

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

November 12, 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 - Reverend Bob Biehler, Paradise United Methodist Church.

Changes and/or corrections to the agenda. (100)

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

- 02-337 1. Runaway Homeless Youth Administration Grant Funds - Board approval is requested by the Butte County Department of Behavioral Health to accept and appropriate \$104,608 in additional Runaway Homeless Youth Administration Grant funds. The County's grant award was increased from \$95,000 to \$199,608 - action requested - APPROVE BUDGET TRANSFER B-122 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE. (132)

Consent Agenda

- 02-338 1. Approval of Minutes - action requested - APPROVE MINUTES OF AUGUST 13, 2002.
2. Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-109 (PUBLIC HEALTH/FACILITIES SERVICES); B-115 (EMERGENCY SERVICES/APPROPRIATION FOR CONTINGENCIES); B-116 (LIBRARY BOOK TRUST FUND); AND B-117 (FACILITIES SERVICES). All budget transfers listed above require a 4/5 vote.
3. Library Donations - pursuant to Government Code Section 25355, donations of \$240 from the Gridley 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.

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4. Butte County Housing Authority Board - action requested - REAPPOINT LEONARD WHITEGON, DISTRICT 3 REPRESENTATIVE, TO A TERM TO END JANUARY 9, 2007.
5. Land Conservation Act - Applications for Inclusion - by unanimous vote the Land Conservation Act Advisory Committee has recommended approval of the following ten applications for land conservation act agreements: 1) L.C. Properties, APNs 038-110-015 and 016 (321.5 acres), field crop agreement; 2) Palmer H. Hatch, APNs 021-020-007, 008, and 022-050-029 (448.92 acres), field crop agreement; 3) Schohr Family Trust, APN 022-050-015 (317.43 acres), field crop agreement; 4) Margaret Arms, APN 047-130-173 (53+ acres), orchards agreement; 5) Harry W. McGowan, APNs 047-080-047, 047 and 048 (117 acres), orchards agreement; 6) Harry and Theresa McGowan Family Trust, APN 047-100-151 (157 acres), orchards agreement; 7) Norman R. Witt, APN 041-110-072 (203 acres), grazing agreement (approval subject to submission of a preliminary title report by applicant); 8) Clyde and Thora BoHannon, APNs 029-090-006, 007, 009, 030, 031, 039, 041, and 043 (300 acres), field crop agreement (approval subject to the parcels being merged prior to recordation of the agreement); 9) Clyde and Thora BoHannon, APNs 038-140-048, 049, 050, 051, 058, 059, 060 and 061 (336.4 acres) field crop agreement (approval subject to the parcels being merged prior to recordation of the agreement); and 10) James and Geraldine Pavia, APN 047-150-062/portion (240 acres) orchards agreement (approval subject to a merger of a 4.67 acre parcel and 17 acre parcel prior to recordation of the agreement). By a unanimous vote, the Land Conservation Act Advisory Committee has recommended the Board deny the application for Robert E. Allen, APN 042-280-035 (20.05 acres), orchards agreement. The Committee found that there is no history of an orchard or evidence that an orchard can be supported on the property - action requested - APPROVE THE ABOVE-LISTED 10 APPLICATIONS RECOMMENDED FOR APPROVAL, SUBJECT TO THE REQUIRED PROVISIONS, AND DENY THE APPLICATION FOR ROBERT E. ALLEN, APN 042-280-035.
6. Trailer Purchase - Board approval is requested by the Sheriff's Office for the fixed asset purchase of a 24-foot enclosed trailer to transport the County owned snowmobiles in support of the Off-Highway Motor Vehicle Enforcement grant program. The estimated cost of the trailer is \$6,000 and Board approval is also requested for a budget transfer from the Off-Highway Motor Vehicle Trust Fund to provide for the purchase - action requested - APPROVE BUDGET TRANSFER B-111 (4/5 vote required); AND APPROVE FIXED ASSET PURCHASE OF TRAILER IN THE ESTIMATED AMOUNT OF \$6,000.

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7. Polyacrylate Jute Sandbags for Flood Preparation - Board approval is requested by the Emergency Services Officer to purchase 17,600 polyacrylate jute sandbags for distribution to members of the public during flood events. The new type of bag has a shelf-life of ten years and will allow the County to store the bags for future flood events. The cost of the bags is \$73,400, and Board approval is also requested for a transfer of funds from the Appropriation for Contingencies fund to provide for the purchase - action requested - APPROVE BUDGET TRANSFER B-114 (4/5 vote required); AND APPROVE PURCHASE OF 17,600 POLYACRYLATE JUTE BAGS FOR FLOOD PROTECTION.
8. Monthly Investment Report - the Treasurer-Tax Collector submits the September 30, 2002, report in accordance with the Statement of Investment Policy dated July 1, 2002, - action requested - ACCEPT FOR INFORMATION.
9. Refunding Certificates of Participation - Board approval is requested by the Treasurer-Tax Collector to assemble a team to structure a refinancing of the outstanding debt used to construct the expansion of the Court (1993 Justice Facility Project). The team would include representatives from the Auditor-Controller, Administration and Treasurer. The approval would also include retention of bond counsel and a firm of underwriters - action requested - AUTHORIZE THE TREASURER-TAX COLLECTOR TO ASSEMBLE A TEAM TO STRUCTURE A REFINANCING OF THE OUTSTANDING CERTIFICATES OF PARTICIPATION FOR THE 1993 JUSTICE FACILITY PROJECT.
10. Department of Employment and Social Services Budget Adjustments - Board approval is requested by the Department of Employment and Social Services for adjustments to the department's 570 Administrative Budget Units as a result of State budget adjustments. Due to the delay in receipt of the final allocation letters, these adjustments were not included in the 2002-2003 Final Budget - action requested - APPROVE BUDGET TRANSFER B-128 (4/5 vote required) PROVIDING EXPENDITURE REDUCTIONS AND SHIFTS AS DETAILED IN ATTACHMENT B OF THE STAFF REPORT AND APPROVING CHANGES IN REVENUES AND ACCEPTING AND APPROPRIATING NEW REVENUES AS DETAILED IN ATTACHMENT C OF THE STAFF REPORT.

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11. Public Health Revenue Adjustments - Board approval is requested by the Public Health Department for adjustments to the department's revenue accounts. The department contracts with the Department of Employment and Social Services for various services. Reductions to the Department of Employment and Social Services' budget have resulted in reductions in contract services, including contract services with the Public Health Department. As a result of these reductions, Board approval is requested to reduce the Public Health Department's General Services revenue account (4611061) by \$260,000. To cover the decrease to the department's budgeted revenues, the department is proposing to utilize Bioterrorism Grant funds (\$80,000) and Realignment funds (\$180,000), and Board approval is also requested to transfer and accept the revenue funds - action requested - APPROVE BUDGET TRANSFER B-110 (4/5 vote required) DECREASING ANTICIPATED REVENUE IN BUDGET UNIT 540.001, REVENUE CODE 4611061 BY \$260,000 AND INCREASING ANTICIPATED REVENUE IN BUDGET UNIT 540.001, REVENUE CODE 4512705 BY \$80,000 AND REVENUE CODE 4510905 BY \$180,000.
12. Public Works Department - Budget Appropriations for Stirling City Wastewater Upgrade - Board approval is requested to accept and appropriate ~~\$123,170~~ \$100,000 of Community Development Block Grant funds and \$23,170 in County Service Area No. 82 fund to be used in the reconstruction project on the Stirling City Sewer System. Part of the allocation of these funds includes the reduction in SB45 revenues to offset staffing costs covered by Community Development Block Grant funds - action requested - APPROVE BUDGET TRANSFER B-120 (4/5 vote required) ACCEPTING AND ALLOCATING FUNDS AS DETAILED IN THE REVISED AGENDA REPORT, AND REDUCING SB45 REVENUE CODE 4516112 IN THE AMOUNT OF \$14,859.
13. Chico Unified School District - Focus on the Future Revenue - Board approval is requested by the Probation Department to accept and appropriate \$12,534 in unanticipated revenue received from the Chico Unified School District for the provision of a Probation Officer 3 hours a day in support of the Focus on the Future program - action requested - APPROVE BUDGET TRANSFER B-125 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.
14. Juvenile Justice Crime Prevention Act of 2000 - Financial Report - the Probation Department submits annual Progress Reports for Juvenile Justice Crime Prevention Act funds pursuant to the requirements of the California State Board of Corrections - action requested - ACCEPT AS INFORMATION.

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15. Supportive and Therapeutic Options Program Grant Funds - Board approval is requested by the Butte County Department of Behavioral Health to accept and appropriate \$2,635 in additional Supportive and Therapeutic Options Program Grant funds. The department's budget included an award amount of \$55,878. The actual grant award received was \$58,513 - action requested - APPROVE BUDGET TRANSFER B-119 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE.
16. Reduction in Revenues - Department of Employment and Social Services Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health to reduce the budgeted revenues in the department's Interfund Welfare revenue accounts in the total amount of \$215,110 as a result of State funding reductions to the Department of Employment and Social Services. The funding reductions have necessitated reductions in contracted services, including the Memorandum of Understanding with the Behavioral Health Department - action requested - APPROVE BUDGET TRANSFER B-121 (4/5 vote required) MAKING REVENUE REDUCTIONS AS DETAILED IN THE AGENDA REPORT.
17. Reduction in Revenues - Department of Employment and Social Services Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health to reduce the budgeted revenues in the department's Interfund Welfare-FPSP revenue account in the total amount of \$2,000 as a result of State funding reductions to the Department of Employment and Social Services. The funding reductions have necessitated reductions in contracted services, including the Memorandum of Understanding with the Behavioral Health Department - action requested - APPROVE BUDGET TRANSFER B-118 (4/5 vote required) MAKING REVENUE REDUCTIONS AS DETAILED IN THE AGENDA REPORT.
18. Butte County Fair Operating Budget 2003 - Board approval is requested by the Butte County Fair Association for the Butte County Fair Operating Budget for 2003 - action requested - APPROVE BUDGET AND AUTHORIZE THE CHAIR TO SIGN.

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19. Relocation and Office Expansion Funding Request - Board approval is requested by the District Attorney for a transfer from the Appropriation for Contingencies in the amount of \$62,820 to supplement departmental funds to complete an office expansion and relocation project. The District Attorney's Office had originally planned to expand their offices at 25 County Center Drive to occupy space recently vacated by the Purchasing Division. The movement of all criminal cases to the Oroville Court has necessitated amending the expansion plan to include the space needed for the six staff members relocating to the Oroville Office from Chico . The adjusted cost of the revised expansion plan is \$114,290. The department will utilize prior year funds and current year departmental funds in the amount of ~~\$51,470~~ \$53,470 - action requested - APPROVE BUDGET TRANSFER B-126 (4/5 vote required) TRANSFERRING, ACCEPTING AND APPROPRIATING ~~\$62,820~~ \$60,405 IN APPROPRIATION FOR CONTINGENCIES FUNDS.
20. National Children's Alliance - Program Support Grant - Board approval is requested by the District Attorney to accept and appropriate \$4,073 in unexpended fiscal year 2001-2002 National Children's Alliance Program Support Grant funds. The department has received approval from the National Children's Alliance to expend the funds by December 31, 2002 - action requested - APPROVE BUDGET TRANSFER B-124 (4/5 vote required) ACCEPTING AND APPROPRIATING \$4,073.28 IN PRIOR YEAR GRANT FUNDS.
21. Office of Criminal Justice Planning - Statutory Rape Vertical Prosecution Grant - Board approval is requested by the District Attorney to accept and appropriate unexpended fiscal year 2001-2002 Statutory Rape Vertical Prosecution Grant funds. The Office of Criminal Justice Planning has set the carryover amount at \$11,823 - action requested - APPROVE BUDGET TRANSFER B-123 (4/5 vote required) ACCEPTING AND APPROPRIATING \$11,823 IN PRIOR YEAR GRANT FUNDS.
22. Adoption of an Ordinance Adopting a Revision of the Butte County Code - Board approval is requested by the Clerk of the Board for an ordinance which will adopt a revised, reformatted and reprinted version of the Butte County Code. Copies of the republished Butte County Code are on file and available for inspection and use in the County Clerk-Recorders Office pursuant to Government Code Section 25128 - action requested - ADOPT ORDINANCE 3836 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 10-22-02 [3.18])

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23. Resolution to Amend the Salary Ordinance - the Human Resources Department has prepared a resolution to amend the salary ordinance as follows: SHERIFF-CORONER-SERVICES - deletes two flexibly staffed positions of Public Safety Dispatcher/Public Safety Dispatcher Trainee (with sunset dates of 6-30-02), and adds two flexibly staffed positions of Public Safety Dispatcher/Public Safety Dispatcher Trainee. DEVELOPMENT SERVICES-BUILDING INSPECTION - deletes the budget unit as a result of all positions being transferred to the Development Services Department 440-001 budget unit. DEVELOPMENT SERVICES-PLANNING - deletes the budget unit as a result of all positions being transferred to the Development Services Department 440-001 budget unit. PUBLIC HEALTH-GENERAL SERVICES - extends the sunset date of one position of Public Health Nurse II and one flexibly staffed position of Public Health Assistant II/I from December 31, 2002, to December 31, 2003. Adds one half-time position of Public Health Nutritionist and one flexibly staffed position of Public Health Assistant II/I. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes two flexibly staffed positions of Mental Health Clinician II/I. Adds one flexibly staffed position of Medical Records Technician II/I and one flexibly staffed position of Information Systems Analyst II/I. BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - deletes two flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - adds two positions of Administrative Analyst III. EMPLOYMENT AND SOCIAL SERVICES-SERVICES - adds two flexibly staffed positions of Social Worker IV/III. LIBRARY - deletes three positions of Library Assistant I (with sunset dates of 9-30-03). Adds three flexibly staffed positions of Library Assistant II/I (with sunset dates of 9-30-03). NEAL ROAD SANITARY LANDFILL (MANAGEMENT) - adds two new classifications: Senior Landfill Scale Attendant and Landfill Scale Attendant. Adds one position of Senior Landfill Scale Attendant and two positions of Landfill Scale Attendant. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATIONS - sets the hourly rate of pay for the newly created classifications of Senior Landfill Scale Attendant (\$12.66 - \$15.39) and Landfill Scale Attendant (\$11.24 - \$13.67) - action requested - ADOPT RESOLUTION 02-185 AND AUTHORIZE THE CHAIR TO SIGN.
24. Resolution Designating the Authorized Representative for the Open Space Subvention Act - Board approval is requested by the Assessor for a resolution which will designate Fred Holland, Senior Appraiser, as the County's Authorized Representative to certify and sign the requests for payment from the State of California for payments under the Open Space Subvention Act - action requested - ADOPT RESOLUTION 02-186 AND AUTHORIZE THE CHAIR TO SIGN.

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25. Resolution Approving the Butte County Hazard Communication Program - Board approval is requested by the Safety Officer for a resolution which approves changes to the County's Hazard Communication Programs to comply with the provisions of Title 8, California Code of Regulations Section 5194 - action requested - ADOPT RESOLUTION 02-187 AND AUTHORIZE THE CHAIR TO SIGN.
26. Resolution Recognizing Supervising Juvenile Hall Counselor Carlos Saucedo as Recipient of the State Meritorious Service Award for Supervisors - action requested - ADOPT RESOLUTION 02-188 AND AUTHORIZE THE CHAIR TO SIGN.
27. Resolution Recognizing the 150th Anniversary of the Enterprise Record - action requested - ADOPT RESOLUTION 02-189 AND AUTHORIZE THE CHAIR TO SIGN.
28. Resolution Prohibiting Stopping, Parking or Standing of Vehicles, South Side of Speedway Avenue from a Point Beginning 600 Feet East of Midway to 1,580 Feet East of Midway - Board approval is requested by the Public Works Department for a resolution which will create a no-parking zone on the south side of Speedway Avenue, south Chico area - action requested - ADOPT RESOLUTION 02-190 AND AUTHORIZE THE CHAIR TO SIGN.
29. Rehabilitation of 12th Street from Grand Avenue to Nelson Avenue - County Project No. 26451-99-1 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the increasing amount of \$9,263.16, provides for compensation to the contractor for additional costs incurred in the construction of storm drain facilities, the removal of a Type A dike and placement of a Type C low dike, and the placement of backfill behind the dike at various locations. The CCO is 100% reimbursable through the State Transportation Improvement Program - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.
30. Rehabilitation of 12th Street from Grand Avenue to Nelson Avenue - County Project No. 26451-99-1 - Contract Change Order (CCO) No. 2 - CCO No. 2, in the increasing amount of \$34,335, provides for compensation to the contractor for right-of-way delays and extra work resulting from Pacific Gas and Electric Company delays. The Public Works Department intends to pay the contractor for the costs and then to make a claim to Pacific Gas and Electric for repayment. The CCO is 100% reimbursable through the State Transportation Improvement Program - action requested - APPROVE CCO NO. 2 AND AUTHORIZE THE CHAIR TO SIGN.

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31. Excavation of Module 4, Phase A, at the Neal Road Sanitary Landfill - County Project No. 757-02-01 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the increasing amount of \$52,230 provides for additional excavation work needed as a result of design changes which became necessary after work had begun, and one day of idle equipment charges. Funding for the CCO is available in the Neal Road Landfill Management Fund - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.
32. Excavation of Module 4, Phase A, at the Neal Road Sanitary Landfill - County Project No. 757-02-01 - Contract Change Order (CCO) No. 2 - CCO No. 2, in the increasing amount of \$117,980, provides for additional excavation work needed as a result of design changes. Funding for the CCO is available in the Neal Road Landfill Management Fund - action requested - APPROVE CCO NO. 2 AND AUTHORIZE THE CHAIR TO SIGN.
33. Reconstruction of Centerville Road Bridge Across Butte Creek - County Project No. 54345-97-1 - Contract Change Order (CCO) No. 2 - CCO No. 2, in the increasing amount of \$4,601.05, provides for an adjustment in compensation at an agreed lump sum price for extra work, an additional 11.25 linear feet of asphalt concrete dike, and an additional 3.5 linear feet of 18" HDPE plastic pipe - action requested - APPROVE CCO NO. 2 AND AUTHORIZE THE CHAIR TO SIGN.
34. Reconstruction of Centerville Road Bridge Across Butte Creek - County Project No. 54345-97-1 - Notice of Completion - the project consisted of the placement of a 32' 8" x 165' single span cast-in-place pre-stressed box girder bridge. All contract 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.
35. Construction of a Bicycle Path and Roadway Rehabilitation on Palermo Road - County Project No. 18451-95-1 - Notice of Completion - the project consisted of the construction of a bicycle path and overlay of the adjacent roadway with concrete. All contract 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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36. Introduction of a Speed Zone Ordinance for Various County Roads - based on citizen concerns and staff studies, Board approval is requested by the Public Works Department for an ordinance which sets prima facie speed limits on various segments of County maintained roads as follows: 25 MPH - Arroyo Drive (from Kelly Ridge Road to Bidwell Canyon Road), Royal Oaks Drive (from Kelly Ridge Road to Arroyo Drive), Lodgeview Drive (from Kelly Ridge Road to Arroyo Drive), Lodgeview Drive (from Hillcrest Avenue to Kelly Ridge Drive), Lodgeview Drive (from Hillcrest Avenue to Riverview Drive), Silver Leaf Drive (from Chaparral Drive to Lodgeview Drive), Silver Leaf Drive (from Lodgeview Drive to Lodgeview Drive), Apache Circle (from Lodgeview Drive to Lodgeview Drive), Montrose Drive (from Royal Oaks Drive to Arroyo Drive), Jack Hill Drive (from Royal Oaks Drive to Royal Oaks Drive), Chaparral Drive (from Royal Oaks Drive to Kelly Ridge Drive), Greenbrier Drive (from Royal Oaks Drive to Silver Leaf Drive), Oak Hill Drive (from Royal Oaks Drive to LaForet Drive), LaForet Drive (from Oak Hill Drive to Greenbrier), and Decatur Drive (from Creston Road to Skyway [Paradise Pines area]). 35 MPH - Mt. Ida Road (from Oroville Bangor Highway to Old Olive Highway) - action requested - WAIVE READING OF THE ORDINANCE.
37. Tri-County Economic Development Corporation - Master Subrecipient Agreement - Amendment - Board approval is requested by the Administrative Office for an amendment to the Master Subrecipient Agreement with Tri-County Economic Development Corporation as a requirement of Community Development Block Grant (CDBG) regulations for the management of CDBG activities. The agreement allows Tri-County Economic Development Corporation to provide services such as preparation of grant applications, implementation of projects funded by grant awards, and administration of projects on behalf of the County. The amendment revises Section 6 (G) to allow the Chief Administrative Officer, or his designee, to authorize work under the Master Subrecipient Agreement to the same limit authorized by current County policy for professional or consultant services (currently a limit of \$25,000). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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38. Montgomery Watson Harza (MWH) Americas, Inc. - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with MWH Americas, Inc., for the provision of groundwater monitoring services in the Chico Urban Area. The amendment revises the scope of work to include services to support development of a revised monitoring program as a result of the Regional Water Quality Control Board's requirement that the County install new monitoring wells, extends the term of the agreement to June 30, 2003, and increases the maximum amount payable by \$15,000 (CSA 114 budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13262)
39. Hughes, Perry & Associates - Board approval is requested by the Administrative Office for an agreement with Hughes, Perry & Associates to conduct a study to evaluate alternatives for the delivery of indigent defense services (Public Defender services). The Administrative Office distributed a Request For Proposal and is recommending the Board approve an agreement with Hughes, Perry & Associates. The firm submitted the proposal with the lowest bid, and the project team has specific knowledge of Butte County criminal justice programs. The report is to be completed in 12 weeks, at a cost of \$39,000 (Administrative Office) - action requested - APPROVE AGREEMENT WITH HUGHES, PERRY & ASSOCIATES AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
40. 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 grant agreement with the State of California-Department of Alcohol and Drug Programs for funds to support the Comprehensive Drug Court Implementation Program. The amendment extends the period of time the department can expend year one funds to December 28, 2002. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION 02-191 APPROVING AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40325)

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41. 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 grant agreement with the State of California-Department of Alcohol and Drug Programs for funds to support the Drug Court Partnership Program. The amendment extends the period of time the department has to expend project year 4 funds through June 30, 2003, and increases the maximum payable to the County by \$54,183. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION 02-192 APPROVING AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40153)
42. FamiliesFirst, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with FamiliesFirst, Inc., for the provision of specialized treatment to seriously emotionally disturbed adolescent clients. The amendment decreases the maximum amount payable by \$40,460. 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.
43. Mary Lou Mua - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Mary Lou Mua for the provision of translation services for Hmong and Laotian clients. The amendment increases the maximum amount payable by \$100 for fiscal year 2001-2002 (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. X13348)
44. Chico Community Shelter Partnership - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Chico Community Shelter Partnership for the provision of services to the mentally ill homeless population to assist in obtaining support services through local agencies. The amendment decreases the maximum amount payable by \$18,272. 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. X13667)
45. Willow Glen Care Center - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Willow Glen Care Center for the provision of full day rehabilitation services. The amendment decreases the maximum amount payable by \$16,898. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.

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46. Thomas Lancaster, M.D. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Thomas Lancaster, M.D. for the provision of medical services in the specialized field of psychiatry. The amendment revises the schedule of services to be delivered and increases the maximum amount payable for fiscal year 2002-2003 by \$5,400 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11300)
47. North Valley Parent Education Network - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with North Valley Parent Education Network for the provision of drug free counseling to individuals referred under the Substance Abuse Crime Prevention Act or Drug Court. The amendment adds outpatient drug free individual counseling services and increases the maximum amount payable by \$15,000 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13676)
48. Matson & Isom Technology Consulting - Board approval is requested by the Department of Child Support Services for an agreement with Matson & Isom Technology Consulting for web site housing services. The term of the agreement is continuous until terminated by either party and has a yearly maximum amount payable of \$720 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13476)
49. Butte County District Attorney/Child Support Services - Plan of Cooperation for Fiscal Year 2002-2003 - Board approval is requested by the Department of Child Support Services for a Plan of Cooperation and Interagency Agreement with the District Attorney's Office. The agreement is a requirement of the State and describes the responsibilities for each department for investigation and prosecution of criminal cases involving non-payment of child support. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the District Attorney's Office of \$339,074 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13848)

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50. Regional and Economic Sciences - Agreement Revision - Board approval is requested by County Counsel for a revision to the agreement with Regional Economic Sciences for research related to the analysis of the socio-economic impact of Project 2100 (the Lake Oroville Dam) on the economy of Butte County, and to assist the County in efforts to establish a scientifically supportable position from which to negotiate with the State Department of Water Resources in the Federal Energy Regulatory Commissions' re-licensing process. This agreement was initially approved on August 27, 2002. Subsequent to that approval, the Auditor's Office requested the agreement be revised to include a maximum amount payable of \$50,000 without written authorization of the County. All other terms and provisions remain the same - action requested - APPROVE REVISED AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13877)

51. Denise Cangiano, MFT - Amendment - Board approval is requested by the Department of Employment and Social Services for a prior year amendment to the agreement with Denise Cangiano, MFT, for the provision of parenting classes and therapy services to teens and pre-teens. The amendment increases the maximum amount payable by \$3,265 (department budget) for additional services provided. The amendment was prepared near the end of the fiscal year, but final approval and signatures were not completed before the end of the fiscal year. The department certifies that services were rendered by the contractor in accordance with the terms of the agreement and that sufficient appropriations are available in the fiscal year 2002-2003 budget to fund the amendment - action requested - APPROVE PRIOR YEAR AGREEMENT AND PAYMENT OF SERVICES AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11802)

52. Edith Lopez, Ph.D. - Board approval is requested by the Department of Employment and Social Services for a prior year agreement with Edith Lopez, Ph.D., for the provision of psychological evaluation services. The term of the agreement was April 1, 2002, through June 30, 2002, with a maximum amount payable of \$2,000 (Child Welfare Services funds). Billing for the agreement was not received prior to the end of the fiscal year. The department certifies that the services were rendered by the vendor in accordance with the terms of the agreement and that sufficient appropriations are available in the fiscal year 2002-2003 budget to cover the cost of the agreement - action requested - APPROVE PRIOR YEAR AGREEMENT AND PAYMENT OF SERVICES AND AUTHORIZE THE CHAIR TO SIGN.

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53. Butte County Department of Public Health/Department of Employment and Social Services - Memorandum of Understanding - Board approval is requested by the Department of Employment and Social Services for a Memorandum of Understanding with the Department of Public Health for the provision of alcohol and drug testing services. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$80,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13800)
54. Youth For Change - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Youth For Change for the provision of the SB 163 Wraparound Program. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$485,730 for fiscal year 2002-2003 (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. X11965)
55. Northern California Youth and Family Programs - Board approval is requested by the Department of Employment and Social Services for an agreement with Northern California Youth and Family Programs for the provision of the Independent Living Program. The term of the agreement is July 1, 2002, through June 30, 2004, with a maximum amount payable for each fiscal year of \$230,000 (department budget/State funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13868)
56. Butte County In-Home Supportive Services Public Authority - Interagency Agreement - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the interagency agreement with the Butte County In-Home Supportive Services Public Authority which sets forth the respective responsibilities of the County and the Authority for administration of the In-Home Supportive Services program. The amendment adds requirements regarding confidentiality and further clarifies the responsibilities of the County departments and Authority. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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57. Fresh and Clean Janitorial - Amendment - Board approval is requested by the General Services Director for an amendment to the agreement with Fresh and Clean Janitorial for the provision of janitorial services to County leased buildings. The amendment extends the term of the agreement for one year and increases the square footage of building space covered. The increased square footage increases the maximum amount payable by \$447 per month, for a total of \$3,344 per month (maximum amount not to exceed \$40,128 [Facilities Services 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. X11760)
58. Life Insurance Company of North America - Amendment - Board approval is requested by the Human Resources Department for an amendment to the agreement with Life Insurance Company of North America for the provision of life insurance benefits to County employees. The amendment revises the agreement by adding the additional class of "Public Authority Employees" to the agreement to allow for the provision of life insurance benefits to Butte County In-Home Supportive Services Public Authority employees. 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.
59. Standard Insurance Company - Amendment - Board approval is requested by the Human Resources Department for an amendment to the agreement with Standard Insurance Company for the provision of long-term disability benefits to County employees. The amendment revises the agreement to add the Butte County In-Home Supportive Services Public Authority as an employer under the umbrella of Butte County to allow for the provision of long-term disability benefits to Public Authority employees. 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.
60. Managed Health Network - Board approval is requested by the Human Resources Department for a renewal agreement with Managed Health Network for the provision of the Employee Assistance Program. The term of the agreement is through June 30, 2003, and will renew automatically in one year increments. The cost of the agreement is based on the number of employees covered (currently 2,200), with an employee rate of \$9.11 per eligible employee per month (an increase of \$0.75 per employee per month/Human Resources Department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13882)

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61. California State Library - Library Services and Technology Act Grant Program - Board approval is requested by the Director of Libraries to apply to the California State Library for continued funding under the Library Services and Technology Act Grant Program. The County received \$83,311 in grant funds in fiscal year 2002-2003 and is requesting Board permission to apply for a continuance grant in the amount of \$50,000 for fiscal year 2003-2004 - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR OF LIBRARIES TO SIGN.
62. Inland Business Systems - Board approval is requested by the Director of Libraries for a maintenance agreement with Inland Business Systems for repair and maintenance services for a reader printer. The term of the agreement is September 26, 2002, through September 26, 2003, with a maximum amount payable of \$667 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13843)
63. Kennedy/Jenks Consultants - Amendment - Board approval is requested by the Public Works Department for an amendment to the agreement with Kennedy/Jenks Consultants for monitoring services of supernatant and leachate liquids stored at the Neal Road Landfill. The amendment extends the term of the agreement for one year, and increases the maximum amount payable by \$17,100 (Neal Road Landfill Management Fund). 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. X11847)
64. Waste Recovery West, Inc. - Amendment - Board approval is requested by the Public Works Department for an amendment to the agreement with Waste Recovery West, Inc., for the provision of waste tire removal and recycling services at the Neal Road Landfill. The amendment extends the term of the agreement through September 30, 2003, and increases the maximum amount payable by \$20,000 (Neal Road Landfill Management Fund). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11408)

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65. California State University, Chico Research Foundation - Board approval is requested by the Department of Water and Resource Conservation for an agreement with California State University, Chico Research Foundation for the provision of services in support of the Cherokee Watershed Water Quality Investigation funded by Costa/Machado Water Bond of 2000 grant funds awarded to the County in cooperation with the Cherokee Watershed Group. The term of the agreement is November 15, 2002, through February 1, 2005, with a maximum amount payable of \$107,134 (grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
66. 2003 Board of Supervisors Meeting Dates Calendar - consideration of the meeting dates calendar for 2003, including alterations of meeting dates based on holidays - action requested - ADOPT CALENDAR AND DIRECT DISTRIBUTION TO COUNTY DEPARTMENTS.
67. Advanced Step Hire - Correctional Officer - Board approval is requested by the Sheriff's Office for the advanced step hire of a Correctional Officer candidate to Step 3 of the salary range based on training and experience with the department as a regular-help and extra-help employee. Pursuant to Personnel Rule 11.5(b), the Director of Human Resources recommends the advanced step hire - action requested - APPROVE ADVANCED STEP HAIR OF A CORRECTIONAL OFFICER CANDIDATE TO STEP 3 OF THE SALARY RANGE.
68. Review of the Existence of a Local Emergency - on September 24, 2002, the Board of Supervisors confirmed the existence of an agricultural state of disaster in Butte County as a result of drought conditions and the effects of those conditions on local livestock. Pursuant to Government Code Section 8630, the Board must review the need for continuing the state of local emergency at its regularly scheduled meetings until the local emergency is terminated. The Agricultural Commissioner informs the Board that the need for a continued state of local emergency is needed - action requested - CONTINUE STATE OF LOCAL EMERGENCY. (139)

MOTION:

I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.12 AMENDED TO CLARIFY THAT THE \$123,170 IN UNANTICIPATED REVENUE IS DIVIDED AS FOLLOWS: \$100,000 IN COMMUNITY DEVELOPMENT BLOCK FUNDS AND \$23,170 FROM COUNTY SERVICE AREA 82 FUNDS. THE BACKUP MATERIAL FOR ITEM 3.12 AMENDED TO CORRECT THE ACCOUNT TRANSFER NUMBERS; ITEM 3.20 AMENDED TO REDUCE THE REQUESTED TRANSFER AMOUNT TO \$60,405; AND THE REMOVAL OF ITEM 3.16.

M S

VOTE:

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

November 12, 2002

CHAIR JOSIASSEN PRESENTS A RESOLUTION OF RECOGNITION TO CARLOS SAUCEDO FOR BEING A RECIPIENT OF THE STATE MERITORIOUS SERVICE AWARD FOR SUPERVISORS.

CHAIR JOSIASSEN PRESENTS A RESOLUTION RECOGNIZING THE 150TH ANNIVERSARY OF THE ENTERPRISE RECORD TO DAVID LITTLE AND WOLF ROSENBERG.

Regular Agenda

02-339 Appointments - Boards, Commissions, and Committees. (338)

1. Appointments to listed vacancies. (NONE)

02-340 Update on legislative and budget activities. (346) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INFORMED THE BOARD THAT THE LEGISLATURE HAS BEEN OUT OF SESSION. MR. MCINTOSH ALSO INFORMED THE BOARD THAT THE ADMINISTRATIVE OFFICE WILL BE MONITORING THE LEGISLATION PASSED LAST YEAR THAT TRANSFERS THE RESPONSIBILITIES OF COURT FACILITIES FROM COUNTIES TO THE STATE. THE BOARD WAS ALSO INFORMED THAT THE STATE IS NOW ESTIMATING NEXT YEAR'S DEFICIT AT \$10-15 BILLION.

02-341 Autumn Park Drive Rename Project - consideration of a name change for Autumn Park Drive to conform to the North Chico Specific Plan Area Development Regulations and Design Guidelines, Section 7.6-5. The Public Works Department conducted a survey of property owners along and near the existing segments of Autumn Park Drive. Based on the result of the returned surveys, Autumn Park Drive is proposed to be renamed Kittyhawk Drive - action requested - ADOPT A RESOLUTION SETTING A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR DECEMBER 10, 2002, AT 10:25 A.M. (457)

MOTION: I MOVE TO ADOPT RESOLUTION 02-193 SETTING A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR DECEMBER 10, 2002, AT 10:25 A.M.

S M

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

02-342 Ordinance Amending Butte County Code Chapter 19 - consideration of an ordinance amending sections 19-5, 19-9 and 19-13 of the Butte County Code pertaining to sewage disposal system permits, septic tanks and development of lots and parcels within the Chico Urban Area, and providing for the implementation of the "Chico Urban Area Nitrate Compliance Plan" - action requested - WAIVE READING OF THE ORDINANCE. (635)

MOTION: I MOVE TO WAIVE READING OF THE ORDINANCE.

S M

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

November 12, 2002

02-343 Health Insurance Portability and Accountability Act (HIPAA) Compliance Officer Position - consideration of the creation of a Compliance Officer position to perform tasks associated with the implementation of HIPAA, and support staff modifications to provide necessary clerical support - action requested - CONCUR, IN CONCEPT, WITH CREATING AND ADDING THE PROPOSED POSITION OF COMPLIANCE OFFICER, AND DIRECT STAFF TO MEET AND CONFER WITH THE APPROPRIATE EMPLOYEE ASSOCIATIONS REGARDING THE POSITION; AND CONCUR, IN CONCEPT, WITH THE PROPOSED RECLASSIFICATION OF AN EXISTING OFFICE ASSISTANT III POSITION TO A PRINCIPAL CLERK/ADMINISTRATIVE SERVICES ASSISTANT POSITION. (1138)

MOTION: I MOVE TO CONCUR, IN CONCEPT, WITH CREATING AND ADDING THE PROPOSED POSITION OF COMPLIANCE OFFICER, AND DIRECT STAFF TO MEET AND CONFER WITH THE APPROPRIATE EMPLOYEE ASSOCIATIONS REGARDING THE POSITION; AND CONCUR, IN CONCEPT, WITH THE PROPOSED RECLASSIFICATION OF AN EXISTING OFFICE ASSISTANT III POSITION TO A PRINCIPAL CLERK/ADMINISTRATIVE SERVICES ASSISTANT POSITION.

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

02-344 Butte County Integrated Watershed and Resource Conservation Program - presentation of the work plan for the Butte County Integrated Watershed and Resource Conservation Program - action requested - ACCEPT THE RECOMMENDATION OF THE BUTTE COUNTY WATER COMMISSION AND APPROVE THE WORK PLAN FOR THE INTEGRATED WATERSHED AND RESOURCE CONSERVATION PROGRAM. (1223)

MOTION: I MOVE TO APPROVE THE WORK PLAN FOR THE INTEGRATED WATERSHED AND RESOURCE CONSERVATION PROGRAM.

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

02-345 Agricultural Water Temperature Problem - consideration of a letter to be sent to various entities, including the Department of Water and Power, Federal Energy Regulatory Commission, State Water Contractors, Joint Districts, and stakeholders in the Lake Oroville relicensing process, providing the County's position on the agricultural water temperature problem - action requested - AUTHORIZE THE CHAIR TO SIGN AND FORWARD LETTER ON BEHALF OF THE COUNTY OF BUTTE. (1900)

MOTION: I MOVE TO AUTHORIZE THE CHAIR TO SIGN AND FORWARD LETTER ON BEHALF OF THE COUNTY OF BUTTE.

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

November 12, 2002

Public Hearing and Timed Items

02-349 Public Hearing - Abandonment of a Portion of Crown Point Road - consideration of a resolution of abandonment of the northerly portion of Crown Point Road, northeast of State Highway 32 in the Forest Ranch Area. The request was received by Hollis R. Elliott and approval of the request was recommended by the Planning Commission. On October 8, 2002, the Board adopted Resolution 02-174 giving notice of this hearing to consider the petition to abandon a public right-of-way - action requested - OPEN THE PUBLIC HEARING TO CONSIDER ALL OBJECTIONS. SHOULD THE BOARD CHOOSE TO APPROVE THE ABANDONMENT, STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

1. FIND THAT THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE AND ADOPT A RESOLUTION ABANDONING THE DESCRIBED PORTION OF THE CROWN POINT ROAD RIGHT-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN. (2317)

PUBLIC HEARING COMMENCED: 10:34 A.M.

PUBLIC HEARING CLOSED: 10:39 A.M.

MOTION: I MOVE TO FIND THAT THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE AND ADOPT RESOLUTION 02-194 ABANDONING THE DESCRIBED PORTION OF THE CROWN POINT ROAD RIGHT-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN.

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

02-350 Public Hearing - Use Permit Appeal - Ed Becker - consideration of an appeal of the Planning Commission's denial of a Use Permit to remove development restrictions imposed by Use Permit 83-42 on the remaining property of a Homesite Segregation on property zoned A-10 (Agricultural - 10 acre parcels). The property is located on the south side of East Gridley Road, approximately 1,100 feet west of Larkin Road, in the Gridley area and identified as APN 024-040-054 (CBS [UP 02-19]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

1. SUBJECT TO FINDINGS I(A AND B [1-3]) DENY THE REQUEST FOR A USE PERMIT TO REMOVE DEVELOPMENT RESTRICTIONS IMPOSED BY USE PERMIT 83-42 ON THE REMAINING PROPERTY OF A HOMESITE SEGREGATION. (2587)

AT THE REQUEST OF THE APPLICANT, THE PUBLIC HEARING WAS OPENED AT 10:40 A.M. AND CONTINUED OPEN TO DECEMBER 10, 2002, AT 10:45 A.M.

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Regular Agenda

RECESSED AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

Butte County In-Home Supportive Services Public Authority

Minutes

November 12, 2002

Called to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Board members present: Beeler, Dolan, Houx, Yamaguchi, and Chair Josiassen. Also present: Paul McIntosh, Butte County Chief Administrative Officer; Marion Reeves, Deputy Clerk; Pat Cragar, Butte County Director-Employment and Social Services, and Cathi Grams, Butte County Assistant Director-Employment and Social Services.

Consent Agenda

- 02-017
1. Butte County - Interagency Agreement - Amendment - Board approval is requested for an amendment to the interagency agreement with Butte County which sets forth the respective responsibilities of the County and the Authority for administration of the In-Home Supportive Services program. The amendment adds requirements regarding confidentiality and further clarifies the responsibilities of the County departments and the Authority. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
 2. Craig L. Jory, Jory HR - Board approval is requested for an agreement with Craig L. Jory, Jory HR, for the provision of labor relations services regarding providers' salaries and benefits. The agreement is in the amount of \$18,000 annually, including travel time and costs - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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

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

November 12, 2002

Regular Agenda

02-018 Public Authority Manager Recommendation - the Butte County Department of Employment and Social Services has screened and interviewed applicants for the Public Authority Manager position pursuant to Board direction and is recommending the Board appoint Brian Frink to the position. The employment agreement is for a term of three years - action requested - APPROVE EMPLOYMENT AGREEMENT WITH BRIAN FRINK TO SERVE AS THE PUBLIC AUTHORITY MANAGER.

MOTION: I MOVE TO APPROVE EMPLOYMENT AGREEMENT WITH BRIAN FRINK TO SERVE AS THE PUBLIC AUTHORITY MANAGER.

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

02-019 **Public Comment** (NONE)

Adjournment

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED THE MEETING AT 10:44 A.M. AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS

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**Butte County Board of Supervisors
Continued Agenda**

Public Hearing and Timed Items

02-351

Continued Public Hearing - Floyd Damschen/Gary G. Stokes - Rezone and Tentative Parcel Map - consideration of a rezone from SR-1 (Suburban Residential - 1 acre parcels) to PUD (Planned Unit Development) on a 5.9 acre parcel, and a Tentative Parcel Map to divide the 5.9 acre parcel into three lots: one of 1.3 acres, one of 1.4 +/- acres, and one of 2.1 acres. The PUD zone is requested because a common leach field is required, and that necessitates a common ownership area. A 1.5 +/- acre common ownership area, located on Parcel 3, is proposed for open space for use by residents of the site and for the leach field area for Parcels 1 and 2. Domestic water supply would be obtained from individual on-site wells. Access to the proposed parcels would be via private driveways from Coyote Way. Only two new homes could be placed on the project site as a result of this project because Parcel 3 is already developed with a single-family dwelling. The Butte County Public Works Department requires that Coyote Way be widened from its existing 16-foot width to 20 feet in width (note: the applicant has requested an exception to the requirement to widen Coyote Way.) This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located at the end of Coyote Way, at 652 Coyote Way, approximately 0.4 miles from the intersection of Stilson Canyon Road and Coyote Way, east Chico area, and identified as APN 011-100-013 (SB [REZ 02-02/TPM 02-27]) - action requested - STAFF RECOMMENDS THE BOARD APPROVE THE REZONE AND TENTATIVE PARCEL MAP TAKING THE ACTIONS LISTED BELOW IN ITEM 1. THIS APPROVAL DOES NOT INCLUDE APPROVAL OF THE ROAD EXCEPTION. SHOULD THE BOARD CHOOSE TO APPROVE THE ROAD EXCEPTION, STAFF RECOMMENDS THE BOARD TAKE THE ACTIONS LISTED BELOW IN ITEM 2.

1. A. SUBJECT TO FINDINGS I (A-E) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) ADOPT A MITIGATED NEGATIVE DECLARATION;

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- 02-351
1. B. FIND THAT THE DESIGN OF THE 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 THE 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; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES; OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN;
 - C. SUBJECT TO FINDINGS III (A-D) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002), ADOPT AN ORDINANCE REZONING APN 011-100-013 FROM SR-1 (SUBURBAN RESIDENTIAL-1 ACRE PARCELS) TO PUD AND AUTHORIZE THE CHAIR TO SIGN;
 - D. SUBJECT TO FINDINGS IV (A-F) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) AND THE CONDITIONS OF APPROVAL AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) APPROVE TENTATIVE PARCEL MAP 02-28 FOR FLOYD DAMSCHEN AND GARY STOKES.
2. SHOULD THE BOARD CHOOSE TO APPROVE THE ROAD EXCEPTION WITH SIMILAR ROAD IMPROVEMENTS AS ARE FOUND IN THE MARVIN CRITES PARCEL MAP, THE FOLLOWING ACTIONS SHOULD BE TAKEN:
 - A. CONDITION 17 IS AMENDED TO READ, "17. PROVIDE TWO-WAY TRAVERSABLE ACCESS TO EACH PARCEL FROM A COUNTY MAINTAINED ROAD OR FROM A STATE HIGHWAY. IMPROVE THE COYOTE WAY/STILSON CANYON ROAD INTERSECTION AND INSTALL PAVED TAPERED VEHICLE TURNOUTS IN ACCORDANCE WITH THE DIAGRAMS SHOWN IN ATTACHMENTS C AND D OF THE STAFF REPORT DATED NOVEMBER 12, 2002. IMPROVE PARCEL FRONTAGE TO SECTION SHOWN ON PLAN SHEET 2. MINIMUM STRUCTURAL SECTION SAME AS RS-8 LD-III. SUBMIT ROAD AND DRAINAGE PLANS TO THE DEPARTMENT OF PUBLIC WORKS FOR PLAN CHECKING AND APPROVAL PRIOR TO CONSTRUCTION." AND;

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02-351 2. B. TO SUPPORT THE ABOVE-REVISED CONDITION, ADD A PARAGRAPH V TO THE FINDINGS SECTIONS, WITH FINDINGS A AND B AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002. (FROM 9-24-02 [5.04]) (2875) (**00)

PUBLIC HEARING RECONVENED: 10:45 A.M.
PUBLIC HEARING CLOSED: 11:16 A.M.

MOTION: SUBJECT TO FINDINGS I (A-E) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) I MOVE TO ADOPT A MITIGATED NEGATIVE DECLARATION; FIND THAT THE DESIGN OF THE 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 THE 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; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES; OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN; SUBJECT TO FINDINGS III (A-D) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002), ADOPT ORDINANCE 3837 REZONING APN 011-100-013 FROM SR-1 (SUBURBAN RESIDENTIAL-1 ACRE PARCELS) TO PUD AND AUTHORIZE THE CHAIR TO SIGN; AND SUBJECT TO FINDINGS IV (A-F) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) AND THE CONDITIONS OF APPROVAL AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002, (THESE ARE THE SAME FINDINGS INCLUDED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002) MOVE TO APPROVE TENTATIVE PARCEL MAP 02-28 FOR FLOYD DAMSCHEN AND GARY STOKES. I FURTHER MOVE TO APPROVE THE ROAD EXCEPTION AND DIRECT THAT CONDITION BE IS AMENDED TO READ, "17. PROVIDE TWO-WAY TRAVERSABLE ACCESS TO EACH PARCEL FROM A COUNTY MAINTAINED ROAD OR FROM A STATE HIGHWAY. IMPROVE THE COYOTE WAY/STILSON CANYON ROAD INTERSECTION AND INSTALL PAVED TAPERED VEHICLE TURNOUTS IN ACCORDANCE WITH THE DIAGRAMS SHOWN IN ATTACHMENTS C AND D OF THE STAFF REPORT DATED NOVEMBER 12, 2002. IMPROVE PARCEL FRONTAGE TO SECTION SHOWN ON PLAN SHEET 2. MINIMUM STRUCTURAL SECTION SAME AS RS-8 LD-III. SUBMIT ROAD AND DRAINAGE PLANS TO THE DEPARTMENT OF PUBLIC WORKS FOR PLAN CHECKING AND APPROVAL PRIOR TO CONSTRUCTION."; AND TO SUPPORT THE ABOVE-REVISED CONDITION, FURTHER MOVE TO ADD A PARAGRAPH V TO THE FINDINGS SECTIONS, WITH FINDINGS A AND B AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 12, 2002. (FROM 9-24-02 [5.04])

M S

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

November 12, 2002

02-352 Public Hearing - Consideration of adoption of the following two ordinances: 1) an Ordinance Amending Section 10-30, 10-31 and 10-33.5 of Article IV, Entitled "Chico Urban Area Street Facility Improvement Fees" of Chapter 10 of the Butte County Code and Adding Section 10-30.1 to Said Article IV; and 2) an Ordinance Adding Article XVI to Chapter 3 of the Butte County Code Regarding Development Impact Fees in the North Chico Specific Plan Area. The Board will take comments on, and consider adopting both fee ordinances. One ordinance increases existing street facility improvement fees for the Chico Urban Area. The other ordinance establishes development impact fees for the North Chico Specific Plan Area - action requested - INTRODUCE BOTH ORDINANCES; CONDUCT PUBLIC HEARING; WAIVE READING OF THE ORDINANCE; AND DIRECT PLACEMENT OF THE ORDINANCES ON THE CONSENT AGENDA OF DECEMBER 10, 2002, FOR ADOPTION. (FROM 10-22-02 [4.06]) (**753)

PUBLIC HEARING COMMENCED: 11:24 A.M.
PUBLIC HEARING CLOSED: 11:26 A.M.

MOTION: I MOVE TO WAIVE READING OF THE ORDINANCES; AND DIRECT PLACEMENT OF THE ORDINANCES ON THE CONSENT AGENDA OF DECEMBER 10, 2002, FOR ADOPTION.

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

Public Comment

02-353 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. (**1037) (NONE)

Closed Session:

02-354 THE BOARD RECESSED AT 11:32 A.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): IELATI V. COUNTY OF BUTTE; LAROE MOAK TRUST V. COUNTY OF BUTTE; AND REQUEST AUTHORIZATION TO JOIN AMICUS CURIAE IN THE CASE OF BARDEN V. CITY OF SACRAMENTO; AND CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. (**1042)

November 12, 2002

02-354

Closed Session
Reconvene:

THE BOARD RECONVENED AT 1:02 P.M. FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): IELATI V. COUNTY OF BUTTE; LAROE MOAK TRUST V. COUNTY OF BUTTE; AND REQUEST AUTHORIZATION TO JOIN AMICUS CURIAE IN THE CASE OF BARDEN V. CITY OF SACRAMENTO; AND CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. (**1115)

Closed Session
Announcement:

THE BOARD UNANIMOUSLY VOTED TO SEND A LETTER IN SUPPORT OF THE AMICUS BRIEFING FILED IN BARDEN V. CITY OF SACRAMENTO.

Public Hearing and Timed Items

02-355

Timed Item - Tuscan Formation Groundwater Tour - bus tour of sites to view the Tuscan Formations within the County and to view monitoring wells - action requested - ACCEPT FOR INFORMATION. (**1134) (Tapes 3, 4, and 5 are micro-cassette recording of bus tour)

TOUR CONDUCTED AND PRESENTATION GIVEN BY TOCCOY DUDLEY, HEAD OF THE GEOLOGY SECTION OF THE NORTHERN DISTRICT OF THE STATE DEPARTMENT OF WATER RESOURCES ON THE TUSCAN FORMATIONS WITHIN THE COUNTY AND THE POTENTIAL GROUNDWATER RECHARGE AREAS WITHIN THE COUNTY.

Adjournment:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:15 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, DECEMBER 10, 2002, AT 9:00 A.M.

Curt Josiassen, Chair

ATTEST:

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

By: _____