUTTE V. GINNO CONSTRUCTION, ET AL., BUTTE COUNTY SUPERIOR COURT CASE NO. 126172; AND CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATORS: JEANNE GRAVETTE AND WILLIAM AVERY; EMPLOYEE ORGANIZATIONS: BUTTE COUNTY PROBATION PEACE OFFICERS' ASSOCIATION AND THE PROFESSIONAL EMPLOYEES' UNIT. (**3525) (NO ANNOUNCEMENTS)

March 26, 2002

Communications

02-096

Communications received, referred, placed on agenda. (A LISTING AND COPIES OF COMMUNICATIONS RECEIVED BY THE BOARD, IN ADDITION TO THOSE LISTED BELOW, ARE AVAILABLE IN THE CLERK OF THE BOARD'S OFFICE.)

1. Susan Ritchie, Vice President, Government Affairs, AT&T Broadband, writes the Administrative Office to provide notice that AT&T Corp., and Comcast Corporation have announced their intention to combine their cable systems into a new public company, AT&T Comcast Corporation.

Adjournment:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 1:45 P.M. TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE HELD WEDNESDAY, MARCH 27, 2002, AT 10:00 A.M.

CURT JOSIASSEN, CHAIR

ATTEST:

Lawrence Odle, Interim Chief Administrative Officer
and Clerk of the Board of Supervisors

By: _____