

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

June 11, 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: Paul McIntosh, 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 Bud Chauvin, Calvary Chapel, Chico.

Consent Agenda

- 02-163
1. Approval of Minutes - action requested - APPROVE MINUTES OF MARCH 26, 2002; MARCH 27, 2002; AND APRIL 2, 2002.
 2. Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-528 (CHILD SUPPORT SERVICES); B-524 (TREASURER-TAX COLLECTOR); B-535 (COUNTY SERVICE AREA NO. 34); B-525 (HUMAN RESOURCES); B-539 (WATER AND RESOURCE CONSERVATION/APPROPRIATION FOR CONTINGENCY); AND B-530 (SHERIFF-CORONER). All budget transfer listed above, with the exception of B-525 and B-530, require a 4/5 vote.)
 3. Library Donations - pursuant to Government Code Section 25355, donations of \$2,025 from the Chico Friends of the Library, \$894.60 from the Oroville Friends of the Library, and \$1,000 from the Paradise Friends of the Library have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
 4. Intention to Rename a Private Road in Butte County - Public Hearing - the property owners along Dick Lane have submitted a petition to change the road's name to Rossmore Lane. Board approval is requested by the Public Works Department, pursuant to Streets and Highways Code, Section 970.5, for a resolution of intention to rename a private road. The resolution sets a public hearing for consideration of this matter for June 25, 2002, at 10:45 a.m. - action requested - ADOPT RESOLUTION 02-092 AND AUTHORIZE THE CHAIR TO SIGN.

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5. Upham Cemetery District - action requested - APPOINT MARVIN LARSON, TRUSTEE, TO A VACATED TERM TO END JULY 1, 2004.
6. Paradise Memorial Hall Committee - action requested - REAPPOINT JAMES T. HAYES, DELEGATE, AND EDWARD J. MCGREEHAN, ALTERNATE, VETERANS OF FOREIGN WARS POST 2039, TO TERMS TO END JUNE 30, 2003.
7. Domon Subdivision - Final Map - Domon Subdivision, APN 040-080-029, 030 and 040-100-011 and 012, is a conditionally approved six lot subdivision of property located on the north side of Garden Road approximately 1,400 feet west of Lott Road in the Durham area. The developer has provided an irrevocable letter of credit to guarantee construction of the required improvements and set survey monuments within one year - action requested - APPROVE FINAL MAP; ACCEPT THE DEDICATION SHOWN IN ITEMS 1 AND 3 OF THE OWNER'S STATEMENT ON BEHALF OF THE COUNTY OF BUTTE; ACCEPT THE DEDICATION SHOWN IN ITEM 2 OF THE OWNER'S STATEMENT ON BEHALF OF THE PUBLIC FOR THE PURPOSES DESCRIBED; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.
8. Domon 2nd Subdivision - Final Map - Domon 2nd Subdivision, APN 040-080-023, 024, 062 and 063, is a conditionally approved four lot subdivision of property located on the south side of Oroville-Chico Highway at the intersection of Lott Road in the Durham area. The developer has provided an irrevocable letter of credit to guarantee construction of the required improvements and set survey monuments within one year - action requested - APPROVE FINAL MAP; ACCEPT THE DEDICATION SHOWN IN ITEMS 2 AND 3 OF THE OWNER'S STATEMENT ON BEHALF OF THE COUNTY OF BUTTE; ACCEPT THE DEDICATION SHOWN IN ITEMS 4 AND 5 OF THE OWNER'S STATEMENT ON BEHALF OF THE PUBLIC FOR THE PURPOSES DESCRIBED; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.
9. Durham Land Estates Subdivision-Phase 4 - Final Map - Durham Land Estates Subdivision-Phase 4, APN 039-460-024 and 040, is a conditionally approved subdivision of property located 200 feet south of Durham Dayton Highway and 200 feet west of Holland Avenue in the Durham Area. The subdivision map will create 13 lots and the necessary public streets in compliance with the conditions of approval. The developer has provided an irrevocable letter of credit to guarantee construction of the required improvements within one year - action requested - APPROVE FINAL MAP; ACCEPT LA ROSE COURT AND THAT PORTION OF TRACY RANCH ROAD AS OFFERED FOR DEDICATION IN ITEM 1 OF THE OWNER'S STATEMENT; ACCEPT THE PUBLIC SERVICE EASEMENTS AND STORM DRAINAGE EASEMENTS AS OFFERED IN ITEMS 2 AND 3 OF THE OWNER'S STATEMENT ON BEHALF OF THE PUBLIC; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

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10. Butte Regional Household Hazardous Waste Facility - Certificate of Self-Insurance - Board approval is requested by the Public Works Department for a Certificate of Self-Insurance for the Butte Regional Household Hazardous Waste Facility as required by Title 22 of the California Code of Regulations, Section 67450.30. The form, which will be filed annually, provides financial assurance for cost of closure of the facility - action requested - APPROVE CERTIFICATE OF SELF-INSURANCE AND AUTHORIZE THE CHAIR TO SIGN.
11. Probation Department Transfer - Board approval is requested by the Probation Department for a transfer of \$63,000 of department funds to cover costs associated with the relocation of the department to 42 County Center Drive. The department will utilize \$35,000 for wiring, construction and communication related expenses and \$28,000 for a rolling file storage system. Board approval is also requested for the fixed asset purchase of the rolling file storage system - action requested - APPROVE BUDGET TRANSFER B-534 (4/5 vote required); AND APPROVE FIXED ASSET PURCHASE OF ROLLING FILE STORAGE SYSTEM.
12. Butte County Clerk-Recorder - Computer Server Purchase - Board approval is requested by the County Clerk-Recorder for the fixed asset purchase of a computer server and related equipment in the estimated amount of \$39,840. The equipment is being purchased as part of an upgrade of the Recorders Information and Image Management System (RiIMS) which is provided by DFM Associates and Sole Source approval for the purchase of the equipment from DFM Associates is requested to provide for compatibility with the already established system. Funding for the purchase is available in the Recorder's System Trust Fund and Board approval is also requested for a budget transfer of those funds - action requested - APPROVE BUDGET TRANSFER B-532 (4/5 vote required); AND APPROVE SOLE SOURCE FIXED ASSET PURCHASE OF COMPUTER SERVER AND EQUIPMENT FROM DFM ASSOCIATES.
13. Development Services Department - Fixed Asset Allocation Increase - Board approval is requested by the Development Services Department to increase the fixed asset vehicle purchase allocation approved in the department's fiscal year 2001-2002 budget by \$3,081.27 in response to bids received for the vehicle. The vehicle will be utilized by Planning Division staff. Funding for the additional allocation will be provided by department funds and Board approval is also requested for a budget transfer to provide for the purchase - action requested - APPROVE BUDGET TRANSFER B-531; AND APPROVE FIXED ASSET ALLOCATION INCREASE OF \$3,081.27 FOR VEHICLE PURCHASE.

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14. Library Grant Funds - Board approval is requested by the Library to accept and appropriate \$500 in grant funds received from WalMart for the purchase of literacy program books and resources - action requested - APPROVE BUDGET TRANSFER B-517 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE.
15. Banking Cost Appropriation - Board approval is requested by the Treasurer-Tax Collector for an increased appropriation of \$30,000 which will be transferred to the department's professional and specialized services account to provide payment of bank charges which have exceeded the department's projections for this fiscal year. All of the increased banking costs will be charged back against the depositors, and the increased appropriation will be funded entirely with the unanticipated revenue from those depositors - action requested - APPROVE BUDGET TRANSFER B-518 (4/5 vote required).
16. Public Auction Appropriation - Board approval is requested by the Treasurer-Tax Collector for an increased appropriation of \$47,257 which will be transferred to various accounts to provide funding for the costs associated with holding a public auction of tax-defaulted property which is scheduled for June 24, 2002. The Treasurer-Tax Collector determined mid-year that a public auction would need to be held, so no appropriation for the auction costs was included in the department's budget for the current fiscal year. The cost of the additional appropriation will be funded entirely by auction fees added to each parcel to be sold - action requested - APPROVE BUDGET TRANSFER B-519 (4/5 vote required).
17. Comprehensive Fine Program - Program Enhancement Expenditures - Board approval is requested by the Treasurer-Tax Collector for the expenditure of \$53,195 for equipment and personnel to expand the collection efforts of the Central Collections Division. Penal Code 1463.007 allows a county or trial court to deduct the cost of operating a comprehensive collection program from the fines and forfeitures collected under the Comprehensive Fine Program. The department is requesting miscellaneous equipment designed to enhance the current collections system, and the addition of an Office Assistant position to handle backlogged work enabling Revenue and Reimbursement Officers to dedicate their time to collections efforts. The cost of the enhancements can be applied as an offset to the revenues generated by the Comprehensive Fine Program - action requested - APPROVE BUDGET TRANSFER B-533 (4/5 vote required) ACCEPTING AND ALLOCATING UNANTICIPATED REVENUE; AND DIRECT THE HUMAN RESOURCES DEPARTMENT TO PREPARE A SALARY ORDINANCE AMENDMENT ADDING AN OFFICE ASSISTANT III/II/I POSITION TO THE TREASURER-TAX COLLECTOR DEPARTMENT.

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18. Adoption of an Ordinance Delegating Investment Authority to the Treasurer-Tax Collector - Government Code Section 53607 allows the Board of Supervisors to delegate investment authority to the Treasurer on an annual basis. The proposed ordinance will provide investment authority to the Butte County Treasurer-Tax Collector for Fiscal Year 2002-2003 - action requested - ADOPT ORDINANCE 3821 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-21-02 [3.13])
 19. Adoption of an Ordinance Amending Chapter 2, Article XIII.5, Sections 2-100.70(b) and (c) of the Butte County Code Relating to Powers and Duties of the Butte County Children and Families Commission - consideration of an ordinance amending the language regarding the requirement of the Butte County Children and Families Commission's budget process, providing for the Commission to establish its next year's operational budget by the end of May, to forward the budget to the Board of Supervisors for information and comment, and then to forward the budget to the County Auditor prior to the beginning of the new fiscal year in July. The amendment also eliminates the requirement of a public hearing on the budget prior to submission to the Board of Supervisors - action requested - ADOPT ORDINANCE 3822 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-21-02 [3.14])
 20. Resolution to Amend the Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the salary ordinance as follows: LOCAL AGENCY FORMATION COMMISSION - adds one flexibly staffed position of Administrative Analyst II/I in response to increased work load resulting from recent legislation. PUBLIC HEALTH GENERAL SERVICES - adds one flexibly staffed position of Administrative Analyst III/II/I in support of the Health Insurance Portability and Accountability Act program. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - deletes one position of Administrative Analyst II and adds one flexibly staffed position of Administrative Analyst III/II to provide the department with greater flexibility in staffing choices. ADMINISTRATIVE - deletes one flexibly staffed position of Administrative Services Assistant/Principal Clerk and adds one flexibly staffed position of Supervisor-Staff Support Services/Administrative Services Assistant to provide the department with greater flexibility in staffing choices - action requested - ADOPT RESOLUTION 02-093 AND AUTHORIZE THE CHAIR TO SIGN.
 21. Notice of Completion - Installation of Roadway Illumination on Various Butte County Roadways - County Project No. SP-97-1 - the project consisted of upgrading pavement traffic stripping and markers on various roadways throughout Butte County. All work has been completed in accordance with plans and specifications - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

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22. Oaklawn Avenue Roadway Rehabilitation - County Project No. 54201-00-1 - the project consists of the reconstruction of a 30 foot wide face of curb to face of curb, with two 11 foot through lanes and four foot paved shoulders, and the installation of three 22 foot long speed tables for traffic calming - 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.
23. Roadway Rehabilitation on Palermo Road from Railroad Avenue to Upper Palermo Road - County Project No. 18451-95-1 - Award of Contract - the project consists of 0.9 miles of roadway rehabilitation on Palermo Road from Railroad Avenue to Upper Palermo Road. Bids were received on May 13, 2002, with the low bidder being Baldwin Construction Company, Inc., in the amount of \$279,632.50. Construction costs are reimbursable from the State Transportation Improvement Program - action requested - AWARD CONTRACT AND AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN AGREEMENT SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
24. Resolution Certifying Changes in the Maintained Mileage within Butte County - Board approval is requested by the Public Works Department for a resolution certifying the total mileage of maintained County roads in Butte County at 1,354.81 miles - action requested - ADOPT RESOLUTION 02-094 AND AUTHORIZE THE CHAIR TO SIGN.
25. State of California-Department of Food and Agriculture - Board approval is requested by the Agricultural Commissioner for a grant agreement with the State of California-Department of Food and Agriculture for funds to support a Weed Management Plan. The funds will be utilized for noxious weed control projects. The term of the grant is January 1, 2002, through June 30, 2004, with a maximum amount payable to the County of \$48,000 over the three year term - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40450)
26. Braddon Hatch - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Braddon Hatch for the provision of attorney services to the Public Defender Consortium. The amendment reduces the attorney's work time requirements and compensation from full-time to half-time. The contract amendment is consistent with the procedures provided in the Public Defender Consortium for the assignment of caseloads - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11244)

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27. Stephen King - Board approval is requested by the Administrative Office for an agreement with Stephen King for the provision of attorney services to the Public Defender Consortium. The term of the agreement is April 1, 2002, through June 30, 2003, with a maximum amount payable for fiscal year 2001-2002 of \$22,683.33, and a maximum amount payable for fiscal year 2002-2003 of \$90,733.23 (Public Defender budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
28. Steven Trenholme - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Steven Trenholme for the provision of attorney services to the Public Defender Consortium. The amendment provides for a change of scope to the specific duties performed by Mr. Trenholme, effective October 1, 2001. The contract amendment is consistent with the procedures provided in the Public Defender Consortium for the assignment of caseloads. The annual compensation will not be changed by the amendment - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10181)
29. Kevin W. Chan, M.D. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Kevin W. Chan, M.D., for the provision of medical services in the specialized field of psychiatry. The term of the agreement is May 1, 2002, through June 30, 2003, with a maximum amount payable of \$216,292 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
30. Cherokee Restoration Fellowship - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential alcohol and drug treatment services. The amendment increases the maximum amount payable by \$7,133.72 (department budget) provides for the addition of services to Forensic Resource Team (FOREST) clients. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13133)

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- 02-163 31. Echo Consulting Services of California, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Echo Consulting Services of California, Inc., for the provision of software maintenance, support and enhancement of the department's computerized medical billing system. The amendment increases the maximum amount payable by \$13,824 (department budget) for increased services in fiscal year 2001-2002. 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. X11516)
32. Right Road Recovery Programs, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Right Road Recovery Programs, Inc., for the provision of residential alcohol and drug treatment services. The amendment increases the maximum amount payable by \$34,364 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13457)
33. Private Industry Council - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the lease agreement with the Private Industry Council for the office space located at 78 Table Mountain Boulevard, Oroville. The amendment enables payment of needed change orders and includes clarifying language regarding utilities and services. 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. X12087)
34. Butte County Housing Authority - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with the Butte County Housing Authority for the provision of housing assistance to participants of the Behavioral Health Mentally Ill Homeless Program. The amendment increases the maximum amount payable by \$20,000 for the provision of additional services. Funding for the agreement is available through grant funds from the California Department of Mental Health. 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. X13099)

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35. Saint Helena Hospital d.b.a. California Speciality Hospital - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Saint Helena Hospital d.b.a. California Speciality Hospital for the provision of inpatient psychiatric hospital care to Medi-Cal eligible clients referred by the Butte County Department of Behavioral Health. The term of the agreement is July 1, 2001, through June 30, 2002. The County will be billed for physician services as they are incurred, with all other costs billed directly to the State. Funding for the physician services is included in the department's budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
36. Enloe Medical Center - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Enloe Medical Center for the provision of the Touchstone Perinatal Program. The amendment increases the maximum amount payable by \$50,000 (department budget) for one-time expenses for fiscal year 2001-2002. 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. X13312)
37. State of California-Department of Alcohol and Drug Programs - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the revenue agreement with the State of California-Department of Alcohol and Drug Programs for the Comprehensive Drug Court Implementation Program. The amendment provides for an extension of the time in which the County can expend year one funds to December 28, 2002. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION 02-095 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40325)
38. State of California-Department of Alcohol and Drug Programs - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the revenue agreement with the State of California-Department of Alcohol and Drug Programs for funds to support drug and alcohol programs. The amendment decreases the maximum amount payable by \$664,899 in response to a decreased allocation for fiscal year 2001-2002. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION 02-096 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40320)

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- 02-163 39. Butte County Department of Behavioral Health/Butte County Probation Department - Memorandum of Understanding - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the Memorandum of Understanding with the Butte County Probation Department for services in support of the Substance Abuse Treatment and Testing Accountability Program. The amendment increases the maximum amount by \$52,360 in response to an allocation received from the State, and clarifies the compensation rates for services. All other terms and provisions remain the same. Board approval is also requested for a budget transfer accepting and allocating the unanticipated revenue - action requested - APPROVE BUDGET TRANSFER B-526 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
40. Enloe Medical Center - Board approval is requested by the Department of Employment and Social Services for an agreement with Enloe Medical Center for the provision of training services for the Options for Recovery Program. The term of the agreement is July 1, 2001, through June 30, 2002, with a maximum amount payable of \$199,000. Funding for the agreement is provided by an allocation of funds from the California Department of Social Services, a Memorandum of Understanding with the Butte County Department of Behavioral Health (\$20,000) and from Enloe Hospital (\$17,504). Board approval is also requested for a budget transfer which will accept and appropriate the funds from Enloe Hospital - action requested - APPROVE BUDGET TRANSFER B-536 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13494)
41. Office of Criminal Justice Planning - Violence Against Women Vertical Prosecution Program Grant - Board approval is requested by the District Attorney for a Certificate of Assurance and Compliance required as part of the grant application process for the Violence Against Women Vertical Prosecution Program Grant. The form authorizes the District Attorney to sign the Grant Award Agreement and certifies that the County will adhere to the requirements of the grant. The grant requires a 25% County match which has been included in the department's fiscal year 2002-2003 budget proposal - action requested - APPROVE CERTIFICATE OF ASSURANCE AND COMPLIANCE AND AUTHORIZE THE CHAIR TO SIGN.

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42. Barbara Weibel - Lease Agreement - Board approval is requested by the Fire Department for a renewal lease agreement with Barbara Weibel for the property located at 9418 A Midway, Durham. The property is utilized as Battalion 3 offices. The term of the agreement is July 1, 2002, through June 30, 2004, with a lease amount of \$325 per month (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13510)
43. Butte Meadows Hillsliders Snowmobile Club - Amendment - Board approval is requested by the General Services Director for an amendment to the agreement with the Butte Meadows Hillsliders Snowmobile Club for the provision of services in support of the Off-Highway Vehicle Recreation Grant from the California Department of Parks and Recreation. The amendment extends the term of the agreement through June 30, 2003, and sets the maximum amount payable at \$35,000 (State funds) to reflect the anticipated grant funding to be received by the State. 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. X11024)
44. California State Library - English Language and Literacy Intensive Augmentation Grant - Board approval is requested by the Library to apply to the California State Library for funds to augment the English Language and Literacy Intensive Program. The proposed grant will augment by \$25,000 the English Language and Literacy Intensive Grant received by the Library for fiscal year 2002-2003 - action requested - APPROVE GRANT APPLICATION AND AUTHORIZE THE DIRECTOR OF LIBRARIES TO SIGN GRANT DOCUMENTS.
45. Synovation, Inc. - Amendments - Board approval is requested by the Probation Department for two amendments to the agreements with Synovation, Inc., for the provision of software licenses, data conversion, and system maintenance for the department's case management system. The amendment to agreement X13341 increases the maximum amount payable by \$40,000 for the purchase of additional licenses, installation, training, data conversion and customization. The amendment to agreement X13342 increases the maximum amount payable by \$10,500 for annual support and maintenance of the system. Funding for the amendments will be provided through a combination of department budget savings and grant funds from the Office of Criminal Justice Planning, and Board approval is requested for a budget transfer of department funds in the amount of \$22,500 to provide the needed funding for the amendments - action requested - APPROVE BUDGET TRANSFER B-529; AND APPROVE AGREEMENT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract Nos. X13341 and X13342)

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46. California Department of Health Services - 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 outreach services to Medi-Cal eligible clients. The amendment provides an additional \$39,197 (State funds) for the period of July 1, 2001, through June 30, 2002 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
47. Physical and Occupational Therapy Services - Board approval is requested by the Public Health Department for agreements with 10 physical and occupational therapists for the provision of services to participants of the California Children's Services Program. The program is mandated by Health and Safety Code 252 and is funded with Realignment funds (25%), State funds (50%) and County funds (25%). The term of all agreements is July 1, 2002, through June 30, 2003, and are for the following amounts payable: Bonnie Deer - \$53,410; Laura Hultgren - \$35,280; Terri Johnson - \$82,320; Alice McCall - \$23,460; Susan McManus - \$40,180; Meg Palmer - \$46,550; Gina Lynne Schaub - \$29,493; Monica Schwartz - \$55,860; Diane Willow Dejesus - \$46,060; and Teresa Wood Hansen - \$64,190 - action requested - APPROVE AGREEMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
48. Butte County Public Health Department/Butte County Sheriff's Office - Memorandum of Understanding - Board approval is requested by the Public Health Department for a Memorandum of Understanding with the Butte County Sheriff's Office for the provision of Level 1 Reserve Deputy Sheriffs to conduct site visits of business establishments to check for compliance with tobacco laws, and the issuance of citations if necessary. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$27,976. Funding for the agreement is provided by grant funds from the State of California-Department of Health Services - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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49. California Department of Transportation - Fiscal Year 2001-2002 Federal Apportionment Exchange Program and State Match Program Agreement - Board approval is requested by the Public Works Department for an agreement with the California Department of Transportation which will provide for the Department of Transportation to exchange Regional Surface Transportation Program funds for non-federal funds. In addition to the exchange of funds, State matching funds are allocated from the State Highway Account to the Public Works Department - action requested - ADOPT RESOLUTION 02-097 AUTHORIZING EXECUTION OF EXCHANGE AND STATE MATCH AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
50. Neal Road Landfill Company, Inc. - Board approval is requested by the Public Works Department for an agreement with the Neal Road Landfill Company, Inc., for the operation of the refuse compactor at the Neal Road Sanitary Landfill. The term of the agreement is January 1, 2002, through December 31, 2002, with a maximum amount payable of \$206,000 (Neal Road Landfill Management Fund) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13487)
51. Neal Road Landfill Company, Inc. - Board approval is requested by the Public Works Department for an agreement with the Neal Road Landfill Company, Inc., for load checking services as the Neal Road Sanitary Landfill. The term of the agreement is January 1, 2002, through December 31, 2002, with a maximum amount payable of \$28,209 (Neal Road Landfill Management Fund) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13491)
52. Columbia Ultimate - Amendment - Board approval is requested by the Treasurer-Tax Collector for an amendment to the agreement with Columbia Ultimate for technical assistance, support and licensing of the collections system software. The amendment extends the term of the agreement through June 30, 2003, and sets the maximum amount payable at \$13,273.49 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10316)
53. Request Approval to Advertise for Bids - Board approval is requested by the Public Works Department to solicit bids for the construction of Module 4, Phase A, waste containment unit at the Neal Road Sanitary Landfill. The construction will consist of excavation and waste containment unit lining construction - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO RELEASE REQUESTS FOR BIDS FOR THE EXCAVATION AND WASTE CONTAINMENT UNIT LINING CONSTRUCTION OF MODULAR 4, PHASE A.

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54. Long-term Disability Insurance - Board approval is requested by the Department of Human Resources to cancel the County's agreement with UNUM-Provident for long-term disability insurance for County employees. The Benefits Review Committee, in response to employee dissatisfaction with the current provider's performance, customer service, and rate increases, is recommending the County contract with Standard Insurance Company for long-term disability insurance as of June 22, 2002. The cost of the new coverage is 0.586% of each insured member's pre-disability earnings, and provides a 180 day elimination period. The cost of long-term disability insurance is fully paid by the employees - action requested - AUTHORIZE CANCELLATION OF CURRENT LONG-TERM DISABILITY INSURANCE PROVIDER AS OF JUNE 21, 2002, AND APPROVE SELECTION OF STANDARD INSURANCE COMPANY AS PROVIDER EFFECTIVE JUNE 22, 2002.
55. Promotion Safe and Stable Families Program - Three-year Plan - Board approval is requested by the Butte County Department of Employment and Social Services for a resolution to accept Butte County Department of Employment and Social Services Promoting Safe and Stable Families Three-year Plan. Federal regulations require that goals, objectives, and related activities be described in a written plan. The plan focuses on family preservation, family support, time-limited family reunification and adoption support and promotion services - action requested - ADOPT RESOLUTION 02-098 SUPPORTING THE PLAN AND AUTHORIZE THE CHAIR TO SIGN.
56. COPS in Schools Grant Application - Board approval is requested by the Sheriff's Office to apply to the Department of Justice for a COPS in Schools Grant. The grant will support a collaborative effort with the Butte County Office of Education and the Oroville Unified School District in a comprehensive plan for creating safer healthier schools. The grant application will request \$125,000 over a three year period and will provide funding to place a School Resource Officer (Deputy Sheriff) at Las Plumas High School in Oroville - action requested - APPROVE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.
57. State Department of Finance - Board approval is requested by the Assessor's Office for a loan/grant agreement with the State Department of Finance for funds to enhance the Property Tax Administration Program. The term of the agreement is one year and will provide a loan of \$381,956, which will be converted to a grant upon meeting performance criteria - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND AUDITOR-CONTROLLER. (91)

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

S M

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

June 11, 2002

Regular Agenda

02-164 Consideration of the addition of an item to the agenda. Consideration of the ratification of a proclamation of an existence of a local emergency. On June 8, 2002, a wildfire broke out in the Williams Road area near Butte College. The Red Cross opened a shelter to accommodate misplaced individuals and the Chief Administrative Officer did proclaim the existence of a local emergency within the County.

MOTION: I MOVE TO ADD TO THE AGENDA THE CONSIDERATION OF THE EXISTENCE OF A LOCAL EMERGENCY. I MOVE, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2), THAT THERE IS A NEED TO TAKE ACTION AND THAT THE NEED FOR ACTION CAME TO THE ATTENTION OF THE BOARD SUBSEQUENT TO THE AGENDA BEING POSTED.

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

MOTION: I MOVE TO RATIFY THE PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY 02-099 MADE BY THE CHIEF ADMINISTRATIVE OFFICER ON JUNE 8, 2002, ADOPT RESOLUTION 02-100 CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY, AND ADOPT RESOLUTION 02-101, TERMINATING THE EXISTENCE OF A LOCAL EMERGENCY.

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

02-165 Appointments - Boards, Commissions, and Committees. (291)

1. Appointments to listed vacancies. (NONE)
2. Greater Chico Area of Concern - consideration of the City of Chico's request to appoint two Board of Supervisors members to an ad-hoc committee to formulate the basis for a joint powers agreement that would address matters relating to the implementation of a Greater Chico Area of Concern - action requested - APPOINT TWO BOARD MEMBERS TO AD-HOC COMMITTEE.

MOTION: I MOVE TO APPOINT SUPERVISORS DOLAN AND HOUX TO THE AD-HOC COMMITTEE.

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

June 11, 2002

02-166 Update on legislative and budget activities. (448) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INFORMS THE BOARD THAT THE ASSEMBLY AND SENATE HAVE PASSED DIFFERENT VERSIONS OF THE BUDGET AND A CONFERENCE COMMITTEE HAS BEEN CONVENED TO DISCUSS THE BUDGET.

1. Consideration of a Letter of Opposition to Senate Bill 1975 (Johnson, Ackerman, Alpert, Brulte, Monteith and Oller) - Board approval is requested by the County Clerk-Recorder-Registrar of Voters for a letter of opposition to Senate Bill 1975 which will amend the California Elections Code regarding statewide primary elections, revising the date for statewide direct primary elections to August in even numbered years while retaining the requirement for presidential primary elections in March - action requested - APPROVE LETTER OF OPPOSITION AND AUTHORIZE THE CHAIR TO SIGN, WITH COPIES TO BE SENT AS REQUESTED IN THE AGENDA ITEM; REQUEST THE BOARD AUTHORIZE OPPOSITION TO ANY OTHER LEGISLATION THAT PLACES TWO MAJOR ELECTIONS CLOSELY TOGETHER AND/OR ADDITIONAL STAFF DIRECTION.

MOTION: I MOVE TO APPROVE THE SECOND DRAFT OF THE LETTER OF OPPOSITION AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

02-167 Underground Stratigraphy and Recharge Areas - Report to the Board - report to the Board by Toccoy Dudley, Department of Water Resources, on the general stratigraphy of Butte County and potential groundwater recharge areas within the County - action requested - ACCEPT FOR INFORMATION. (889)

PRESENTATION TO THE BOARD BY TOCCOY DUDLEY, HEAD OF THE GEOLOGY SECTION OF THE NORTHERN DISTRICT OF THE STATE DEPARTMENT OF WATER RESOURCES ON THE GEOLOGY AND HYDROLOGY GEOLOGY OF THE SALINE AND FRESHWATER BEARING AQUIFER SYSTEMS IN THE NORTHERN SACRAMENTO VALLEY.

RECESS: 10:11 A.M.

RECONVENE: 10:21 A.M.

Regular Agenda

02-168 Comprehensive Economic Development Strategy - presentation of the Comprehensive Economic Development Strategy project list for Board review, possible amendment, and approval - action requested - REVIEW, ADD PROJECTS OR AMEND AS NECESSARY, AND APPROVE THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PROJECT LIST; AND DIRECT STAFF TO FORWARD LIST TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION FOR INCLUSION INTO THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY DOCUMENT. (2200)

June 11, 2002

02-168 MOTION: I MOVE TO APPROVE THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PROJECT LIST AS AMENDED TO REMOVE COMPLETION OF THE SOUTHSIDE OROVILLE COMMUNITY CENTER (THAT HAS BEEN COMPLETED); AND DIRECT STAFF TO FORWARD LIST TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION FOR INCLUSION INTO THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY DOCUMENT.

M S

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

Public Hearing and Timed Items

02-169 Public Hearing - George W. Suhrie/Lassen Foundation, M. C. Horning - Use Permit Appeal - consideration of an appeal of the Planning Commission's denial of a Use Permit to develop multi-family housing units consisting of four duplexes and a freestanding three bedroom, two bathroom single family dwelling. A total of nine living units would be provided with eight to be arranged within four duplexes. Each duplex unit would include two bedrooms and two bathrooms. All proposed units will have attached garages. The development will include parking areas, landscaping, driveways, walkways, and on-site sewage disposal systems, including five septic tanks. Traffic circulation would be provided by two 24-foot wide driveway connections to Lakeridge Circle. The property is zoned C-C (Community Commercial) and WP (Watershed Protection Overlay) and located east of and adjacent to Lakeridge Circle, approximately 1,200 feet east of the intersection of Lakeridge Circle and the Skyway in the Magalia area and identified as APN 066-320-003 and 004 (DB [UP 02-04]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED APRIL 23, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION;
2. FIND THAT THE DESIGN OF PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND 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 PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR UNITED STATES FISH AND WILDLIFE SERVICE. THE PROJECT WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT; HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT; INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES; OR, CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN;

June 11, 2002

02-169 3. SUBJECT TO FINDINGS III(A AND B) AS DETAILED IN THE STAFF REPORT DATED APRIL 23, 2002, APPROVE APPEAL 02-03 AND USE PERMIT 02-04 FOR GEORGE SUHRIE, SUBJECT TO THE FINDINGS AND CONDITIONS AS DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED APRIL 23, 2002, AND AUTHORIZE THE CHAIR TO SIGN. (FROM 4-23-02 [5.01]) (3373) (**00)

PUBLIC HEARING CONVENED: 10:38 A.M.
PUBLIC HEARING CLOSED: 10:44 A.M.

MOTION: I MOVE, SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED APRIL 23, 2002, TO ADOPT A MITIGATED NEGATIVE DECLARATION; FIND THAT THE DESIGN OF PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND 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 PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR UNITED STATES FISH AND WILDLIFE SERVICE. THE PROJECT WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT; HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT; INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES; OR, CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN; AND SUBJECT TO FINDINGS III(A AND B) AS DETAILED IN THE STAFF REPORT DATED APRIL 23, 2002, MOVE TO APPROVE APPEAL 02-03 AND USE PERMIT 02-04 FOR GEORGE SUHRIE, SUBJECT TO THE FINDINGS AND CONDITIONS AS DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED APRIL 23, 2002, AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

RECESS: 10:54 A.M.

RECONVENE: 11:04 A.M.

June 11, 2002

Public Hearing and Timed Items

02-170 Continued Public Hearing - Tentative Parcel Map Appeal - Kenneth E. Ghimenti - consideration of an appeal of Condition 5 of the Conditions of Approval imposed by the Development Review Committee for approval of a Tentative Parcel Map to divide a 18.7 acre parcel into one parcel of 10.3 acres (Parcel 1) and one parcel of 8.4 acres (Parcel 2). This is a matter on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. Both parcels are developed with one single family dwelling. Sewage disposal is handled by on-site septic systems and domestic water is obtained from an individual on-site well that serves both dwellings. The property is zoned FR-2 (Foothill Recreational - 2 acre parcels) and is located on the east side of Concow Road, approximately 1,200 feet north of Highway 70, Concow, and identified as APN 058-560-006 (CS [TPM 02-12]) - action requested - DENY THE APPEAL AND UPHOLD THE DEVELOPMENT REVIEW COMMITTEE'S ACTION ON THE PROJECT WITH A REVISION TO CONDITION 5. CONDITION 5 IS TO READ AS FOLLOWS, "PRIOR TO RECORDATION OF THE FINAL MAP, EITHER PROVIDE EVIDENCE THAT THE EASEMENT DESCRIBED IN BOOK 1499 O.R. PAGE 313 AND TRAVERSING PARCEL 2 HAS BEEN ABANDONED OR THAT THE OWNERS OF THE PARCELS IN THE TEN SEVENTY PARCEL MAP RECORDED IN BOOK 40 OF PARCEL MAPS AT PAGE 58, DO NOT HAVE THE RIGHT TO USE THE EASEMENT. IF AN EASEMENT IS PRESERVED THROUGH PARCEL 2 OR A NEW EASEMENT ESTABLISHED THROUGH PARCEL 2, THE EASEMENT SHALL BE AT LEAST 50 FEET DISTANT FROM THE EXISTING HOUSE OR ACCESSORY STRUCTURES ON PARCEL 2 AND THE LEACH FIELDS SHALL NOT BE LOCATED IN THE EASEMENT." (**683)

PUBLIC HEARING COMMENCED: 11:05 A.M.

MOTION: I MOVE TO CONTINUE THIS MATTER TO JULY 9, 2002, AT 10:50 A.M.

M S

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

THE RECORD ON THIS MATTER IS TO BE CORRECTED TO REFLECT THAT THE PROJECT IS LOCATED WITHIN SUPERVISORIAL DISTRICT 1, NOT DISTRICT 5.

02-171 Public Hearing - Transfer of Realignment Revenue - consideration of a reallocation of money among accounts in the local health and welfare trust funds. The Board will consider a \$600,000 transfer from the Public Health Trust Fund and a \$400,000 transfer from the Behavioral Health Trust Fund to the Social Services Trust Fund to help fund mandated social service programs for fiscal year 2001-2002 - action requested - FIND THAT THE TRANSFER OF COUNTY REALIGNMENT REVENUES IS BASED ON THE MOST COST-EFFECTIVE USE OF AVAILABLE REVENUES TO MAXIMIZE CLIENT OUTCOMES; AND ADOPT A RESOLUTION APPROVING BUDGET TRANSFER B-540 (4/5 vote required) AND AUTHORIZE THE CHAIR TO SIGN. (**2128)

PUBLIC HEARING COMMENCED: 11:44 A.M.

PUBLIC HEARING CLOSED: 11:45 A.M.

June 11, 2002

02-171 MOTION: I MOVE TO FIND THAT THE TRANSFER OF COUNTY REALIGNMENT REVENUES IS BASED ON THE MOST COST-EFFECTIVE USE OF AVAILABLE REVENUES TO MAXIMIZE CLIENT OUTCOMES; AND ADOPT RESOLUTION 02-102 APPROVING BUDGET TRANSFER B-540 AND AUTHORIZE THE CHAIR TO SIGN.

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

02-172 Butte County Business Retention and Expansion Study Final Report - Report to the Board - presentation of the Butte County Business Retention and Expansion Study Final Report - action requested - ACCEPT FOR INFORMATION; AND DIRECT STAFF TO PROCEED AS APPROPRIATE. (**2238) (**00)

PRESENTATION TO THE BOARD BY ERIC MILLER, BUTTE COUNTY ADMINISTRATIVE OFFICE AND MARC NEMANIC, TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION.

02-173 California Department of Parks and Recreation - Off-Highway Motor Vehicle Grant - Board approval is requested by the General Services Director for a grant application in the amount of \$35,000 for funds to support the removal of snow on Humboldt Road from Butte Meadows to ½ mile above the Colby Creek Bridge, for snow removal from the Jonesville Snowmobile Park staging area, and maintenance and supplies for a County owned sno-cat - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN. (**393)

MOTION: I MOVE TO ADOPT RESOLUTION 02-103 APPROVING THE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.

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

June 11, 2002

02-174

Closed Session:

THE BOARD RECESSED AT 12:28 P.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES, ET AL. V. BROOKS ET AL. (BUTTE COUNTY SUPERIOR COURT CASE NO. 84429); NEIGHBORS FOR RESPONSIBLE ACTION V. COUNTY OF BUTTE/PARADISE ROD AND GUN CLUB (BUTTE COUNTY SUPERIOR COURT CASE NO. 126947); AND FAITH V. BELL (APPEAL). CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1. AGRICULTURAL COMMISSIONER; 2. CHIEF ADMINISTRATIVE OFFICER; 3. COUNTY COUNSEL; 4. DIRECTOR-BEHAVIORAL HEALTH; 5. DIRECTOR-CHILD SUPPORT SERVICES; 6. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 7. DIRECTOR-HUMAN RESOURCES; 8. DIRECTOR-INFORMATION SYSTEMS; 9. DIRECTOR-LIBRARIES; 10. DIRECTOR-PUBLIC HEALTH; 11. DIRECTOR-PUBLIC WORKS; AND 12. DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8. PROPERTY: A PARCEL OF LAND APPROXIMATELY 120 FEET IN WIDTH, (LOCATED BETWEEN THE WESTERN PACIFIC RAILROAD PROPERTY AND RAILROAD AVENUE) AND 2,850 FEET IN LENGTH (LOCATED BETWEEN PALERMO ROAD AND A POINT APPROXIMATELY 570 FEET SOUTH OF THE CENTERLINE OF MESSINA ROAD). AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: COUNTY OF BUTTE AND PALERMO UNION SCHOOL DISTRICT. UNDER NEGOTIATION: TERMS OF LEASE AND PAYMENT. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATOR: JEANNE GRAVETTE. EMPLOYEE ORGANIZATION: BUTTE COUNTY PROFESSIONAL EMPLOYEES UNIT; AND TIMED RECESS TO CLOSED SESSION AT 1:00 P.M. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES. (**492)

June 11, 2002

02-174

Closed Session
Reconvene:

THE BOARD RECONVENED AT 2:44 P.M. FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES, ET AL. V. BROOKS ET AL. (BUTTE COUNTY SUPERIOR COURT CASE NO. 84429); NEIGHBORS FOR RESPONSIBLE ACTION V. COUNTY OF BUTTE/PARADISE ROD AND GUN CLUB (BUTTE COUNTY SUPERIOR COURT CASE NO. 126947); AND FAITH V. BELL (APPEAL). CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1. AGRICULTURAL COMMISSIONER; 2. CHIEF ADMINISTRATIVE OFFICER; 3. COUNTY COUNSEL; 4. DIRECTOR-BEHAVIORAL HEALTH; 5. DIRECTOR-CHILD SUPPORT SERVICES; 6. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 7. DIRECTOR-HUMAN RESOURCES; 8. DIRECTOR-INFORMATION SYSTEMS; 9. DIRECTOR-LIBRARIES; 10. DIRECTOR-PUBLIC HEALTH; 11. DIRECTOR-PUBLIC WORKS; AND 12. DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8. PROPERTY: A PARCEL OF LAND APPROXIMATELY 120 FEET IN WIDTH, (LOCATED BETWEEN THE WESTERN PACIFIC RAILROAD PROPERTY AND RAILROAD AVENUE) AND 2,850 FEET IN LENGTH (LOCATED BETWEEN PALERMO ROAD AND A POINT APPROXIMATELY 570 FEET SOUTH OF THE CENTERLINE OF MESSINA ROAD). AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: COUNTY OF BUTTE AND PALERMO UNION SCHOOL DISTRICT. UNDER NEGOTIATION: TERMS OF LEASE AND PAYMENT. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATOR: JEANNE GRAVETTE. EMPLOYEE ORGANIZATION: BUTTE COUNTY PROFESSIONAL EMPLOYEES UNIT; AND TIMED RECESS TO CLOSED SESSION AT 1:00 P.M. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES. (**582) (NO ANNOUNCEMENTS)

June 11, 2002

Regular Agenda

02-175 Presentation to the Board - Auditor-Controller - presentation to the Board of the Auditor-Controller's new financial system and time line for conversion to the new system - action requested - ACCEPT FOR INFORMATION. (**588)

PRESENTATION TO THE BOARD BY DAVE HOUSER, AUDITOR-CONTROLLER, AND MARY VAN GILDER, ACCOUNTING SUPERVISOR AND SYSTEMS ADMINSTRATOR.

02-176 County Clerk's Certification to Initiative Petition - Tobacco Settlement Revenue - on May 14, 2002, a county-wide petition entitled "Designation of Butte County's Share of Tobacco Settlement Revenue for Specified Programs and Services" was filed with the County Clerk-Recorder-Registrar of Voters. The petition contained 11,550 signatures, and upon verification of the signatures, on May 22, 2002, was determined to be sufficient. Under California Elections Code, the Board of Supervisors shall do one of the following: (A) adopt the ordinance without alteration at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; (B) submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, at the next statewide election occurring not less than 88 days after the date of order; or (C) order a report pursuant to Section 9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the board of supervisors, it shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b) - action requested:

1. ACCEPT CERTIFICATION OF SUFFICIENCY OF THE "DESIGNATION OF BUTTE COUNTY'S SHARE OF TOBACCO SETTLEMENT REVENUE FOR SPECIFIED PROGRAMS AND SERVICES" INITIATIVE PETITION AND TAKE ACTION TO:

A. PASS THE ORDINANCE AS PROPOSED BY THE MEASURE, WITHOUT ALTERATION; OR

B. ADOPT A RESOLUTION PLACING THE PROPOSED ORDINANCE ON THE BALLOT FOR THE STATEWIDE ELECTION TO BE HELD NOVEMBER 5, 2002; OR

C. REQUEST A REPORT PURSUANT TO SECTION 9111 OF THE CALIFORNIA ELECTIONS CODE.

2. APPOINT SUBCOMMITTEE TO CONSIDER ADDITIONAL OPTIONS. (**1917)

MOTION: I MOVE TO ACCEPT CERTIFICATION OF SUFFICIENCY OF THE "DESIGNATION OF BUTTE COUNTY'S SHARE OF TOBACCO SETTLEMENT REVENUE FOR SPECIFIED PROGRAMS AND SERVICES" INITIATIVE PETITION AND REQUEST A REPORT PURSUANT TO SECTION 9111 OF CALIFORNIA ELECTIONS CODE.

M S

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

June 11, 2002

02-176 MOTION: I MOVE TO APPOINT A SUBCOMMITTEE OF SUPERVISORS BEELER AND HOUX TO CONSIDER ADDITIONAL OPTIONS.

S M

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

02-177 Butte County Improvement Standards - consideration of the adoption of amended Butte County Improvement Standards which will provide minimum standards to be applied to public improvements and private works to be dedicated to the public and accepted by the County for maintenance or operation, as well as improvements to be installed within existing rights-of-way and easements - action requested - ADOPT RESOLUTION ADOPTING IMPROVEMENT STANDARDS AND AUTHORIZE THE CHAIR TO SIGN; AND APPOINT TWO BOARD MEMBERS TO WORK WITH STAFF TO UPGRADE THESE STANDARDS TO PROVIDE CONSISTENCY IN REQUIREMENTS WITHIN URBAN AREAS DESIGNATED AS THE CITIES' SPHERES OF INFLUENCE, ADDRESS IMPROVEMENT REQUIREMENTS FOR RURAL PRIVATE ROADS, EVALUATE AND DEVELOP REQUIREMENTS FOR FIRE SAFETY WITHIN THE STATE RESPONSIBILITY AREA AND RECOMMEND OTHER CHANGES TO MAKE THESE IMPROVEMENT STANDARDS ESTABLISH THE DEVELOPMENT CRITERIA NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THE BUTTE COUNTY CODE. (FROM 5-7-02/4.07) (**2420) (****00)

MOTION: I MOVE TO ADOPT RESOLUTION 02-104 ADOPTING IMPROVEMENT STANDARDS AND AUTHORIZE THE CHAIR TO SIGN; AND FURTHER MOVE TO APPOINT SUPERVISORS BEELER AND YAMAGUCHI TO WORK WITH STAFF TO UPGRADE THESE STANDARDS TO PROVIDE CONSISTENCY IN REQUIREMENTS WITHIN URBAN AREAS DESIGNATED AS THE CITIES' SPHERES OF INFLUENCE, EXCEPT THE CHICO AREA OF CONCERN, TO ADDRESS IMPROVEMENT REQUIREMENTS FOR RURAL PRIVATE ROADS, EVALUATE AND DEVELOP REQUIREMENTS FOR FIRE SAFETY WITHIN THE STATE RESPONSIBILITY AREA AND RECOMMEND OTHER CHANGES TO MAKE THESE IMPROVEMENT STANDARDS ESTABLISH THE DEVELOPMENT CRITERIA NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THE BUTTE COUNTY CODE. THE CHICO AREA OF CONCERN COMMITTEE, WHICH INCLUDES SUPERVISORS DOLAN AND HOUX, WILL BE THE COMMITTEE TO WORK WITH STAFF TO ADDRESS THESE ISSUES FOR THE CHICO AREA.

M S

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

02-178 Butte County Air Quality Management District-Special Road Program Grant - consideration of a grant application to the Butte County Air Quality Management District for Special Road Program Grant Funds to chip seal Bald Rock Road from the end of the pavement to the intersection of Oroville-Quincy Highway - action requested - DIRECT STAFF TO SUBMIT GRANT APPLICATION. (****90)

MOTION: I MOVE TO DIRECT STAFF TO SUBMIT THE GRANT APPLICATION.

M S

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

02-179 **Items removed from the Consent Agenda for Board consideration and action.**
(NONE)

June 11, 2002

Public Comment

02-180 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. (****213) (NONE)

Regular Agenda

02-181 THE BOARD RETURNED TO THE CHIEF ADMINISTRATIVE OFFICER'S REPORT ON BUDGET AND LEGISLATIVE ACTIVITIES. (****214) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INFORMED THE BOARD THAT THE BUDGET CONFERENCE COMMITTEE HAS REJECTED THE ADMINISTRATION'S PROPOSAL TO INCREASE THE CALIFORNIA DEPARTMENT OF FORESTRY CHARGES TO COUNTIES, AND REQUESTED THE BOARD APPROVE THE IMPLEMENTATION OF A POLICY REQUIRING ADMINISTRATIVE OFFICE REVIEW OF ALL REQUESTS TO FILL VACANT POSITIONS UNTIL THE EFFECT OF THE STATE'S BUDGET ON COUNTIES IS KNOWN.

THE BOARD CONCURRED THAT THE ADMINISTRATIVE OFFICER IS TO PREPARE A MEMO TO DEPARTMENTS DIRECTING THAT VACANT POSITION REQUESTS BE ROUTED THROUGH THE ADMINISTRATIVE OFFICE FOR APPROVAL AND DIRECTED A REPORT AND RATIFICATION OF THE MEMORANDUM BE RETURNED ON THE NEXT AGENDA.

June 11, 2002

02-182

Closed Session:

THE BOARD RECESSED AGAIN AT 4:07 P.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES, ET AL. V. BROOKS ET AL. (BUTTE COUNTY SUPERIOR COURT CASE NO. 84429); NEIGHBORS FOR RESPONSIBLE ACTION V. COUNTY OF BUTTE/PARADISE ROD AND GUN CLUB (BUTTE COUNTY SUPERIOR COURT CASE NO. 126947); AND FAITH V. BELL (APPEAL). CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1. AGRICULTURAL COMMISSIONER; 2. CHIEF ADMINISTRATIVE OFFICER; 3. COUNTY COUNSEL; 4. DIRECTOR-BEHAVIORAL HEALTH; 5. DIRECTOR-CHILD SUPPORT SERVICES; 6. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 7. DIRECTOR-HUMAN RESOURCES; 8. DIRECTOR-INFORMATION SYSTEMS; 9. DIRECTOR-LIBRARIES; 10. DIRECTOR-PUBLIC HEALTH; 11. DIRECTOR-PUBLIC WORKS; AND 12. DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8. PROPERTY: A PARCEL OF LAND APPROXIMATELY 120 FEET IN WIDTH, (LOCATED BETWEEN THE WESTERN PACIFIC RAILROAD PROPERTY AND RAILROAD AVENUE) AND 2,850 FEET IN LENGTH (LOCATED BETWEEN PALERMO ROAD AND A POINT APPROXIMATELY 570 FEET SOUTH OF THE CENTERLINE OF MESSINA ROAD). AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: COUNTY OF BUTTE AND PALERMO UNION SCHOOL DISTRICT. UNDER NEGOTIATION: TERMS OF LEASE AND PAYMENT. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATOR: JEANNE GRAVETTE. EMPLOYEE ORGANIZATION: BUTTE COUNTY PROFESSIONAL EMPLOYEES UNIT; AND TIMED RECESS TO CLOSED SESSION AT 1 : 0 0 P . M . P U B L I C E M P L O Y E E EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES. (****359)

June 11, 2002

02-182

Closed Session
Reconvene:

THE BOARD RECONVENED AT 5:12 P.M. FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES, ET AL. V. BROOKS ET AL. (BUTTE COUNTY SUPERIOR COURT CASE NO. 84429); NEIGHBORS FOR RESPONSIBLE ACTION V. COUNTY OF BUTTE/PARADISE ROD AND GUN CLUB (BUTTE COUNTY SUPERIOR COURT CASE NO. 126947); AND FAITH V. BELL (APPEAL). CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1. AGRICULTURAL COMMISSIONER; 2. CHIEF ADMINISTRATIVE OFFICER; 3. COUNTY COUNSEL; 4. DIRECTOR-BEHAVIORAL HEALTH; 5. DIRECTOR-CHILD SUPPORT SERVICES; 6. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 7. DIRECTOR-HUMAN RESOURCES; 8. DIRECTOR-INFORMATION SYSTEMS; 9. DIRECTOR-LIBRARIES; 10. DIRECTOR-PUBLIC HEALTH; 11. DIRECTOR-PUBLIC WORKS; AND 12. DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8. PROPERTY: A PARCEL OF LAND APPROXIMATELY 120 FEET IN WIDTH, (LOCATED BETWEEN THE WESTERN PACIFIC RAILROAD PROPERTY AND RAILROAD AVENUE) AND 2,850 FEET IN LENGTH (LOCATED BETWEEN PALERMO ROAD AND A POINT APPROXIMATELY 570 FEET SOUTH OF THE CENTERLINE OF MESSINA ROAD). AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: COUNTY OF BUTTE AND PALERMO UNION SCHOOL DISTRICT. UNDER NEGOTIATION: TERMS OF LEASE AND PAYMENT. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY NEGOTIATOR: JEANNE GRAVETTE. EMPLOYEE ORGANIZATION: BUTTE COUNTY PROFESSIONAL EMPLOYEES UNIT; AND TIMED RECESS TO CLOSED SESSION AT 1:00 P.M. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES. (****370) (NO ANNOUNCEMENTS)

June 11, 2002

Adjournment:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 5:12 P.M. TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE HELD JUNE 12, 2002, AT 1:00 P.M.

Curt Josiassen, Chair

Attest:

Paul McIntosh, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: _____