

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

August 13, 2002

Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Houx, Yamaguchi, and Vice-Chair Beeler, acting as Chair. Supervisors not present: 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 - Alex Groh, Representative, Baha'i World Faith, Paradise.

Items removed from the Consent Agenda for Board discussion or action.

- 02-243
1. Oroville Mosquito Abatement District Board - action requested - APPOINT/REAPPOINT STEVE LAWRENCE AND EL L. DILLARD TO TERMS TO END DECEMBER 31, 2003.
 2. Resolution for Butte County Library Unattended Children Policy - Board approval is requested by the Library for a resolution which would establish a policy to help ensure the safety and well being of children who use library facilities, and to ensure that children are properly supervised - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

THIS ITEM IS REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THIS ITEM WILL RETURN ON A SUBSEQUENT AGENDA.
 3. Wagerman and Associates, Inc. - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Wagerman and Associates, Inc., for the provision of legislative/regulatory services. The amendment revises the contractors name to Wagerman and Associates and Strategic Local Government Services, LLC. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10085)

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- 02-243 4. Community Cleanup Grant Program - Guidelines Revisions - Board approval is requested by the Public Works Department, at the recommendation of the Solid Waste Committee, for revisions to the Community Cleanup Grant Program. The Committee recommends the Board make the following changes: 1) increase the amount of available grant funds per district to \$5,000 per year; 2) allow grant funds to be used for the cost of renting and hauling dumpsters and landfill tipping fees; 3) require community cleanup event organizers to verify proof of residency for all participants in community cleanup events; and 4) encourage Community Cleanup Grant applicants to involve the Sheriff's Team of Active Retired Seniors volunteers in cleanup events. Public Works staff further recommends the Board also make the following changes to improve the grant program: 1) increase the maximum grant award per event from \$1,000 to \$2,000; 2) set the funding schedule to the calendar year; 3) carry forward any unused funds from the previous year; and 4) re-allocate unused funds to districts with a greater need - action requested - APPROVE REVISIONS TO COMMUNITY CLEANUP GRANT PROGRAM AND APPROVE REVISED GRANT PROGRAM GUIDELINES. (95)
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Consent Agenda

- 02-244 1. Approval of Minutes - action requested - APPROVE MINUTES OF APRIL 9, 2002.
2. Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-664 (FISCAL YEAR 2001-2002 FINAL BUDGET TRANSFER) AND B-011 (FIRE DEPARTMENT). Budget transfers listed above require a 4/5 vote.)
3. Library Donations - pursuant to Government Code Section 25355, donations of \$1,100 from the Paradise Friends of the Library; \$500 from Marc F. Grosso, Grosso Financial Group, LLC, Paradise; \$100 from Paradise Ridge Lions Club; \$3,242.75 from Chico Friends of the Library; \$200 from Tri-Counties Bank; and \$894.60 from Oroville 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. Paradise Branch Library Public Service Staff Support Hours Donation - pursuant to Government Code Section 25355, a donation of \$1,568 has been received from the Paradise Friends of the Library to support public service staff support hours - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-009 (4/5 vote required) ACCEPTING AND APPROPRIATING DONATED FUNDS.
5. Pine Creek Cemetery District Board of Trustees - action requested - APPOINT ELWIN A. RONEY, J. BAXTER KNIGHT, AND PHILIP WILSON, TRUSTEES, TO TERMS TO END JULY 1, 2006.

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6. North State Cooperative Library System Advisory Board - action requested - APPOINT DAVID WILKINSON, BUTTE COUNTY REPRESENTATIVE, TO A TERM TO END JUNE 30, 2004.
7. Paradise Cemetery District Board of Trustees - action requested - REAPPOINT LINDA DUNLAP, TRUSTEE, TO A TERM TO END JULY 2006.
8. Butte County Mosquito and Vector Control District Board - action requested - APPOINT CHARLES W. BIRD, DISTRICT 3 REPRESENTATIVE, TO A VACATED TERM TO END DECEMBER 31, 2002.
9. Private Industry Council Board of Directors - action requested - REAPPOINT PAT CRAGAR, SOCIAL WELFARE ADMINISTRATOR REPRESENTATIVE, THOMAS TENORIO, COMMUNITY BASED ORGANIZATION REPRESENTATIVE, AND CRAIG COOPER, VOCATIONAL REHABILITATION REPRESENTATIVE, TO TERMS TO END JUNE 2005.
10. Ellen V. Henn General Plan Amendment and Rezone - Report to the Board - pursuant to Butte County Code, the Development Services Department submits the Planning Commission Action Report for a proposed general plan amendment from Medium Density Residential to Commercial, and a rezone from R-3 (Residential) to C-2 (General Commercial) for property located on the north side of West Oro Dam Boulevard, approximately 525 feet east of 18th Street, Oroville, and identified as APN 030-200-026. The Planning Commission has recommended approval (DB [GPA/RZ 02-02]) - action requested - ACCEPT REPORT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR TUESDAY, SEPTEMBER 10, 2002, AT 11:00 A.M.
11. Neal Road Landfill Rezone - Report to the Board - pursuant to Butte County Code, the Development Services Department submits the Planning Commission Action Report for a proposed rezone from U (Unclassified) to P-Q (Public-Quasi-public) for property located at 1023 Neal Road. The property is located on the west side of the Neal Road Landfill, south of Chico, and identified as APN 040-600-082 (portion). The Planning Commission has recommended approval (SB [REZ 02-03]) - action requested - ACCEPT REPORT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR TUESDAY, SEPTEMBER 10, 2002, AT 11:15 A.M.

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12. Floyd Damschen/Gary G. Stokes Rezone and Tentative Parcel Map - Report to the Board - pursuant to Butte County Code, the Development Services Department submits the Planning Commission Action Report for a proposed rezone from SR-1 (Suburban Residential - 1 acre parcels) to PUD (Planned Unit Development) and a tentative parcel map dividing a 6 acre parcel into three lots and a common ownership parcel. The property is located on Coyote Way off Stilson Canyon Road, approximately 6,000 feet from the intersection of Stilson Canyon Road and Humboldt Road, east of Chico, and identified as APN 011-100-013. The Planning Commission has recommended approval (SB [REZ 02-02/TPM 02-28]) - action requested - ACCEPT REPORT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR TUESDAY, SEPTEMBER 24, 2002, AT 10:40 A.M.
13. Monthly Investment Report - the Treasurer-Tax Collector submits the June 30, 2002, report in accordance with the Statement of Investment Policy dated July 1, 2001 - action requested - ACCEPT FOR INFORMATION.
14. California Department of Health Services - Fiscal Year 2002-2003 Rural Health Services Program Funds - Board approval is requested by the Director of Public Health for a declaration of intent not to apply for the fiscal year 2002-2003 Rural Health Services Program funds. Legislation currently exists which permits the State to administer the Hospital Services, Physician Services, and Children's Treatment Program allocations for counties. The State's administration relieves the counties of several requirements to document and report expenditures and program activities - action requested - APPROVE THE DECLARATION OF INTENT NOT TO APPLY FOR THE FISCAL YEAR 2002-2003 RURAL HEALTH SERVICES PROGRAM FUNDS AND AUTHORIZE THE CHAIR TO SIGN.
15. Internal Services Fund (ISF) Equipment Replacement Fund - Board approval is requested by the Auditor-Controller for a transfer of net contributed capital from the Internal Services Funds to the (ISF) Equipment Replacement Fund in the amount of \$541,973, and the transfer of \$284,644.81 in additional funds from the Internal Services Funds to the Equipment Replacement Fund. The fund will be utilized to finance purchases of capital assets by the Internal Services Funds - action requested - APPROVE TRANSFER OF FUNDS TO THE ISF EQUIPMENT REPLACEMENT FUND.

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16. Resolution to Amend the Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the salary ordinance as follows: TREASURER-TAX COLLECTOR - deletes one position of Supervisor-Staff Support Services and adds one position of Supervisor-Clerical Support Services. SALARY PLAN FOR CLASSIFIED POSITIONS (MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATIONS) - adjusts the compensation rate (effective 7-6-02) for the positions of Assistant Director-Employment and Social Services, Assistant Mental Health Director, and Assistant Mental Health Director-Administration - action requested - ADOPT RESOLUTION 02-131 AND AUTHORIZE THE CHAIR TO SIGN.
17. Resolution in Support of House Joint Resolution 81 Proposing an Amendment to the United States Constitution to Prevent Infringement of the Right to Pray in Public Places - Supervisor Josiassen is requesting the Board adopt a resolution in support of House Joint Resolution 81 which provides that neither the United States nor any State shall establish any official religion, but that the people's right to pray and to recognize their religious beliefs, heritage, and traditions on public property, including schools, shall not be infringed - action requested - ADOPT RESOLUTION 02-132 AND AUTHORIZE THE CHAIR TO SIGN.
18. Resolution Extending Insurance Coverage to the In-Home Supportive Services Public Authority - Board approval is requested by Risk Management for a resolution which would extend the County's self-insurance and excess insurance coverage to the In-Home Supportive Services Public Authority - action requested - ADOPT RESOLUTION 02-133 AND AUTHORIZE THE CHAIR TO SIGN.
19. Resolution Recognizing the Accomplishments of Patricia Conklin, Chief Executive Officer of the Butte County Fair - Supervisor Houx is requesting the Board adopt a resolution in recognition of the many accomplishments of Patricia Conklin, Chief Executive Officer of the Butte County Fair - action requested - ADOPT RESOLUTION 02-134 AND AUTHORIZE THE CHAIR TO SIGN.
20. Reconstruction of Oak Lawn Avenue - County Project No. 54201-98-1 - Contract Change Orders (CCOs) 1 and 2 - the project consists of 0.20 miles of roadway reconstruction on Oak Lawn Avenue from Bidwell Avenue to 0.20 miles north. CCO No. 1, in the increasing amount of \$72,520 provides for the change in construction of asphalt concrete dikes and sidewalks to concrete curbs, gutters and sidewalks. CCO No. 2, in the increasing amount of \$4,085 provides for the construction of two additional speed tables on Bidwell Drive - action requested - APPROVE CONTRACT CHANGE ORDER NO. 1 AND NO. 2, AND AUTHORIZE THE CHAIR TO SIGN.

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21. Installation of Sanitary Sewer Facilities on Oak Lawn Avenue - County Project No. 54202-01-1 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the decreasing amount of \$10,000 provides for the elimination of the installation of a sanitary sewer manhole - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.
22. Installation of Sanitary Sewer Facilities on Oak Lawn Avenue - County Project No. 54202-01-1 - Notice of Completion - the project consisted of the installation of 19 sanitary sewer laterals at various locations on Oak Lawn Avenue from Bidwell Avenue to Bidwell Drive. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.
23. Resolution Declaring a Four-way Stop Intersection at Durham Dayton Highway, Burdick Road and Peterson Estates Drive - Board approval is requested by the Public Works Department for a resolution which would declare the intersection of Durham Dayton Highway, Burdick Road and Peterson Estates Drive a four-way stop intersection - action requested - ADOPT RESOLUTION 02-135 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO INSTALL LEGAL STOP SIGNS AT THE APPROPRIATE ENTRANCES THERETO.
24. Maximus Incorporated - Board approval is requested by the Administrative Office for an agreement with Maximus Incorporated for the provision of SB 90 claims filing services. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$26,300 (department budget). The cost of the agreement will be fully recovered as part of the claiming process. Board approval is also requested for a sole source justification, as Maximus specializes in the SB90 claims field and has been preparing the County claims for the past two years - action requested - APPROVE SOLE SOURCE JUSTIFICATION; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13714)
25. AT&T Broadband of Southern California, Inc., formerly known as Chambers Cable of Southern California, Inc., and Chambers Communications Corporation - Board approval is requested by the Administrative Office for a settlement agreement with AT&T Broadband of Southern California, Inc., formerly known as Chambers Cable of Southern California, Inc., and Chambers Communications Corporation. The agreement is the result of a settlement resulting from an audit of franchise fee payments to the County. Under the terms of the agreement Chambers Communication Corporation has agreed to pay the County \$100,000 to settle all disputes with regard to the franchise fee review - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

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26. Fred Davis and Associates - Amendment - Board approval is requested by the Administrative Office for an amendment to the consulting agreement with Fred Davis and Associates for the provision of services as Interim Director of Development Services. The amendment extends the term of the agreement through August 15, 2002, to allow a transitional period for the transferring of projects and departmental information to the new Director of Development Services, and increases the maximum amount payable by \$11,500 (department budget). 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. (Contract No. X13381)
27. State of California-Department of Food and Agriculture - Amendment - Board approval is requested by the Agricultural Commissioner for an amendment to the revenue agreement with the State of California-Department of Food and Agriculture for funds to provide inspections of establishments selling motor fuel to the public. The amendment decreases the maximum amount payable by \$2,746 and provides that air and water complaints handled by the County for the State are reimbursed at the rate of \$75 per complaint. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40177)
28. 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 funds to support the management of care to Medi-Cal beneficiaries. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$2,021,373 for Phase I and Phase II Inpatient/Outpatient Consolidation (Managed Care) - action requested - ADOPT RESOLUTION 02-136 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40472)
29. Victor Treatment Centers, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Victor Treatment Centers, Inc., for the provision of rehabilitation services, medication support and residential services to adolescents. The amendment extends the term of the agreement through June 30, 2003, defines the services provided by the contractor for fiscal year 2002-2003, increases the maximum amount payable by \$228,020 (department budget), sets the client residential rate for fiscal year 2002-2003, and includes a revised budget for fiscal year 2002-2003. 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. X11550)

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30. Milhous Children's Services - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Milhous Children's Services for the provision of specialized treatment services to seriously emotionally disturbed youth. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$43,883.95 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13726)
31. Work Training Center for the Handicapped, Inc. (Do-It-Leisure) - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Work Training Center for the Handicapped, Inc. (Do-It-Leisure) for the provision of services in support of the Half-day Rehabilitative Program. The amendment extends the term of the agreement through June 30, 2003, increases the maximum amount payable by \$82,554.66 (department budget), amends the description of services and requirements, and provides a line item budget for fiscal year 2002-2003. 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. X11487)
32. Work Training Center for the Handicapped, Inc. (Do-It-Leisure) - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Work Training Center for the Handicapped, Inc. (Do-It-Leisure) for the provision of a socialization and rehabilitation program for department clients. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$157,998.39 (department budget) for fiscal year 2002-2003. 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. X11486)
33. Ricque Brister, M.D. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Ricque Brister, M.D., for the provision of services in the specialized field of psychiatry. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$115,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13736)

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34. FOREST Grant Program Evaluation Contract - Board approval is requested by the Butte County Department of Behavioral Health and the Sheriff's Office to transfer the evaluation contract for the FOREST Grant Program from the Behavioral Health Department to the Sheriff's Office. As the Sheriff's Office is lead agency on the grant, the administrative responsibility for the contract is being transferred to that office. Board approval is also requested to transfer the funding for that agreement from the Behavioral Health Department budget to the Sheriff's Office budget - action requested - APPROVE TRANSFER OF EVALUATION CONTRACT TO THE SHERIFF'S OFFICE; AND APPROVE BUDGET TRANSFER B-010 (4/5 vote required) ACCEPTING AND APPROPRIATING CONTRACT FUNDS TO THE SHERIFF'S OFFICE.
35. Sacramento Valley Family Services, Inc. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Sacramento Valley Family Services, Inc., for the provision of mental health services to children, adolescents, and their families with full scope Medi-Cal benefits. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$300,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13704)
36. Brent Roden d/b/a Performance Trust - Award of Contract to Past Employee - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Brent Roden, a former Butte County Employee, d/b/a Performance Trust, for the provision of analysis, tracking and feedback, and transmission of data to the State for the Youth Performance Outcome Measures pursuant to State requirements. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$41,600 (department budget). Mr. Roden separated from County employment in December 2001 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13693)
37. Edith Lopez, Ph.D. - Award of Contract to Past Employee - the Butte County Department of Behavioral Health submits, for Board information, a professional services agreement with Edith Lopez, Ph.D., for the provision of consultating services to staff treating children ages 0-5 in support of the Proposition 10 Grant Program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$19,200 (department budget). Pursuant to County Policy, agreements under \$25,000 can be approved by the Administrative Office; however, pursuant to the Butte County Purchasing Policy Manual, Section 13.3(1), notification to the Board of intent to award a contract to a former Butte County employee within two years following separation from County employment is required. Ms. Lopez separated from County employment in February 2002 - action requested - ACCEPT FOR INFORMATION. (Contract No. X13705)

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38. Oroville Hospital - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Oroville Hospital for emergency room and ambulance services. The amendment increases the maximum amount payable by \$15,000 (department budget) as a result of an increased utilization of services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13206)
39. Housing Authority of the County of Butte - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with the Housing Authority of the County of Butte for the provision of housing unit inspections, deposits, or monthly rental payments to landlords who rent housing to the clients of the FOREST Program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$25,000 (Mentally Ill Offender Crime Reduction Grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13708)
40. Lawrence M. Wilcox, Ph.D. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Lawrence M. Wilcox, Ph.D., for the provision of services in the specialized field of psychiatry. The amendment reduces the maximum amount payable for fiscal year 2002-2003 by \$47,500. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11863)
41. 7th Avenue Center, LLC - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with 7th Avenue Center LLC for the provision of services to clients in need of 24-hour skilled nursing services. The amendment increases the maximum amount payable by \$6,031.32 (department budget) as a result of an increased utilization of services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11351)
42. INSYST User Group - 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 INSYST User Group for County membership in the group. Membership provides for the retention of ECHO to deliver technical and administrative services to the user group. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$4,903.92 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13410)

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43. D & D Contracting - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with D & D Contracting for the provision of inpatient unit testing, inpatient equipment lease and monitoring, and security, fire, and clean and test fees for the Administrative Support Division office. The amendment extends the term of the agreement through December 31, 2002, and increases the maximum amount payable by \$1,220 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11336)
44. Lou Ann Rupp-Mueller - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the lease agreement with Lou Ann Rupp-Mueller for the property located at 2860 Olive Highway, Suites B and C, Oroville. The property is utilized by the Youth Services Division. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$6,903 (department budget). 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. X11825)
45. Lou Ann Rupp-Mueller - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the lease agreement with Lou Ann Rupp-Mueller for the property located at 2860 Olive Highway, Suites D and E, Oroville. The property is utilized by the Youth Services Division. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$10,920 (department budget). 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. X11824)
46. Lou Ann Rupp-Mueller - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the lease agreement with Lou Ann Rupp-Mueller for the property located at 2856 Olive Highway, Suites A, B and C, Oroville. The property is utilized by the Youth Services Division. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$19,375.20 (department budget). 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. X11836)

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47. Lou Ann Rupp-Mueller - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the lease agreement with Lou Ann Rupp-Mueller for the property located at 2858 Olive Highway, Suites B and C, Oroville. The property is utilized by the Youth Services Division. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$23,400 (department budget). 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. X11826)
48. Butte County Department of Public Health/Butte County Department of Behavioral Health - Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health for a Memorandum of Understanding with the Department of Public Health for funds to provide one Public Health Nurse to support the Infant-Preschool-Family Mental Health Program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the Department of Public Health of \$77,253 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13710)
49. Print N Mail, Inc. - Amendment - Board approval is requested by the Department of Child Support Services for an amendment to the agreement with Print N Mail, Inc., for the provision of mailing services for various documents associated with child support cases. The amendment increases the maximum amount payable by \$6,404 (department budget) in response to increased mailings resulting from State mandates. 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. X12083)
50. Michael R. Deems - Board approval is requested by County Counsel for an agreement with Michael R. Deems for the provision of legal services for litigation cases. The term of the agreement is one year, and will continue in effect until the litigation cases are resolved. The compensation rate is \$140 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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51. Northern Valley Catholic Social Service - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Northern Valley Catholic Social Service for the provision of Cal-Learn Program case management services. The amendment extends the term of the agreement through June 30, 2003, increases the maximum amount payable by \$200,000 (department budget), and provides for claim submission dates and terms. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11259)
52. Youth For Change - Board approval is requested by the Department of Employment and Social Services for a prior year agreement with Youth For Change for the provision of transportation services to participants of the Independent Living Program. The term of the agreement is January 1, 2002, through June 30, 2002, with a maximum amount payable of \$2,000. Funding for the agreement is provided by State funds for the Independent Living Program. During the original approval process the agreement was misplaced and reconstruction of a second original occurred following the end of fiscal year 2001-2002. Pursuant to County policy, Board approval is now needed to approve the agreement. The department has certified that the services were rendered and were in accordance with the terms of the agreement. Sufficient appropriations for the agreement are contained within the fiscal year 2002-2003 department budget - action requested - APPROVE PRIOR YEAR AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE AUDITOR-CONTROLLER TO PAY FOR SERVICES RENDERED.
53. Butte-Glenn Community College District - Board approval is requested by the Fire Department for a lease agreement with Butte-Glenn Community College District for the property utilized by Fire Station 25. The term of the agreement is August 1, 2002, through July 31, 2005, with a lease rate of \$1.00 per year (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF THE AUDITOR-CONTROLLER.
54. Northern California Breast and Cervical Cancer Partnership Mini-Grant - Board approval is requested by the Library to apply to the Northern California Breast and Cervical Cancer Partnership for a grant in the amount of \$1,500. The funds would be used to acquire health related materials for the Butte County Bookmobile and to offer computer training to women over the age of 50 on how to search the Internet to find reliable medical information - action requested - APPROVE GRANT APPLICATION AND AUTHORIZE THE DIRECTOR OF LIBRARIES TO SIGN.

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55. Ford Motor Credit Company - Board approval is requested by the Probation Department for a lease-purchase agreement with Ford Motor Credit Company for two vehicles to be used in the County's Substance Abuse and Crime Prevention Act of 2000 program. The Board approved the acquisition of two vehicles for the program in fiscal year 2001-2002 but delays by the State prevented acquisition of the vehicles during that fiscal year. Board approval is again requested to acquire the vehicles in this fiscal year. Appropriations for the vehicles are included in the department's budget - action requested - APPROVE ACQUISITION OF VEHICLES; AND APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN NEEDED DOCUMENTS SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
56. Chico Unified School District - Board approval is requested by the Probation Department for a revenue agreement with the Chico Unified School District for funds to support the provision of one Probation Officer to work at the various schools within the district. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$45,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40473)
57. Northern Valley Catholic Social Service - Amendment - Board approval is requested by the Probation Department for an amendment to the agreement with Northern Valley Catholic Social Service for the provision of the Life Skills Training Program at the Juvenile Hall. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$25,000 (TANF funds). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13222)

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58. Juvenile Justice Crime Prevention Act Agreements - Amendments - Board approval is requested by the Probation Department for amendments to the agreements with various agencies for services in support of the Schiff-Cardenas Crime Prevention Act of 2000. The County has received a State allocation of \$687,443 for the fiscal year 2002-2003 program. The County is proposing the following amendments: 1) Boys and Girls Club Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$232,500. (Contract No. 13234); 2) Feather River Tribal Health, Inc., Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$34,000. (Contract No. X13237); 3) Northern Valley Parent Education Network Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$232,500. (Contract No. X13238); 4) Paradise Unified School District Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$59,000. (Contract No. X13235); 5) Superior Court of California-County of Butte (Juvenile Drug Court) Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$42,798. (Contract No. X13286); and 6) Gary Bess Associates Amendment - extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$51,944. (Contract No. X13236). All other terms and provisions for the agreements remain the same - action requested - APPROVE AGREEMENTS (6) AND AUTHORIZE THE CHAIR TO SIGN.
59. Northwest Society for the Prevention of Cruelty to Animals - Board approval is requested by the Public Health Department for an agreement with the Northwest Society for the Prevention of Cruelty to Animals for the provision of sheltering services of animals impounded by Butte County Animal Control. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$150,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13725)

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60. Butte County Fair Association - County Service Area No. 34 - Gridley Pool - Board approval is requested by the Public Works Department for an agreement with the Butte County Fair Association for the operation and maintenance of the Gridley Pool. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$46,345. The agreement provides for an advance of funds on a monthly basis, and in order to provide the necessary funding for the agreement Board approval is also requested for a loan from the County Service Area Revolving Loan Fund in the amount of \$25,500. The loan will be repaid prior to the end of the fiscal year - action requested - ADOPT RESOLUTION 02-137 AUTHORIZING A LOAN FROM THE COUNTY SERVICE AREA REVOLVING LOAN FUND IN THE AMOUNT OF \$25,500; ~~APPROVE BUDGET TRANSFER B-013 (4/5 vote required) ACCEPTING AND APPROPRIATING LOAN REVENUE;~~ AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13713)
61. Regional Council of Rural Counties Environmental Services Joint Powers Agreement Revisions (RCRC ESJPA) - Board approval is requested by the Public Works Department for a revised Environmental Services Joint Powers Agreement with the Regional Council of Rural Counties. The agreement provides for the monitoring of pending solid waste legislation, regulations and issues. The revised agreement has been requested by the RCRC ESJPA to achieve consistency with other RCRC agreements - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11058)
62. Butte County Public Works Department/Butte County Sheriff's Office - Memorandum of Understanding - Inmate Labor Program - Board approval is requested by the Sheriff's Office for two Memoranda of Understanding with the Butte County Public Works Department for the provision of inmate labor to the Road and Solid Waste Divisions. The term of both agreements is July 1, 2002, through June 30, 2004, with the Public Works Department charged a maximum of \$35,000 (Public Works budget) per year for the Solid Waste Division agreement, and \$80,000 (Public Works budget) per year for the Road Division agreement - action requested - APPROVE AGREEMENTS AND AUTHORIZE THE CHAIR TO SIGN. (Contract Nos. X13572 and X13573)

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63. United States Department of Justice-Drug Enforcement Administration - Agreement and Amendment - Board approval is requested by the Sheriff's Office for a revenue agreement and amendment for grant funds to support marijuana eradication and suppression activities. The term of both the agreement and amendment is January 1, 2002, through December 31, 2002. The agreement provides the County with \$22,668.75 for the program period, and the amendment provides an additional \$12,331.25, for a total of \$35,000 - action requested - APPROVE AGREEMENT AND AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE SHERIFF-CORONER TO SIGN DOCUMENTS RELATED TO THE GRANT AND TO EXPEND FUNDS AS OUTLINED IN THE GRANT.
64. DLR Group Vitiello - Board approval is requested by the Superior Court of California-County of Butte for an agreement with DLR Group Vitiello for the provision of architectural services for the construction of the courthouse expansion. A Request For Proposal was completed and DLR Group Vitiello was selected as the best qualified for the proposed project. The agreement is in the amount of \$210,000, and includes an additional \$12,000 for reimbursable expenses, for a total amount payable of \$222,000, and will be funded by the Court's budget - action requested - APPROVE AWARD OF AGREEMENT TO DLR GROUP VITIELLO AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
65. Camp, Dresser & McKee Inc. - Board approval is requested by the Department of Water and Resource Conservation for an agreement with Camp, Dresser & McKee Inc., for the provision of an Integrated Watershed and Resource Conservation Plan. The agreement provides for the report to be completed by June 30, 2004, and has a maximum amount payable of \$600,000 (\$250,000 for fiscal year 2002-2003 and \$350,000 for fiscal year 2003-2004 [State funds]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
66. North State Cooperative Library System - 2000-2001 Annual Report - the North State Cooperative Library System Advisory Board Representative submits a copy of the annual report for 2000-2001 - action requested - ACCEPT FOR INFORMATION.
67. Certification of Statement of Votes Cast - County Service Area Special Election - the County Clerk Recorder-Registrar of Voters submits the Certification of Statement of Votes Cast for the Special Election held in County Service Area No. 135, Zone 1 - Keefer Creek Estates-Zone 1 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.
68. AT&T Broadband Pricing and Programming Changes - AT&T Broadband provides notice to the Administrative Office of changes in cable service pricing, programming and packaging effective August 14, 2002 - action requested - ACCEPT FOR INFORMATION. (146)

August 13, 2002

02-244 MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEMS 3.09, 3.18, 3.28, AND 3.64, ITEM 3.63 AMENDED TO REMOVE BUDGET TRANSFER B-013, AND ITEM 3.68 AMENDED TO READ, "...THE AGREEMENT IS IN THE AMOUNT OF \$210,000 AND INCLUDES AN ADDITIONAL \$12,000 FOR REIMBURSABLE EXPENSES, FOR A TOTAL MAXIMUM AMOUNT PAYABLE OF \$222,000, AND WILL BE FUNDED...".

M S

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

Regular Agenda

VICE CHAIR BEELER PRESENTS A RESOLUTION OF RECOGNITION TO PATRICIA CONKLIN.

02-245 Appointments - Boards, Commissions, and Committees. (274)

1. Appointments to listed vacancies. (NONE)

ITEM 3.09 REMOVED FROM THE CONSENT AGENDA:

Oroville Mosquito Abatement District Board - action requested - APPOINT/REAPPOINT STEVE LAWRENCE AND EL. L. DILLARD TO TERMS TO END DECEMBER 31, 2003.

MOTION: I MOVE TO APPOINT/REAPPOINT STEVE LAWRENCE AND JEAN PRATT, TRUSTEES, TO TERMS TO END DECEMBER 31, 2002.

S M

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

SUPERVISOR DOLAN SHARES WITH THE BOARD THAT IN THE LOS ANGELES TIMES, ON SATURDAY, AUGUST 10, THERE IS A BIG STORY ON BUTTE COUNTY'S DRUG ENDANGERED CHILDREN'S PROGRAM AND A FULL COLOR PHOTO OF SUE WEBBER-BROWN.

2. Building Code Board of Appeals - action requested:

A. REAPPOINT STEVE SICKE, STEVE GILMORE, E. J. MURRAY, ED MCLAUGHLIN, LEROY BIGGERS, JOHN GRAY, JR., GREG PIETZ, AND JIM THORUP TO TERMS TO END AUGUST 1, 2004; AND

B. SELECT ONE ADDITIONAL BOARD MEMBER FROM CANDIDATE LIST SUBMITTED (TERM TO END AUGUST 1, 2004).

MOTION: I MOVE TO REAPPOINT STEVE SICKE, STEVE GILMORE, E. J. MURRAY, ED MCLAUGHLIN, LEROY BIGGERS, JOHN GRAY, JR., GREG PIETZ, AND JIM THORUP TO TERMS TO END AUGUST 1, 2004; AND APPOINT MIKE HURST TO A TERM TO END AUGUST 1, 2004.

S M

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

August 13, 2002

02-246 Update on legislative and budget activities. (440)

1. Assembly Bill 749 - Workers' Compensation Legislation - consideration of a letter to Assembly and Senate representatives asking them to support legislation that continues the current law of basing minimum temporary disability benefits on an injured workers' average weekly earnings - action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

BOARD DIRECTION THAT THE ADMINISTRATIVE OFFICE PREPARE A REVISED LETTER THAT EXPRESSES THE COUNTY'S CONCERNS REGARDING INMATE OR COURT SENTENCED WORKERS, BUT REQUESTING PROTECTION FOR THE COUNTY'S VOLUNTEERS, AND TO BRING BACK THE REVISED LETTER TO THE BOARD FOR CONSIDERATION AT A SUBSEQUENT MEETING.

02-247 Community Health Care Ordinance-Providing Standards for the Use of Local Tobacco Monies - adoption of an ordinance entitled, "Community Health Care Ordinance-Providing Standards for the Use of Local Tobacco Monies" - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 7-23-02 [4.06]) (986)

MOTION: I MOVE TO ADOPT ORDINANCE 3826 AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

02-248 California Public Employees Retirement System (CalPERS) - Amendment to Retirement Benefits - consideration of a Resolution of Intention and introduction of an ordinance which will amend the County's agreement with CalPERS regarding retirement benefit calculations. The proposed amendment would provide to the Miscellaneous Coverage Group the following benefits: Government Code Section 21548 (Pre-Retirement Optional Settlement 2 Death Benefit for local member), and Government Code Section 21623.5 (\$2,000 Retired Death Benefit). Pursuant to Government Code Section 7507, the Auditor-Controller's Office has prepared a disclosure of costs report - action requested - ADOPT RESOLUTION OF INTENTION AND AUTHORIZE THE CHAIR TO SIGN; AND WAIVE READING OF THE ORDINANCE. (1029)

KATHY MCINTYRE, PAYROLL SUPERVISORS, AUDITOR-CONTROLLER'S OFFICE, INFORMS THE BOARD OF THE PROPOSED COST OF THE PROPOSED AMENDMENT.

MOTION: I MOVE TO ADOPT RESOLUTION OF INTENTION 02-138 AND AUTHORIZE THE CHAIR TO SIGN; AND WAIVE READING OF THE ORDINANCE.

S M

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

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02-249 A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Marc Nix - Appeal of a Denial of a Use Permit (UP 02-12, APL 02-07) - on July 9, 2002, the Board convened a public hearing to consider an appeal of the Planning Commission's denial of a Use Permit to remove development restrictions imposed by Use Permit 84-36 on the remaining property of a home site segregation on property zoned A-5 (Agricultural - 5 acre parcels) and located on the southwest corner of the intersection of Bell Road and Nora Avenue, approximately 400 feet east of Muir Avenue in the north Chico area, and identified as APN 042-050-072. The Board adopted a Motion of Intent to approve the appeal and directed staff to prepare the necessary actions for approval - action requested:

1. FIND THE PROJECT IS CATEGORICALLY EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW UNDER SECTION 15303(a)-CLASS 3, THE CONSTRUCTION OF A SINGLE FAMILY DWELLING; AND
2. SUBJECT TO FINDING II(A) AS DETAILED IN THE STAFF REPORT DATED AUGUST 6, 2002, APPROVE THE REQUEST FOR A USE PERMIT TO REMOVE DEVELOPMENT RESTRICTIONS IMPOSED BY USE PERMIT 84-36 ON THE REMAINING PROPERTY OF A HOME SITE SEGREGATION. (FROM 7-9-02 [5.01]) (1135)

THE APPLICANT REQUESTED THE ITEM BE CONTINUED TO AUGUST 27, 2002, DUE TO HIS INABILITY TO BE PRESENT AT TODAY'S HEARING.

BOARD DIRECTION THAT THE ITEM BE CONTINUED TO AUGUST 27, 2002.

02-250 Butte County Transit - Proposed Fare Increase - consideration of a proposed fare increase for Butte County Transit - action requested - DIRECT STAFF TO START A PUBLIC COMMENT PERIOD REGARDING THE PROPOSED FARE INCREASE FOR BUTTE COUNTY TRANSIT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER. (1297)

MOTION: I MOVE TO DIRECT STAFF TO START A PUBLIC COMMENT PERIOD REGARDING THE PROPOSED FARE INCREASE FOR BUTTE COUNTY TRANSIT; AND TO SET A PUBLIC HEARING FOR CONSIDERATION OF THIS MATTER FOR SEPTEMBER 10, 2002.

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

02-251 Butte County Transit - Addition of a Route - consideration of the addition of an additional morning route on Butte County Transit from Chico to Oroville - action requested - STAFF RECOMMENDS THE BOARD TAKE ONE OF THE FOLLOWING TWO ACTIONS:

1. DO NOT APPROVE FUNDING FOR THE NEW TRANSIT ROUTE BETWEEN CHICO AND OROVILLE AND DIRECT STAFF TO INCLUDE THE PROPOSED ROUTE IN NEXT YEAR'S 2003-2004 UNMET NEEDS PROCESS; OR
2. APPROVE FUNDING FOR THE NEW ROUTE AND DIRECT STAFF TO RETURN IN SIX MONTHS WITH A REPORT ON ROUTE RIDERSHIP AND FARE BOX RECOVERY. (1605)

August 13, 2002

02-251 MOTION: I MOVE TO APPROVE THE FUNDING FOR THE NEW ROUTE AND DIRECT STAFF TO RETURN IN SIX MONTHS WITH A REPORT ON ROUTE RIDERSHIP AND FARE BOX RECOVERY.

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

SUPERVISOR HOUX REQUESTED THE REPRESENTATIVE FROM THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS TO CONTINUE TO FOLLOW-UP ON SAFETY MEASURES FOR THE INTERSECTION OF HIGHWAYS 70 AND 149.

RECESS: 10:13 A.M.

RECONVENE: 10:30 A.M.

Public Hearing and Timed Items

02-252 Public Hearing - Becky Yount - General Plan Amendment and Rezone - consideration of a General Plan Amendment to change the General Plan Designation of the subject property from "Agricultural Residential" to "Industrial", and a Rezone to change the zoning from SR-1 (Suburban Residential - 1 acre parcels) to L-I (Limited Industrial). This is a project on which a notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located on the west side of State Route 99, between Speedway Avenue and Entler Avenue in the south Chico area and identified as APN 040-030-055 (portion) (DB [GPA/RZ 02-01]) - action requested - SHOULD THE BOARD CHOOSE TO APPROVE THE PROJECT, THE FOLLOWING ACTIONS SHOULD BE TAKEN:

1. CONTINUE THE GENERAL PLAN AMENDMENT AND REZONE PROJECT UNTIL SEPTEMBER 24, 2002, IN ORDER TO COMBINE THE RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT WITH OTHER GENERAL PLAN AMENDMENT APPROVALS;
2. SUBJECT TO FINDINGS II (A-D) AS DETAILED IN THE STAFF REPORT DATED AUGUST 13, 2002, PASS A MOTION OF INTENT TO APPROVE A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;
3. FIND THAT THE PROJECT WILL HAVE AN IMPACT TO FISH AND/OR WILDLIFE HABITAT AND APPROVE THE COLLECTION OF DEPARTMENT OF FISH AND GAME FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5., WITH THE FEES PAYABLE BY THE PROJECT APPLICANT UPON FILING OF THE NOTICE OF DETERMINATION BY THE LEAD AGENCY; AND

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02-252

4. SUBJECT TO FINDINGS IV(A-K) AND THE CONDITIONAL ZONING AGREEMENT ATTACHED TO THE ZONING ORDINANCE AS EXHIBIT "A" IN THE STAFF REPORT DATED AUGUST 13, 2002, PASS A MOTION OF INTENT TO FIND THE PROPOSED GENERAL PLAN AMENDMENT IS IN THE PUBLIC INTEREST IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65358, AND PASS A MOTION OF INTENT TO ADOPT AN ORDINANCE REZONING FROM SR-1 (SUBURBAN RESIDENTIAL - 1 ACRE PARCELS) TO L-I (LIMITED INDUSTRIAL), AND TO ADOPT A RESOLUTION AMENDING THE GENERAL PLAN FROM AGRICULTURAL RESIDENTIAL TO INDUSTRIAL, PROPERTY IDENTIFIED AS AN 8.2 (+/-) ACRE PORTION OF APN 040-030-055. (2350)

PUBLIC HEARING COMMENCED: 10:31 A.M.

PUBLIC HEARING CLOSED: 10:36 A.M.

MOTION:

I MOVE TO CONTINUE THE GENERAL PLAN AMENDMENT AND REZONE PROJECT UNTIL AUGUST 27, 2002, AND SUBJECT TO FINDINGS II(A-D) AS DETAILED IN THE STAFF REPORT DATED AUGUST 13, 2002, MOVE FOR A MOTION OF INTENT TO APPROVE A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS; FIND THAT THE PROJECT WILL HAVE AN IMPACT TO FISH AND/OR WILDLIFE HABITAT AND APPROVE THE COLLECTION OF DEPARTMENT OF FISH AND GAME FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5., WITH THE FEES PAYABLE BY THE PROJECT APPLICANT UPON FILING OF THE NOTICE OF DETERMINATION BY THE LEAD AGENCY; AND SUBJECT TO FINDINGS IV(A-K) AND THE CONDITIONAL ZONING AGREEMENT ATTACHED TO THE ZONING ORDINANCE AS EXHIBIT "A" IN THE STAFF REPORT DATED AUGUST 13, 2002, FURTHER MOVE TO APPROVE A MOTION OF INTENT TO FIND THE PROPOSED GENERAL PLAN AMENDMENT IS IN THE PUBLIC INTEREST IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65358, AND PASS A MOTION OF INTENT TO ADOPT AN ORDINANCE REZONING FROM SR-1 (SUBURBAN RESIDENTIAL - 1 ACRE PARCELS) TO L-I (LIMITED INDUSTRIAL), AND TO ADOPT A RESOLUTION AMENDING THE GENERAL PLAN FROM AGRICULTURAL RESIDENTIAL TO INDUSTRIAL, PROPERTY IDENTIFIED AS AN 8.2 (+/-) ACRE PORTION OF APN 040-030-055.

S M

VOTE:

1 Y 2 Y 3 Y 4 NP 5 Y (Motion Carried)

August 13, 2002

Regular Agenda

02-253

Items removed from the Consent Agenda for Board consideration and action.

1. Community Cleanup Grant Program - Guidelines Revisions - Board approval is requested by the Public Works Department, at the recommendation of the Solid Waste Committee, for revisions to the Community Cleanup Grant Program. The Committee recommends the Board make the following changes: 1) increase the amount of available grant funds per district to \$5,000 per year; 2) allow grant funds to be used for the cost of renting and hauling dumpsters and landfill tipping fees; 3) require community cleanup event organizers to verify proof of residency for all participants in community cleanup events; and 4) encourage Community Cleanup Grant applicants to involve the Sheriff's Team of Active Retired Seniors volunteers in cleanup events. Public Works staff further recommends the Board also make the following changes to improve the grant program: 1) increase the maximum grant award per event from \$1,000 to \$2,000; 2) set the funding schedule to the calendar year; 3) carry forward any unused funds from the previous year; and 4) re-allocate unused funds to districts with a greater need - action requested - APPROVE REVISIONS TO COMMUNITY CLEANUP GRANT PROGRAM AND APPROVE REVISED GRANT PROGRAM GUIDELINES. (2960)

MOTION: I MOVE TO APPROVE THE REVISIONS TO THE COMMUNITY CLEANUP GRANT PROGRAM AND APPROVE THE REVISED GRANT PROGRAM GUIDELINES.

M S

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

2. Wagerman and Associates, Inc. - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Wagerman and Associates, Inc., for the provision of legislative/regulatory services. The amendment revises the contractors name to Wagerman and Associates and Strategic Local Government Services, LLC. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10085)

MOTION: I MOVE TO APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

August 13, 2002

Public Hearing and Timed Items

02-254 Timed Item - Report to the Board - Lake Oroville Relicensing Project - presentation of a report regarding the Lake Oroville Facilities and the Federal Emergency Regulatory Commission Relicensing Project. The report addresses repatriation of Native American remains and artifacts, State Water Project entitlement changes, recreation and cultural resources capital improvements, recreational opportunities, cultural resources and watershed protection, watershed fuel load management program, local wildlife habitat improvement and protection measures, Thermalito Afterbay/Outlet, socioeconomic and economic development, a Lake Oroville Oversight Committee, State Water Contractors funding guarantee, and general financial provisions - action requested - ACCEPT REPORT. (3237) (**00) (**000)

PRESENTATION TO THE BOARD BY BRUCE ALPERT, BOB BEELER, MARY WIENMAN, MICHAEL PIERCE, AND GORDON ANDOE.

Regular Agenda

RECESS AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENE AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF TRUSTEES. (**680)

THOMPSON FLAT CEMETERY DISTRICT BOARD OF TRUSTEES

MINUTES

AUGUST 13, 2002

Called to Order - Board of Supervisors Chambers, 25 County Center Drive, Oroville. Board members present: Beeler, Dolan, Houx and Yamaguchi. Board members not present: Josiassen. Also present: Bill Curry, Acting District Manager, and Marion Reeves, Acting Clerk.

Consent Agenda

02-001 1. Resolution Granting Signature Authority - Board approval is requested by the District's Acting Manager for a resolution which would provide signature authority for District business to the Acting Manager for amounts not to exceed \$2,500 - action requested - ADOPT RESOLUTION 2002-01 AND AUTHORIZE THE CHAIR TO SIGN.

MOTION: I MOVE TO ADOPT RESOLUTION 2002-01 AND AUTHORIZE THE CHAIR TO SIGN.

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

August 13, 2002

02-001 2. District Budget Fiscal Year 2002-2003 - consideration of the District's budget, in the amount of \$7,760 - action requested - APPROVE DISTRICT'S FISCAL YEAR 2002-2003 BUDGET.

MOTION: I MOVE TO APPROVE THE DISTRICT'S FISCAL YEAR 2002-2003 BUDGET.

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

02-002 Public Comment (**816)

NO PUBLIC COMMENT.

Adjournment

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED THE MEETING AT 12:47 P.M. AND CONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

MINUTES

AUGUST 13, 2002

Called to Order - Board of Supervisors Chambers, 25 County Center Drive, Oroville, California. Board members present: Beeler, Dolan, Houx, and Yamaguchi. Board members not present: Josiassen. Also present: Marion Reeves, Acting Clerk.

Consent Agenda

02-008 1. Resolution Allocating Staffing Classifications and Salaries - consideration of a resolution which allocates the classifications and salaries for the 5 anticipated Public Authority employees as detailed in the Implementation Plan - action requested - ADOPT RESOLUTION 2002-01 AND AUTHORIZE THE CHAIR TO SIGN.

2. Resolution Electing to be Subject to Public Employees' Retirement System and Fixing Employer's Contribution - consideration of a resolution which will provide for the Authority to be subject to the Public Employee's Medical and Hospital Care Act and fixing the employer's contribution - action requested - ADOPT RESOLUTION 2002-02 AND AUTHORIZE THE CHAIR TO SIGN. (**824)

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

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

02-009 Public Comment (**832) (NONE)

August 13, 2002

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED THE MEETING AT 12:49 P.M. AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

Butte County Board of Supervisors Continued Regular Agenda

Public Comment

02-255 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. (**847) (NONE)

02-256 **Closed Session**
Recess:

THE BOARD RECESSED AT 12:50 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. WASTE MANAGEMENT MUNICIPAL SERVICES OF CALIFORNIA, INC., BUTTE COUNTY SUPERIOR COURT CASE NO. 127637; CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICATION EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE; CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 874 E. 20TH STREET, CHICO. AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: GARNETT L. AND CAROLINE M. BLUNKALL. UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT; AND CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: APN 004-178-002. AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: KING OF KINGS CHURCH. UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT. (**858)

August 13, 2002

02-256

Reconvene:

THE BOARD RECONVENED AT 1:56 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. WASTE MANAGEMENT MUNICIPAL SERVICES OF CALIFORNIA, INC., BUTTE COUNTY SUPERIOR COURT CASE NO. 127637; CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICATION EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE; CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 874 E. 20TH STREET, CHICO. AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: GARNETT L. AND CAROLINE M. BLUNKALL. UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT; AND CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: APN 004-178-002. AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR. NEGOTIATING PARTIES: KING OF KINGS CHURCH. UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT. (**916) (NO ANNOUNCEMENTS)

Public Hearing and Timed Items

02-257

Public Hearing - Butte County Fiscal Year 2002-2003 Final Budget - action requested:

1. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
2. CONTINUE HEARING OPEN TO TUESDAY, AUGUST 27, 2002;
3. DIRECT THAT CONSIDERATION OF THE ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2002-2003 BE PLACED ON THE AGENDA OF SEPTEMBER 10, 2002.

SPECIAL NOTE: Persons wishing to offer testimony for Board consideration during the final budget hearing should take note of California Government Code Section 29088, which states, in part, "...increases or additions (to the proposed budget) shall not be made after the public hearing, unless the items were proposed in writing and filed with the Clerk of the Board before the close of the public hearing." (**928)

HEARING CONVENEED: 1:56 P.M.

PRESENTATION TO THE BOARD BY PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER AND DAVE HOUSER, AUDITOR-CONTROLLER.

August 13, 2002

02-257 DEPARTMENT PRESENTATIONS:

2:30 P.M. - PROBATION: PRESENTATION BY SEAN FARRELL, DEPUTY ADMINISTRATIVE OFFICER AND JOHN WARDELL, CHIEF PROBATION OFFICER. (**2071)

2:33 P.M. - FIRE: PRESENTATION BY CYNDI MANN, DEPUTY ADMINISTRATIVE OFFICER AND BILL SAGER, FIRE WARDEN. (**2325)

RECESS: 2:53 P.M.

RECONVENE: 3:04 P.M.

Public Hearing and Timed Items

02-257 Public Hearing - Butte County Fiscal Year 2002-2003 Final Budget - action requested:

1. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
2. CONTINUE HEARING OPEN TO TUESDAY, AUGUST 27, 2002;
3. DIRECT THAT CONSIDERATION OF THE ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2002-2003 BE PLACED ON THE AGENDA OF SEPTEMBER 10, 2002. (****47)

SPECIAL NOTE: Persons wishing to offer testimony for Board consideration during the final budget hearing should take note of California Government Code Section 29088, which states, in part, "...increases or additions (to the proposed budget) shall not be made after the public hearing, unless the items were proposed in writing and filed with the Clerk of the Board before the close of the public hearing."

HEARING RECONVENED: 3:04 P.M.

DEPARTMENT PRESENTATIONS CONTINUED:

3:04 P.M.- SHERIFF-CORONER: PRESENTATION BY SEAN FARRELL, DEPUTY ADMINISTRATIVE OFFICER, SCOTT MACKENZIE, SHERIFF-CORONER, AND BECKY BLAINE, PRINCIPAL ANALYST. (****57)

HEARING AND MEETING RECESSED AT 3:40 P.M. TO RECONVENE ON WEDNESDAY, AUGUST 14, 2002, AT 9:00 A.M.

August 13, 2002

RECONVENE: WEDNESDAY, AUGUST 14, 2002, 9:00 A.M., BOARD OF SUPERVISORS CHAMBERS, 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. (****1250)

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Public Hearing and Timed Items

02-257 Public Hearing - Butte County Fiscal Year 2002-2003 Final Budget - action requested:

1. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
2. CONTINUE HEARING OPEN TO TUESDAY, AUGUST 27, 2002;
3. DIRECT THAT CONSIDERATION OF THE ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2002-2003 BE PLACED ON THE AGENDA OF SEPTEMBER 10, 2002. (****1273)

SPECIAL NOTE: Persons wishing to offer testimony for Board consideration during the final budget hearing should take note of California Government Code Section 29088, which states, in part, "...increases or additions (to the proposed budget) shall not be made after the public hearing, unless the items were proposed in writing and filed with the Clerk of the Board before the close of the public hearing."

HEARING RECONVENED: 9:19 A.M.

DEPARTMENT PRESENTATIONS CONTINUED:

9:19 A.M.- DEVELOPMENT SERVICES: PRESENTATION BY CYNDI MANN, DEPUTY ADMINISTRATIVE OFFICER, AND YVONNE CHRISTOPHER, DIRECTOR-DEVELOPMENT SERVICES. (****1280)

10:02 A.M. - PUBLIC WORKS: PRESENTATION BY CYNDI MANN, DEPUTY ADMINISTRATIVE OFFICER, AND MIKE CRUMP, DIRECTOR-PUBLIC WORKS. (****2935) (****00)

RECESS: 10:54 A.M.

RECONVENE: 11:06 A.M.

August 13, 2002

Public Hearings and Timed Items

02-257 Public Hearing - Butte County Fiscal Year 2002-2003 Final Budget -
action requested:

1. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
2. CONTINUE HEARING OPEN TO TUESDAY, AUGUST 27, 2002;
3. DIRECT THAT CONSIDERATION OF THE ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2002-2003 BE PLACED ON THE AGENDA OF SEPTEMBER 10, 2002. (*****1500)

SPECIAL NOTE: Persons wishing to offer testimony for Board consideration during the final budget hearing should take note of California Government Code Section 29088, which states, in part, "...increases or additions (to the proposed budget) shall not be made after the public hearing, unless the items were proposed in writing and filed with the Clerk of the Board before the close of the public hearing."

DEPARTMENT PRESENTATIONS CONTINUED:

11:06 A.M.- EMPLOYMENT AND
SOCIAL SERVICES: PRESENTATION BY GREG ITURRIA,
DEPUTY ADMINISTRATIVE OFFICER, PAT
CRAGAR, DIRECTOR-EMPLOYMENT AND
SOCIAL SERVICES, AND MARY ANDES,
ASSISTANT DIRECTOR-EMPLOYMENT AND
SOCIAL SERVICES. (*****1511)

11:24 A.M. - BEHAVIORAL HEALTH: PRESENTATION BY GREG ITURRIA,
DEPUTY ADMINISTRATIVE OFFICER,
BRAD LUCE, DIRECTOR-BEHAVIORAL
HEALTH, AND AMY WILNER,
ACCOUNTING SUPERVISOR.
(*****2281)

REQUEST FOR PUBLIC COMMENT: NONE.

HEARING RECESSED AT 12:02 P.M. TO RECONVENE ON AUGUST 27, 2002, AT 1:30 P.M.

August 13, 2002

Adjournment:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 12:03 P.M. TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, AUGUST 27, 2002, AT 9:00 A.M.

Curt Josiassen, Chair

ATTEST:

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

By: _____