

Called to order at 9:04 a.m., in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Houx, Josiassen, and Chair Yamaguchi. 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.

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA.

ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION

- 0504-001 1. In-Home Supportive Services Advisory Committee - action requested - REAPPOINT JAY HARRIS TO A TERM TO END DECEMBER 19, 2007; AND APPOINT WILLIAM ARMFIELD TO A VACATED TERM TO END DECEMBER 15, 2005.

THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL BE REVISED AND RETURN ON A SUBSEQUENT AGENDA.

CONSENT AGENDA

- 0504-002 1. Accularm Security Systems - Amendment - approval is requested for an amendment to the agreement with Accularm Security Systems for the provision of monthly monitoring of the security systems at the Oroville Adult Treatment Court Services Office and Oroville Community Counseling Center. The amendment increases the maximum amount payable for fiscal year 2004-2005 by \$48, and for fiscal year 2005-2006 by \$96 (department budget), as a result of a monthly service rate increase of \$8. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11674)
2. Landmark Medical Center - Amendment - approval is requested for an amendment to the agreement with Landmark Medical Center for the provision of community mental health services for chronically mentally disordered patients. The amendment decreases the maximum amount payable for fiscal year 2004-2005 by \$4,140, and revises agreement language regarding reimbursement provisions. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15026)

- 0504-002 3. State of California, Department of Mental Health - approval is requested for a Performance Contract with the State of California, Department of Mental Health, for the State's provision of Community Mental Health Services pursuant to Welfare and Institutions Code Section 5602. The term of the agreement is July 1, 2004, through June 30, 2005. There is no funding associated with the Performance Contract - action requested - ADOPT RESOLUTION 05-027 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.
4. State of California, Department of Mental Health - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Mental Health, for the County's management of mental health services for Medi-Cal beneficiaries. The amendment increases the County's allocation for fiscal year 2004-2005 by \$205,427 for Phase I and Phase II services, and revises agreement provisions - action requested - ADOPT RESOLUTION 05-028 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
5. Grant Augmentation - approval is requested to accept and appropriate \$26,000 in grant funds received from the State of California, Department of Alcohol and Drug Programs, as an augmentation to the Safe and Drug Free Schools and Communities Grant. The funds are used to enhance and expand drug and violence prevention services in Butte County. The department is requesting to appropriate \$19,500 of the funds - action requested - APPROVE BUDGET TRANSFER B-258 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
6. Victor D. Mlotok, M.D. - Amendment - approval is requested for an amendment to the agreement with Victor D. Mlotok, M.D., for the provision of professional medical and psychiatric services. The amendment increases the maximum amount payable by \$1,445 (department budget) for on-call services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14935)
7. Children's System of Care Funding for Fiscal Year 2003-2004 - approval is requested to accept and appropriate \$200,400 in fiscal year 2003-2004 carryover funds from the Children's System of Care program - action requested - APPROVE BUDGET TRANSFER B-257 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0504-002 8. Funding for Agreement - on January 25, 2005, the Board approved an agreement with Faramarz M. Yazadani of FMY, Inc., to assist County Counsel with Federal Energy Regulatory Commission issues associated with re-licensing of the facility at Lake Oroville. Approval is requested for a transfer of \$35,000 from the General Fund Appropriation for Contingencies to provide the needed funding - action requested - APPROVE BUDGET TRANSFER B-260 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
9. Increased Funding for Publication Costs - approval is requested for a transfer of \$25,000 from the General Fund Appropriation for Contingencies to provide publication funds for mandatory notices by the Clerk of the Board for the remainder of the fiscal year. The current fiscal year's costs have been higher than expected and the current fiscal year's budget has been exhausted - action requested - APPROVE BUDGET TRANSFER B-259 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES FUND AS DETAILED IN THE AGENDA REPORT.
10. Approval of Minutes - action requested - APPROVE MINUTES OF JUNE 8, 2004; JANUARY 11, 2005; AND JANUARY 25, 2005; WITH THE NOTATION THAT SUPERVISOR CONNELLY WILL ABSTAIN FROM APPROVAL OF THE 2004 MINUTES.
11. Local Agency Biennial Report (Exempt) - the following districts have reviewed their Local Agency Biennial Reports and have determined that the conditions of exemption still exist: Drainage District No. 200, Pine Creek Cemetery District, and Upham Cemetery District. County Counsel has reviewed the attached Local Agency Biennial Reports and finds them to be proper - action requested - ACCEPT 2004 LOCAL AGENCY BIENNIAL REPORTS.
12. Local Agency Biennial Conflict of Interest Codes (Non-exempt) - the following districts have reviewed their Conflict of Interest Codes and have determined that their Codes are current and not in need of revision: Paradise Irrigation District, Richardson Springs Community Services District, Richvale Recreation and Park District, and Rock Creek Reclamation District. County Counsel has reviewed the attached notices and finds them to be proper - action requested - ACCEPT 2004 LOCAL AGENCY BIENNIAL CONFLICT OF INTEREST CODE NOTICES.

- 0504-002 13. Regional and Economic Sciences - Amendment - approval is requested for an amendment to the agreement with Regional and 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. The amendment extends the term of the agreement through January 1, 2006, and provides language clarifications with regard to reporting requirements and consulting services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
14. Butte County District Attorney/Butte County Child Support Services - Plan of Cooperation - approval is requested for a Plan of Cooperation with the Department of Child Support Services for the investigation of cases involving non-payment of child support. The term of the agreement is July 1, 2004, through June 30, 2005, with the Department of Child Support Services reimbursing the District Attorney's Office for services in an amount not to exceed \$164,000 (Child Support Services budget). The District Attorney's budget included \$123,325 for Child Support investigations, and Board approval is also requested to accept and appropriate the remaining funds - action requested - APPROVE PLAN OF COOPERATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-261 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
15. Resolution Requesting a Waiver of Work Requirement for Able-Bodied Adults Without Dependents Due to High Unemployment Rates in Butte County - approval is requested for a resolution applying to the United States Department of Agriculture for an Able-Bodied Adults Without Dependents (ABAWD) Work Requirement Waiver which will allow non-exempt ABAWDs to receive food stamp benefits beyond the limit of three months in three years. The waiver eligibility is based on unemployment rates in the County. The additional benefits are provided by the United States Department of Agriculture at no cost to the County - action requested - ADOPT RESOLUTION 05-029 AND AUTHORIZE THE CHAIR TO SIGN.

- 0504-002 16. Vehicle Purchase and Budget Transfer - approval is requested to award a bid for the purchase of a Hazardous Materials Vehicle to low bidder Placer Fire Equipment, Inc., in the amount of \$237,232.71. Funding for the purchase will be provided through a combination of grant funds (\$185,000) and County matching funds (\$40,000), with the remaining funds to be provided by purchase reductions in the HazMat Trust Fund (\$12,233). Board approval is also requested for a budget transfer necessary to allocate the funding for the purchase - action requested - AWARD BID FOR PURCHASE OF HAZARD MATERIALS VEHICLES TO PLACER FIRE EQUIPMENT, INC., IN THE AMOUNT OF \$237,232.71; AND APPROVE BUDGET TRANSFER B-263 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
17. Vehicle Purchase and Budget Transfer - approval is requested to award a bid for purchase of a Light Fire Rescue Apparatus Vehicle for the Forest Ranch Volunteer Fire Company to low bidder Wittmeier Chevrolet in the amount of \$41,263.37 plus tire fees. Funding for the purchase is available through a combination of Community Cost Share funds (\$20,631), Water Tender Earnings funds (\$4,617), Volunteer Fire Budget funds (\$1,334), and funds raised during the Fire on the Fairway fund-raising event (\$14,682). Board approval is also requested for a budget transfer necessary to allocate the funding for the purchase - action requested - AWARD BID FOR PURCHASE OF LIGHT FIRE RESCUE APPARATUS VEHICLE TO WITTMEIER CHEVROLET, IN THE AMOUNT OF \$41,263.37; AND APPROVE BUDGET TRANSFER B-262 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
18. State Homeland Security Grant Program, Fiscal Year 2005 - approval is requested to apply to the Office of Homeland Security for \$618,466 in grant funds under the State Homeland Security Grant Program. The funds will be used for emergency prevention, preparedness, and response personnel to prevent, deter, respond, and recover from threats and incidents of terrorism - action requested - ADOPT RESOLUTION 05-030 APPROVING APPLICATION FOR GRANT FUNDS AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER, GENERAL SERVICES DIRECTOR AND EMERGENCY SERVICES OFFICER TO SERVE AS AUTHORIZED REPRESENTATIVES FOR THE RECEIPT, PROCESSING AND COORDINATION OF GRANT RELATED ACTIVITIES.

- 0504-002 19. Fixed Asset Purchase and Budget Transfer - approval is requested for the fixed asset purchase of two portable weather stations in the amount of \$28,500 and an IChem Spectral Library in the amount of \$7,000. The equipment is an authorized purchase under the fiscal year 2004 Homeland Security Grant Guidelines and will be issued to HAZMAT teams once received. Board approval is also requested for a budget transfer of grant funds to provide the allocation needed for the purchases - action requested - APPROVE BUDGET TRANSFER B-265 AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF EQUIPMENT AS DETAILED IN THE AGENDA REPORT.
20. Fixed Asset Authorization and Budget Transfer - approval is requested to increase the authorization for purchase of equipment under the Homeland Security Grant, Part II, fiscal year 2003, in the amount of \$1,832 to cover the cost of sales tax and shipping associated with the equipment purchases. Funding for the increase is available in other budget line items and Board approval is also requested for a transfer of those funds - action requested - APPROVE INCREASE IN FIXED ASSET PURCHASE AUTHORITY BY \$1,832; AND APPROVE BUDGET TRANSFER B-264 AS DETAILED IN THE AGENDA REPORT.
21. RRM Design Group - Amendment - approval is requested for an amendment to the agreement with RRM Design Group for pre-design and schematic design services for the Butte County Fire Station 42 relocation project. The amendment reduces the maximum amount payable to \$17,255.57, the amount already expended under the agreement, and terminates the agreement with the County. The City of Chico will be assuming control of the project and will enter into their own agreement for completion of the project - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
22. Courthouse Expansion Project - approval is requested to accept and appropriate \$17,677 received from the Superior Court of California, County of Butte, to fund change order numbers 12 through 15 for the Courthouse Expansion Project - action requested - APPROVE BUDGET TRANSFER B-266 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
23. Building Crafts Workers Shift Hours Side Letter Agreement - approval is requested for a side letter agreement with the Butte County Employees' Association which will establish a Call Back Availability Schedule for the Building Crafts Workers, Senior classification and provide compensation for the status as a means to address facilities needs for the Corrections Division - action requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

- 0504-002 24. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATIVE - deletes one flexibly staffed position of Supervisor, Support Services/Administrative Assistant. Adds one position of Manager, Support Services. ASSESSOR - deletes one flexibly staffed position of Office Specialist/Office Assistant. Adds one flexibly staffed position of Assessment Clerk, Senior/Assessment Clerk/Office Specialist, Senior/Office Specialist/ Office Assistant. DISTRICT ATTORNEY-CRIMINAL - deletes one flexibly staffed sunset position of Deputy District Attorney IV/III/II/I (position end date 6-30-05), and one flexibly staffed position of Deputy District Attorney IV/III/II/I . Adds one position of Supervisor, Deputy District Attorney. DISTRICT ATTORNEY-CHILD SUPPORT INVESTIGATIONS - increases a one-half time position of Investigator II to a full-time position. DEVELOPMENT SERVICES - deletes one position of Administrative Assistant. Adds one flexibly staffed position of Office Specialist, Senior/Office Specialist/Office Assistant, and one position of Assistant Director Development Services. PUBLIC HEALTH-GENERAL SERVICES - adds one and a half positions of Nutrition Specialist, Senior/Nutrition Specialist. CHILD SUPPORT SERVICES - deletes two positions of Paralegal, and two positions of Child Support Specialist, Senior/Child Support Specialist. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATION - adds the classification of Assistant Director Development Services - action requested - ADOPT RESOLUTION 05-031 AND AUTHORIZE THE CHAIR TO SIGN.
25. Salary Step Adjustment - pursuant to Personnel Rule 11.13, Board approval is requested by the Probation Department to advance a recently appointed Supervisor, Juvenile Hall Counselor to step three of the salary range, retroactive to February 14, 2005, based on experience. The Director of Human Resources concurs with the recommendation of the Probation Department - action requested - APPROVE SALARY STEP ADJUSTMENT FOR SUPERVISOR, JUVENILE HALL COUNSELOR, AS DETAILED IN THE AGENDA REPORT.
26. Library Donations - pursuant to Government Code Section 25355, donations of \$978.60 from the Paradise Friends of the Library, \$500.00 from J. Regan of Paradise, \$300.00 from Jim and Mary Johnson of Paradise, \$200.00 from Jolene Blake of Oroville, and \$100.00 from Ruthmarie Ferris of Oroville, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

- 0504-002 27. Redwood Toxicology Laboratory, Inc. - Amendment - approval is requested for an amendment to the agreement with Redwood Toxicology Laboratory, Inc., for the provision of drug testing services. The amendment extends the term of the agreement through ~~December 31, 2005~~ June 30, 2005. All other terms and conditions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14247)
28. Resolution of Intent to Abandon a Portion of a Drainage Easement - the department has received a request to abandon 13 feet of an existing 20 foot drainage easement located on a vacant lot on the east side of Jack Hill Drive, 130 feet south of 6336 Jack Hill Drive, in the Kelly Ridge area, Oroville. Staff will be recommending approval of the project to the Planning Commission at its meeting of February 24, 2005 - action requested - ADOPT RESOLUTION 05-032 GIVING NOTICE OF A PUBLIC HEARING TO BE HELD MARCH 22, 2005, AT 10:30 A.M., TO CONSIDER THE PETITION TO ABANDON A PUBLIC SERVICE EASEMENT.
29. Mar-Ken International - approval is requested for a sole source agreement with Mar-Ken International for the provision of training services for department canines and handlers. The term of the agreement is January 1, 2005, through December 31, 2007, with a maximum amount payable of \$66,250 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15336)
30. Etech Controls Corporation - approval is requested for an agreement with Etech Controls Corporation for maintenance and repair services for the security equipment in the Butte County Jail. The term of the agreement is September 16, 2004, through September 15, 2005, with a maximum amount payable of \$27,648 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15319)
31. Butte Meadows Hillslider's Snowmobile Club - approval is requested for an agreement with the Butte Meadows Hillslider's Snowmobile Club for snow grooming, plowing and removal in the area surrounding the Jonesville Snowpark. The term of the agreement is November 1, 2004, through June 30, 2006, with a maximum amount payable of \$80,000 (State grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0504-002 32. Fixed Asset Equipment Purchase - approval is requested for the fixed asset purchase of a Live Scan fingerprint imaging machine. The equipment will replace outdated equipment that does not have the capability of scanning palm images, which is required in certain instances under Proposition 69. The cost of the equipment is \$52,690. Funding for the purchase is available through a combination of Development Impact Fees (\$10,538), and Criminal Justice Temporary Facilities Construction funds (\$42,152), and Board approval is also requested for the budget transfer necessary to complete the purchase - action requested - APPROVE BUDGET TRANSFER B-267 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF FINGERPRINT IMAGING EQUIPMENT IN THE AMOUNT OF \$52,690.
33. Accounting Division Remodel - approval is requested to transfer \$10,527 from the Development Impact Fee Trust Fund to the Special Maintenance Budget to provide additional appropriations needed to complete the Accounting Division relocation and remodel - action requested - APPROVE BUDGET TRANSFER B-270 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
34. Jail Shower Facilities Alteration - approval is requested to transfer \$676 from the Inmate Welfare Fund to the Special Maintenance Fund to provide additional appropriations needed to complete a revision to the shower facilities in 12 housing pods in the Jail - action requested - APPROVE BUDGET TRANSFER B-269 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
35. Local Law Enforcement Block Grant Funds Interest - approval is requested to accept and appropriate \$239 in interest earnings from the Local Law Enforcement Block Grant. The funds will be used to purchase canine equipment - action requested - APPROVE BUDGET TRANSFER B-268 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
36. Monthly Investment Report - submitted is the Monthly Investment Report dated January 31, 2005, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.
37. Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$100.00 resulting from the discovery of a counterfeit bill in the property tax receipts of October 20, 2004. The Auditor-Controller has reviewed the matter and found no evidence of fraud or gross negligence - action requested - GRANT RELIEF OF ACCOUNTABILITY.

- 0504-002 38. A Resolution of the Board of Supervisors of the County of Butte to Apply Five-Year Time Period for Tax-Defaulted Non-Residential Commercial Property - approval is requested for a resolution which will allow the County to continue applying the five-year time period for the sale of tax-defaulted non-residential commercial property in accordance with California Revenue and Taxation Code Section 3691(B) - action requested - ADOPT RESOLUTION 05-033 AND AUTHORIZE THE CHAIR TO SIGN.
- 39. Southside Oroville Community Center Advisory Committee - action requested - APPOINT DEBORAH L. THOMPSON TO A TERM TO END JANUARY 5, 2009.
- 40. Butte County Water Commission - action requested - REAPPOINT MARK KIMMELSHUE, LANDOWNER-PRIVATE WELL REPRESENTATIVE, TO A TERM TO END MARCH 1, 2009.
- 41. Butte County Behavioral Health Board - action requested - APPOINT DAVE PANCHESSON, LAW ENFORCEMENT REPRESENTATIVE, TO A TERM TO END DECEMBER 31, 2007. (75)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.27 AMENDED TO CORRECT THE TERM ENDING DATE TO JUNE 30, 2005, AND THE REMOVAL OF ITEM 3.42.

S M

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

REGULAR AGENDA

0504-003 Boards, Commissions and Committees. (87)

- 1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT CHUCK LOCH AS THE DISTRICT 3 REPRESENTATIVE TO THE ECONOMIC DEVELOPMENT CORPORATION TO A TERM TO END JANUARY 8, 2007.

S M

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

- 2. Board Member or Committee Reports. (138)

CHAIR YAMAGUCHI REPORTED ON THE SUBREGION MEETING FOR THE SIERRA NEVADA CONSERVANCY HELD LAST MONTH IN QUINCY. SUPERVISOR YAMAGUCHI WAS THE SUPERVISOR SELECTED TO REPRESENT THE SUBREGION.

0504-004 Resolution of Appreciation to Supporters of the Eighth Annual Community Wide True Love Waits Campaign - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (175)

MOTION: I MOVE TO ADOPT RESOLUTION 05-034 AND AUTHORIZE THE CHAIR TO SIGN.
S M

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

SUPERVISOR CONNELLY PRESENTED THE RESOLUTION TO TERÉ LAWRENCE, COMMUNITY HEALTH ALLIANCE OF OROVILLE, AND STUDENT REPRESENTATIVES FROM AREA SCHOOLS PARTICIPATING IN THE PROGRAM.

RECESS: 9:17 A.M

RECONVENE: 9:29 A.M.

REGULAR AGENDA

0504-005 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (466) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, DISCUSSED THE REPORT RELEASED LAST WEEK BY THE LEGISLATIVE ANALYST'S OFFICE REGARDING THE GOVERNOR'S PROPOSED BUDGET.

1. Strategic Local Government Services, LLC - legislative update - action requested - ACCEPT FOR INFORMATION.
2. Combat Meth Act of 2005 - Position of Support - consideration of a position of support for federal legislation to combat the production of methamphetamine - action requested - ADOPT A POSITION OF SUPPORT; AND APPROVE A LETTER OF SUPPORT TO SENATOR FEINSTEIN AND AUTHORIZE THE CHAIR TO SIGN.

MOTION: I MOVE TO ADOPT A POSITION OF SUPPORT AND APPROVE A LETTER OF SUPPORT TO BE SENT TO SENATOR FEINSTEIN AND AUTHORIZE THE CHAIR TO SIGN; AND FURTHER URGE THE CHAIR SIGN A LETTER OF APPRECIATION TO THE SENATOR FOR HER LEADERSHIP ON THIS MATTER.

S M

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

0504-006 Four-County Drinking Water Quality Program - update to the Board on the status of the various work plan elements for development of a four-county drinking water quality program for the counties of Butte, Glenn, Tehama and Colusa - action requested - ACCEPT FOR INFORMATION. (902)

PRESENTATION TO THE BOARD BY ED CRADDOCK, DIRECTOR-WATER AND RESOURCE CONSERVATION; AND BOB VINCE, PROJECT MANAGER, CAMP, DRESSER & MCKEE.

0504-007 Almond Avenue Gravel Pit - consideration of the solicitation for proposals to complete an appraisal and/or valuation of the aggregate deposits and fiscal feasibility analysis for the County's Almond Avenue Gravel Pit, located at the end of Almond Avenue, off Larkin Road, and to propose options on how best the County could structure a mineral lease or sale agreement for the site - action requested - DIRECT STAFF TO SOLICIT PROPOSALS. (1570)

MOTION: I MOVE TO DIRECT STAFF TO SOLICIT PROPOSALS FOR ANALYSIS OF ALMOND AVENUE GRAVEL PIT.

S M

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

RECESS: 10:15 A.M.

RECONVENE: 10:28 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0504-008 Continued Public Hearing - consideration of an ordinance amending the Butte County Code by amending Sections 3-101, 3-102, 3-103 of Article XI within Chapter 3 of said code and Section 20-210 of Article IX within Chapter 20 of said code related to drainage fees in Thermalito and/or Chico - action requested:

1. ADOPT AN ORDINANCE WITH EXHIBIT 1, DRAINAGE FEE ORDINANCE FOR THERMALITO AND CHICO, AND AUTHORIZE THE CHAIR TO SIGN; **OR**
2. ADOPT AN ORDINANCE WITH EXHIBIT 2, DRAINAGE FEE ORDINANCE FOR CHICO (ONLY), AND AUTHORIZE THE CHAIR TO SIGN. (FROM 2-8-05 [5.02]) (2233)

PUBLIC HEARING RECONVENED: 10:28 A.M.

PUBLIC HEARING CLOSED: 10:39 A.M.

MOTION: I MOVE TO ADOPT ORDINANCE 3903 WITH EXHIBIT 1, DRAINAGE FEE ORDINANCE FOR THERMALITO AND CHICO, AND AUTHORIZE THE CHAIR TO SIGN; WITH THE STAFF DIRECTION THAT THE DEPARTMENT CONTINUE TO WORK ON FEE COMPARISON ISSUES WITH THE CITY OF OROVILLE.

S M

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

0504-009 Continued Public Hearing - Brent and Debbie Sobrero Tentative Parcel Map Appeal - consideration of an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 40-acre parcel into two 20-acre parcels. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. Sewage disposal for the future dwellings on the site would be provided by individual on-site septic systems. Domestic water would be obtained from individual wells. The project site is located on the north side of Clear Creek Cemetery Road, approximately one mile east of Clark Road (State Highway 191) approximately 5 miles south of Paradise, and identified as APN 041-110-135 (MM [TPM 04-07]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. DENY THE APPEAL TO REDUCE THE REQUIRED 300-FOOT RESIDENTIAL DWELLING SETBACK FROM PARCEL BOUNDARIES; AND
2. SUBJECT TO FINDINGS II(A AND B) AS DETAILED IN THE STAFF REPORT DATED MARCH 1, 2005, UPHOLD THE PLANNING COMMISSION'S DENIAL. (FROM 2-8-05 [5.03]) (2775) (**00)

PUBLIC HEARING RECONVENED AT 10:40 A.M., AND CONTINUED OPEN TO APRIL 12, 2005, AT 10:30 A.M., TO ALLOW THE APPLICANT THE OPPORTUNITY TO SUBMIT FACTS INTO THE RECORD THAT WOULD SUBSTANTIATE A FINDING OF UNUSUAL CIRCUMSTANCES.

REGULAR AGENDA

RECESSED AT 12:20 P.M., AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AT THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
MARCH 1, 2005

Called to Order at 12:20 p.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Dolan, Houx, Josiassen and Chair Yamaguchi. Also present: Marion Reeves, Deputy Clerk.

Agenda Items (NONE)

Closed Session

0502-001 **RECESS:** THE BOARD RECESSED AT 12:21 P.M., TO A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (**3491)

RECONVENE: THE BOARD RECONVENED AT 1:49 P.M., FROM A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (3607) (NO ANNOUNCEMENTS)

Public Comment

0502-002 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda. (**3645) (NONE)

Adjournment

Adjourned at 1:50 p.m., as the Butte County In-Home Supportive Services Public Authority Board and reconvened as the Butte County Board of Supervisors.

BUTTE COUNTY BOARD OF SUPERVISORS

CLOSED SESSION

0504-010 RECESS: THE BOARD RECESSED AT 12:21 P.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE; AND CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. C.M.S.C.S (CASE NO. ARB-03-2357), 2. JONES V. COUNTY OF BUTTE (CONSENT DECREE), BUTTE COUNTY SUPERIOR COURT CASE NO. 84428. (**3533)

RECONVENE: THE BOARD RECONVENED AT 1:50 P.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE; AND CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. C.M.S.C.S (CASE NO. ARB-03-2357), 2. JONES V. COUNTY OF BUTTE (CONSENT DECREE), BUTTE COUNTY SUPERIOR COURT CASE NO. 84428. (**3669) (NO ANNOUNCEMENTS)

PUBLIC HEARING AND TIMED ITEMS

0504-011 Public Hearing - Adoption of Resolutions of Necessity to Acquire Certain Real Property - the Public Works Department has been involved in negotiations with Gregory Danysh in order to acquire rights-of-way and easements for the Oroville-Quincy (FH-119) Highway Project. Negotiations have reached an impasse and it has become necessary to begin the process of acquisition by eminent domain - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (**3680) (**00)

PUBLIC HEARING OPENED: 1:50 P.M.
 PUBLIC HEARING CLOSED: 1:54 P.M.

MOTION: I MOVE TO ADOPT RESOLUTION 05-035 AND AUTHORIZE THE CHAIR TO SIGN.
 S M

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

0504-012 Public Hearing - Community Development Block Grant (CDBG) Program:

- A. Consideration of a Transfer of Program Income - approval is requested for a resolution amending CDBG Grant No. 02-EDBG-87 (Butte County Business Incubator Program) and authorizing the allocation of CDBG Program Income to the previously approved grant program. Proposed is a transfer of \$50,000 to the open grant to allow the County to continue with previously approved grant activities, and to facilitate compliance with State CBDG regulations pertaining to the allowable amount of Program Income - action requested - ADOPT RESOLUTION APPROVING AMENDMENT OF OPEN GRANT (BUTTE COUNTY INCUBATOR PROGRAM) AND AUTHORIZING THE CHAIR TO SIGN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING PROGRAM INCOME AS DETAILED IN THE AGENDA REPORT.

- B. Consideration of the Application for Funds - the County is eligible for a combined total of \$800,000 for projects associated with the Economic Development Allocation and General Allocation. Grants of up to \$35,000 per year are available from the General Planning and Technical Assistance Allocation, and \$35,000 per year from the Economic Development Planning and Technical Assistance Allocation. The County is eligible to apply for up to 3 years of funding for General Allocation projects in a single application, for a total of \$1,500,000 (\$500,000 per fiscal year for fiscal years 2005-2006, 2006-2007, and 2007-2008) - action requested - SOLICIT INPUT FROM THE PUBLIC AND REQUEST INFORMATION FOR THE 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING CYCLE; AND PROVIDE STAFF DIRECTION ON SPECIFIC GENERAL ALLOCATION PROJECTS TO PURSUE. (**83)

PUBLIC HEARING OPENED: 1:56 P.M.
PUBLIC HEARING CLOSED: 2:48 P.M.

MOTION: I MOVE TO ADOPT RESOLUTION 05-036 APPROVING AMENDMENT OF OPEN GRANT (BUTTE COUNTY INCUBATOR PROGRAM) AND AUTHORIZING THE CHAIR TO SIGN; AND FURTHER MOVE TO APPROVE BUDGET TRANSFER B-272 (4/5 vote required) ACCEPTING AND APPROPRIATING PROGRAM INCOME AS DETAILED IN THE AGENDA REPORT.

S M

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

BOARD DIRECTION TO STAFF TO PREPARE APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2005-2006, AND RETURN THE COMPLETED APPLICATIONS TO THE BOARD FOR FINAL APPROVAL.

REGULAR AGENDA

SUPERVISOR JOSIASSEN NOT PRESENT.

0504-013 Consideration of an Ordinance Amending the Butte County Code, by Adding Article VI, Composed of Articles VI(A), VI(B), VI(C), and VI(D), to Chapter 10 of Said Code - consideration of an ordinance which will expand the County Code regarding the encroachment permit process by providing more specific details and requirements to help guide both the applicants wishing to work or encroach onto a County highway or road, as well as Public Works Staff who review and issue the encroachment permits - action requested - WAIVE READING OF THE ORDINANCE. (**2152)

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE.
M S

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

0504-014 Items Removed from the Consent Agenda for Board Consideration and Action. (**3675) (NONE)

PUBLIC COMMENT

0504-015 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. (**3681) (NONE)

ADJOURNMENT : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:20 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, MARCH 9, 2005, AT 9:00 A.M.

KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____