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Called to Order at 9:07 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. MOMENT OF SILENCE HELD IN MEMORY OF MIKE MCENESPY, BUTTE COUNTY WATER COMMISSION.

CORRECTIONS AND/OR CHANGES TO THE AGENDA.

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ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

- 0505-001 1. Butte County Water Commission - the department has solicited letters of interest for positions on the Butte County Water Commission since January 2005. One letter of interest has been received for the Landowner-district water representative - ACTION REQUESTED - APPOINT D.C. JONES, LANDOWNER-DISTRICT WATER REPRESENTATIVE, TO A TERM TO END MARCH 1, 2009.

AT THE REQUEST OF THE DEPARTMENT OF WATER AND RESOURCE CONSERVATION, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON A SUBSEQUENT AGENDA. (62)

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CONSENT AGENDA

- 0505-002 1. Coalition of Urban/Rural Environmental Stewardship - Grant Agreement - approval is requested for an agreement with the Coalition of Urban/Rural Environmental Stewardship (CURES) for \$15,000 in grant funds to be used to upgrade the department's computers and GIS systems. Funds are to be expended no later than September 30, 2005 - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE DIRECTOR OF GENERAL SERVICES TO SIGN; APPROVE BUDGET TRANSFER B-295 ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE ACQUISITION OF COMPUTER HARDWARE AND SOFTWARE NEEDED TO COMPLY WITH THE PROVISIONS OF THE GRANT AGREEMENT.

- 0505-002 2. Establishment of Fund - approval is requested to establish a fund necessary for implementation of Proposition 69, the DNA Identification initiative. The initiative was passed at the November 2, 2004, election and requires the funds collected by the courts to be deposited into funds established by the Board for that purpose - action requested - ESTABLISH PENDING TRUST AND LOCAL SHARE TRUST FUNDS AS DETAILED IN THE AGENDA REPORT; UPON APPROVAL OF THE BOARD, AUTHORIZE THE AUDITOR-CONTROLLER TO MAKE REMITTANCES AND PAYMENTS FOR COSTS TO THE STATE IN ACCORDANCE WITH THE LAW; AND AUTHORIZE AND INSTRUCT THE AUDITOR-CONTROLLER TO PREPARE THE ANNUAL REPORT REQUIRED AND SUBMIT THE REPORT TO THE BOARD AND OTHER PARTIES AS REQUIRED BY LAW.
3. State of California, Department of Alcohol and Drug Programs - approval is requested for a grant agreement with the State of California, Department of Alcohol and Drug Programs, for funding for the Comprehensive Drug Court Implementation Program, Project Year 5. The award extends funding through December 28, 2005, and provides a maximum amount payable to the County for fiscal year 2004-2005 of \$70,296 - action requested - APPROVE NOTICE OF GRANT AWARD AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
4. State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the Grant Award Agreement with the State of California, Department of Alcohol and Drug Programs, for funding for the Comprehensive Drug Court Implementation Program, Project Year 4. The amendment extends the period of time the County can expend fiscal year 2003-2004 funds to December 28, 2005. 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. R40325)
5. Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of long-term residential drug and alcohol treatment services and alcohol/drug free housing services for clients referred by the department under the Drug Court and Substance Abuse Crime Prevention Act programs. The amendment increases the maximum amount payable by \$19,055.25 (department budget), and adds or revises agreement language regarding matching funds, compensation and payment 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. X15129)

- 0505-002 6. Linda Huffmon - Amendment - approval is requested for an amendment to the agreement with Linda Huffmon for the provision of professional consulting services in the areas of program and procedural planning, grant planning and preparation, First Chance Coalition planning and resource development, and housing strategies for special needs clients. The amendment increases the maximum amount payable by \$15,780 (department budget) for an additional 263 hours of 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. X15039)
7. Tri-County Treatment - Amendment - approval is requested for an amendment to the agreement with Tri-County Treatment for the provision of short-term residential recovery services and day-care rehabilitation services for clients referred under the Drug Court, Substance Abuse Crime Prevention Act, and CalWORKs programs. The amendment increases the maximum amount payable by \$41,373.50 (department budget) and adds or revises agreement language regarding matching funds, compensation and payment 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. X15079)
8. Skyway House - Amendment - approval is requested for an amendment to the agreement with Skyway House for the provision of long-term residential recovery services, day-care rehabilitation services and drug/alcohol free housing services for clients referred by the department under the Substance Abuse Crime Prevention Act and ACCESS programs. The amendment increases the maximum amount payable by \$67,965 (department budget) and adds or revises agreement language regarding matching funds, compensation and payment 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. X15065)
9. Helios Health Care, LLC, d/b/a Chico Creek Care & Rehabilitation - Amendment - approval is requested for an amendment to the agreement with Helios Health Care, LLC, d/b/a Chico Creek Care & Rehabilitation for the provision of meals to patients at the Psychiatric Health Facility. The amendment increases the maximum amount payable by \$3,867.60 (department budget). 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. X14997)

- 0505-002 10. Computer Assisted Support Enforcement System (CASES) Consortium - approval is requested for a Memorandum of Understanding with the CASES Consortium for County participation in the consortium. The consortium was established to pool member counties' experience and knowledge regarding the CASES system to maximize the system's accuracy and usefulness in a fiscally responsible manner, and the consortium serves as an area where member counties work jointly to accomplish that purpose. The agreement will commence upon execution of the agreement and will continue until revoked, dissolution of the consortium, or until the member county representative is no longer eligible to vote. Included with the Memorandum of Understanding are the Bylaws adopted by the Consortium - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND ACCEPT BYLAWS AND AUTHORIZE THE DIRECTOR OF CHILD SUPPORT SERVICES TO SIGN.
11. Local Government Omnibus Act of 2005 - Letter of Support - approval is requested for a letter of support for the Local Government Omnibus Act of 2005. County Counsel has proposed an amendment to Government Code Section 66452.5 which currently requires an appeal under that section to be commenced within 30 days of the filing of the appeal. Due to Board meeting schedules and holidays there are times when no regular meeting occurs within that 30 days and a Special Meeting is required to consider the appeal. The proposed amendment would extend the requirement for commencement of the hearing from 30 days to the next regular meeting at which it could be noticed and heard, but not later than 60 days after the filing of the appeal. The amendment has been included as Section 10 of Senate Bill 966, the Local Government Omnibus Act of 2005 - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.
12. Rutan & Tucker, LLP - approval is requested for an agreement with Rutan and Tucker, LLP, for the provision of specialized legal services in connection with the pending case involving Pacific Gas and Electric. The term of the agreement is from March 22, 2005, through completion of the case, with a hourly compensation rate of \$250 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.
13. Notice of Partial Non-Renewal of Williamson Act Agreement - Robert E. Allen/Rudolph J. Kopfer, by Duane and Donna Falk, have submitted a Notice of Partial Non-Renewal-Land Conservation Agreement for Assessor Parcel Number 039-610-036, 10 +/- acres, Williamson Act Contract Instrument Number 39680, Official Records Book 2259, Pages 413 through 423 - action requested - ACCEPT NOTICE OF PARTIAL NON-RENEWAL AND DIRECT RECORDING OF NOTICE.

- 0505-002 14. Resolution Declaring March 2005 as Social Worker Month in the County of Butte - action requested - ADOPT RESOLUTION 05-037 AND AUTHORIZE THE CHAIR TO SIGN.
15. Fire Station 42 Building Budget Transfer - approval is requested for a transfer of \$199,110 from the General Fund Appropriation for Contingencies to the Fire Station 42 Capital Projects account to provide the funding necessary for the purchase and installation of a new modular building on the site to replace the existing obsolete modular that serves as the residence and office space for the fire station - action requested - APPROVE BUDGET TRANSFER B-296 ACCEPTING AND APPROPRIATING \$199,110 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
16. Courthouse Expansion Project Budget Transfer - approval is requested to accept and appropriate \$51,380 received from the Superior Court of California, County of Butte, to fund Change Order Numbers 16 and 17, for modifications to construction activities associated with the Courthouse Expansion Project - action requested - APPROVE BUDGET TRANSFER B-297 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
17. Donation to the Gridley Veterans' Memorial Hall - pursuant to Government Code Section 25355, approval is requested to accept an anonymous donation of authentic 1952 tires to replace deteriorating tires on the artillery piece in front of the Gridley Veteran's Memorial Hall - action requested - ACCEPT DONATION, EXPRESSING THE BOARD'S APPRECIATION TO THE ANONYMOUS DONOR.
18. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: 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. SHERIFF-CORONER - SERVICES - adds one position of Deputy Sheriff (effective 4-1-05). PROBATION - JUVENILE HALL - deletes one position of Administrative Assistant. Adds one position of Administrative Assistant, Senior. PUBLIC HEALTH - GENERAL SERVICES - deletes one position of Administrative Assistant. Adds one position of Administrative Assistant, Senior. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATIONS - corrects the salary range for the position classification of Public Health Assistant, Senior to \$12.15-\$14.77. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATION - corrects the salary range for the position classification of Surveyor, Senior to \$30.74-\$37.37 - action requested - ADOPT RESOLUTION 05-038 AND AUTHORIZE THE CHAIR TO SIGN.

- 0505-002 19. Partners and Learning Program - Grant Application - approval is requested to apply to the California State Library for funds under the Library Services and Technology Act grant programs to establish the Partners and Learning (PAL) Program. The Library is applying for \$95,000 to establish the program that will enable Literary Services to begin providing a tutoring program for school children in the Oroville area - action requested - AUTHORIZE THE DIRECTOR OF LIBRARIES TO APPLY FOR GRANT FUNDS.
20. Library Donations - pursuant to Government Code Section 25355, donations of \$1,402.60 from the Chico Friends of the Library, \$1,391.20 from the Oroville Friends of the Library, \$1,100 from the Paradise Friends of the Library, \$100 from the Gridley Friends of the Library, \$100 from Ruthmarie Ferris of Oroville, and \$100 from an anonymous donor, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
21. Equipment Purchase and Budget Transfer - approval is requested for the fixed asset purchase of a Livescan fingerprint machine for the Juvenile Hall. Recent legislation requires finger and palm prints to be taken for certain violent offenders, including juveniles. The equipment currently in use is unable to take palm prints and new equipment is needed to comply with the new requirements. The cost of the Livescan machine is \$40,529, and Board approval is also requested to transfer funds from the Criminal Justice Temporary Facilities Construction fund to provide for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF LIVESCAN MACHINE; AND APPROVE BUDGET TRANSFER B-298 ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.
22. Edward Byrne Memorial Justice Assistance Grant - approval is requested to apply to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for funds under the Edward Byrne Memorial Justice Assistance Grant program. The grant program allows local government to support a broad range of activities to prevent and control crime based on their own local needs and conditions. The department can apply for a local allocation of \$21,912 and plans to use the funds to support community corrections programs, education programs and drug treatment programs - action requested - AUTHORIZE THE CHIEF PROBATION OFFICER TO APPLY FOR GRANT FUNDS.

- 0505-002 23. Drug Court Discretionary Grant - approval is requested to apply to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for funds to support programs that reduce recidivism and substance abuse among nonviolent offenders, increase the offenders likelihood of successful rehabilitation through early, continuous and intense judicially supervised treatment, mandatory periodic drug testing and community supervision, and implement the use of appropriate sanctions and other rehabilitation services. The department can apply for a three year grant (July 1, 2005, through June 30, 2008) in an amount of up to \$450,000 per year. The grant requires a 25% County match which can be both in-kind and/or cash and will be covered by the department's operating budget - action requested - AUTHORIZE THE CHIEF PROBATION OFFICER TO APPLY FOR GRANT FUNDS.
24. Medi-Cal Administrative Activities/Targeted Case Management Program - Amendments - approval is requested for amendments to the participation fee agreements with 16 consortium agencies for the Medi-Cal Administrative Activities/Targeted Case Management program. The department acts as Host Entity for the consortium. A total of 56 agencies participate in the program and fee agreements have been prepared for all agencies; 16 of the amendments require Board approval because they are over the \$25,000 limit (12), or amend agreements that were once above the \$25,000 limit but have now fallen below that amount (4) - action requested - APPROVE AGREEMENTS (16) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
25. Solid Waste Assistance Grant - approval is requested to apply to the State of California, Integrated Waste Management Board for funds to support local solid waste landfill permit and inspection programs. The department may apply for approximately \$18,600 in State funds, with no County match required. The funds will be used to support staff and operating expenses of the solid waste permit and inspection program - action requested - ADOPT RESOLUTION 05-039 APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.
26. Northern California Emergency Medical Services (EMS), Inc. - Modification - approval is requested for a modification of an agreement with Northern California EMS, Inc., which designates Northern California EMS, Inc., as the Local EMS Agency. The modification sets the maximum amount payable for fiscal year 2004-2005 at \$47,168, and the maximum amount payable for fiscal year 2005-2006 at \$49,283 plus an amount that reflects the change of the Consumer Price Index for the Pacific Cities and United States city average west B/C area for the prior calendar year ending December 31, 2004. Funding for the agreement is provided by fees collected under the SB12/612 EMS Fund - action requested - APPROVE AGREEMENT MODIFICATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0505-002 27. Butte County Children and Families Commission - Grant Agreement Amendment - approval is requested for an amendment to the grant agreement with the Butte County Children and Families Commission for funds to help support the Visiting Infants and Parents (VIP) Program. The amendment extends the term of the grant to July 31, 2005, and increases the grant award amount by \$51,350. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14101)
28. California Family Health Council, Inc. - approval is requested for a grant agreement with the California Family Health Council, Inc., for funds to support the Peer Provider Program at the Table Mountain Clinic. The term of the grant is January 1, 2005, through December 31, 2005, with a maximum amount payable to the County of \$105,000. The department is requesting that \$11,000 for the funds be appropriated in the current fiscal year, with the balance of the funds to be included in the fiscal year 2005-2006 budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-299 ACCEPTING AND APPROPRIATING \$11,000 AS DETAILED IN THE AGENDA REPORT.
29. Tire Amnesty Grant Application - Report to the Board - submitted is a status update on the County's grant application for funds to support tire amnesty events. At its meeting of February 15, 2005, the California Integrated Waste Management Board voted to adopt a resolution funding the County's grant application for a total of \$40,000. The funds will be used for 2 one-day tire amnesty events in 2005. The first event is scheduled for June 11, 2005, at the Highway 70 Industrial Park in Oroville - action requested - ACCEPT FOR INFORMATION.
30. URS Corporation - Amendment - approval is requested for an amendment to the agreement with URS Corporation for the provision of environmental monitoring and reporting services for the Neal Road Sanitary Landfill. The amendment increases the maximum amount payable by \$37,217 for additional services to include groundwater monitoring well repair/abandonment, GeoTracker reporting and monthly landfill gas monitoring. Funding for the amendment will be provided by a combination of Neal Road Landfill Enterprise Funds and unanticipated revenue from increased landfill gate fees and Board approval is also requested for a budget transfer of \$18,637 in landfill gate fee revenue to provide the needed appropriation - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-300 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0505-002 31. Superior Court of California, County of Butte - approval is requested for a revenue agreement with the Superior Court of California, County of Butte, for the provision of Court Security Services by the Butte County Sheriff's Office. The term of the agreement is July 1, 2004, through June 30, 2006, with a maximum amount payable to the County of \$2,624,662 (\$1,268,662 for fiscal year 2004-2005, and \$1,356,000 for fiscal year 2005-2006). The agreement provides for one additional Deputy Sheriff effective April 1, 2005. Board approval is also requested to accept and appropriate \$189,662 in unanticipated court security revenue. The current fiscal year's budgeted revenue figures were less than the actual contract amount - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-302 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
32. Tribal Grant Funds - approval is requested to accept and appropriate \$41,095 in supplemental Indian Gaming Local Community Benefit grant funds for fiscal year 2003-2004 - action requested - APPROVE BUDGET TRANSFER B-301 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
33. Monthly Investment Report - submitted is the Monthly Investment Report dated February 28, 2005, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.
34. Paradise Recreation and Park District - Letter of Support - the Paradise Recreation and Park District would like to pursue Proposition 40 grant funds to acquire capital to construct a new recreation center. The land upon which the new recreation center would be built is County land leased by the District. The District is requesting a letter of support for the project to include in their grant application package - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.
35. Resolution Recognizing April as Child Abuse Prevention Month - the Parent Education Network is requesting the Board adopt a resolution recognizing April as Child Abuse Prevention Month in Butte County - action requested - ADOPT RESOLUTION 05-040 AND AUTHORIZE THE CHAIR TO SIGN.
36. In-Home Supportive Services Advisory Committee - action requested - APPOINT DANIEL GROVER AND WILLIAM ARMFIELD TO TERMS TO END DECEMBER 19, 2007. (80)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEM 3.34.

S M

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

REGULAR AGENDA

0505-003 Boards, Commissions and Committees. (94)

1. Appointments to Listed Vacancies. (NONE)
2. Board Member or Committee Reports. (98)

SUPERVISOR DOLAN INFORMED THE BOARD THAT THE SACRAMENTO RIVER CONSERVATION AREA FORUM IS IN THE PROCESS OF FINALIZING ONLINE ACCESS TO ALL GRANT FUNDED PROJECTS APPLIED FOR OR IN PROGRESS ALONG THE SACRAMENTO RIVER.

SUPERVISOR JOSIASSEN PROVIDED A REPORT ON THE FEDERAL ENERGY REGULATORY COMMISSION RELICENSING SUBCOMMITTEE'S TRIP TO WASHINGTON D.C.; HIS ATTENDANCE AT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES' BOARD MEETING; AND HIS ATTENDANCE AT THE NATIONAL ASSOCIATION OF COUNTIES ANNUAL MEETING.

SUPERVISOR CONNELLY REPORTED ON THE TRIP TO WASHINGTON, D.C.

CHAIR YAMAGUCHI REPORTED ON HIS PARTICIPATION AT THE NATIONAL ASSOCIATION OF COUNTIES ANNUAL MEETING.

PRESENTATION BY CHAIR YAMAGUCHI TO NIKOLE HILGEMAN, CHILD ABUSE PREVENTION COUNCIL, OF A RESOLUTION PROCLAIMING APRIL AS CHILD ABUSE PREVENTION MONTH.

PRESENTATION BY CHAIR YAMAGUCHI TO CATHI GRAMS, DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES, OF A RESOLUTION RECOGNIZING SOCIAL WORKERS MONTH.

0505-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (746) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PROVIDED THE BOARD WITH A REPORT ON SENATE BILL 1605 AND SENATE BILL 1018. THE BILL HAS ESSENTIALLY THE SAME LANGUAGE, WHICH WOULD REQUIRE ALL OFFICERS AND EMPLOYEES OF FINANCIAL INSTITUTIONS TO BE MANDATED REPORTERS OF SUSPECTED FINANCIAL ELDER ABUSE, AND HE REQUESTED THE BOARD APPROVE A LETTER OF SUPPORT FOR THOSE TWO BILLS. ALSO DISCUSSED WERE PROPOSED PENSION REFORM TOPICS BEING CONSIDERED BY THE LEGISLATURE AND THE CALIFORNIA STATE ASSOCIATION OF COUNTIES. IT WAS NOTED THAT THE COUNTY'S SOLAR POWER PROJECT WAS WRITTEN UP IN THE MARCH ISSUE OF PUBLIC MANAGEMENT MAGAZINE; AND MIKE CRUMP, DIRECTOR-PUBLIC WORKS, INTRODUCED THE BOARD TO SHAWN O'BRIEN, NEW ASSISTANT DIRECTOR-PUBLIC WORKS.

1. Letter of Support for Senate Bill 733 (Aanestad) - consideration of a letter of support for a bill that would separate Superior Court of California, County of Butte, employees from the County's CalPERS contract - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.

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0505-004 MOTION: I MOVE TO APPROVE A LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

MOTION: I MOVE TO APPROVE A LETTER OF SUPPORT FOR SENATE BILLS 1605 AND 1018.

S M

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

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**RECESS:** 9:43 A.M.

**RECONVENE:** 10:55 A.M.

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**REGULAR AGENDA**

0505-005 Realignment of River Road - consideration of a Cooperative Agreement with the State of California, Department of Transportation, for a safety improvement project at the intersection of State Highway 32 and River Road - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (1276) (\*\*00)

MOTION: I MOVE TO CONTINUE THIS ITEM TO THE MEETING OF APRIL 12, 2005.

M S

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

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**RECESS:** 10:48 A.M.

**RECONVENE:** 11:01 A.M.

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**REGULAR AGENDA**

0505-006 Skyway Lookout Point Parking and Pedestrian Viewing Facilities (County Project Number 51261-2-2005-1) - Mitigated Negative Declaration - consideration of adoption of a Mitigated Negative Declaration regarding environmental impacts for the Skyway Lookout Point Parking and Pedestrian Viewing Facilities - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-D) AS DETAILED IN THE AGENDA REPORT DATED MARCH 8, 2005, ADOPT A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS FOR THE SKYWAY LOOKOUT POINT PARKING AND PEDESTRIAN VIEWING FACILITIES PROJECT AND AUTHORIZE THE CHAIR TO SIGN;



PUBLIC HEARINGS AND TIMED ITEMS

0505-007 Public Hearing - Abandonment of a Portion of a Drainage Easement - Public Works has received a request to abandon a portion of an existing 20-foot drainage easement on property 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. Approval of the request was recommended by the Planning Commission at its meeting of February 25, 2005. The applicant has obtained an encroachment permit and intends to install the necessary culvert referenced in the Planning Commission Report - action requested - FIND THAT PORTION OF THE DRAINAGE EASEMENT DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; AND ADOPT A RESOLUTION OF ABANDONMENT AND AUTHORIZE THE CHAIR TO SIGN. (\*\*1348)

PUBLIC HEARING OPENED: 11:40 A.M.  
PUBLIC HEARING CLOSED: 11:40 A.M.

MOTION: I MOVE TO FIND THAT THE PORTION OF THE DRAINAGE EASEMENT DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; AND FURTHER MOVE TO ADOPT RESOLUTION OF ABANDONMENT 05-041 AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

0505-008 Public Hearing - Amendment to the Text of Chapter 24, Section 24-35.40, of the Butte County Code, Regarding Non-Conforming Parcels - Butte County Department of Development Services - consideration of an ordinance amendment which would allow rear yard setbacks to be reduced by 5-foot increments with a minimum rear yard setback of ten feet and revise the building envelope to 50 feet in width. This is a project on which notice of intent to adopt a negative declaration ~~with mitigation measures~~ regarding environmental impacts has been given (YC [ZCA 05-02]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. FIND THAT THE NONCONFORMING LOT SETBACK ORDINANCE HAS BEEN THE SUBJECT OF STAFF STUDY AND HAS BEEN PREPARED FOR THE PURPOSE AND INTENT AS STATED IN SECTION 24-35.40 OF THE PROPOSED ORDINANCE;
2. SUBJECT TO FINDINGS II(A-C) AS DETAILED IN THE STAFF REPORT DATED MARCH 22, 2005, ADOPT A NEGATIVE DECLARATION;
3. FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; AND

0505-008 4. SUBJECT TO FINDING IV(A) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, ADOPT THE ORDINANCE AMENDING SECTION 24-35.40, OF CHAPTER 24, OF THE BUTTE COUNTY CODE, REGARDING NONCONFORMING PARCELS OF RECORD AND AUTHORIZE THE CHAIR TO SIGN. (\*\*1364)

PUBLIC HEARING OPENED: 11:54 A.M.  
PUBLIC HEARING CLOSED: 11:56 A.M.

MOTION: I MOVE TO FIND THAT THE NONCONFORMING LOT SETBACK ORDINANCE HAS BEEN THE SUBJECT OF STAFF STUDY AND HAS BEEN PREPARED FOR THE PURPOSE AND INTENT AS STATED IN SECTION 24-35.40 OF THE PROPOSED ORDINANCE; SUBJECT TO FINDINGS II(A-C) AS DETAILED IN THE STAFF REPORT DATED MARCH 22, 2005, MOVE TO ADOPT A NEGATIVE DECLARATION (CLARIFIED TO INDICATE THAT THERE ARE NO MITIGATION MEASURES AS WRITTEN IN THE AGENDA); FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; SUBJECT TO FINDING IV(A) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, MOVE TO ADOPT ORDINANCE 3904 AMENDING SECTION 24-35.40, OF CHAPTER 24, OF THE BUTTE COUNTY CODE, REGARDING NONCONFORMING PARCELS OF RECORD AND AUTHORIZE THE CHAIR TO SIGN; AND FURTHER MOVE TO DIRECT STAFF TO CONTINUE DISCUSSIONS WITH THE USERS' GROUP AND IF THEY ARE STILL INTERESTED IN AMENDMENTS REGARDING A 5-FOOT SETBACK AND ELIMINATION OF THE BUILDING ENVELOPE, THEN THE ISSUE SHOULD BE REFERRED BACK TO THE PLANNING COMMISSION FOR FURTHER DISCUSSION.

M S

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

0505-009 Public Hearing - Amendment to the Text of Chapter 24, Sections 24-140, 24-145, 24-150, 24-155, and 24-225, of the Butte County Code, Regarding Commercial Signage - Butte County Department of Development Services - consideration of an ordinance amendment which would amend the commercial zones of the County so that where commercially-zoned property is adjacent to residentially-zoned property, the standards for allowable signs would be the sign standards in the N-C (Neighborhood-Commercial) zoning district, and setting limits on the height, size, and illumination of outdoor advertising signs. Outdoor advertising signs not complying with the proposed amendments would require a use permit. This is a project on which notice of intent to adopt a negative declaration ~~with mitigation measures~~ regarding environmental impacts has been given (YC [ZCA 004]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

- 0505-009
1. FIND THAT THE SIGN ORDINANCE FOR COMMERCIAL ZONES HAS BEEN THE SUBJECT OF STAFF STUDY AND PUBLIC COMMENT, AND HAS BEEN PREPARED FOR THE PURPOSE OF REGULATING SIGNS IN THE C-1 (LIGHT COMMERCIAL), C-2 (GENERAL COMMERCIAL), H-C (HIGHWAY COMMERCIAL), AND S-H (SCENIC HIGHWAY) ZONES THAT ARE ADJACENT TO RESIDENTIALLY-ZONED PROPERTY. IN SUCH INSTANCES, THE REQUIRED SIGN STANDARDS ARE TO BE THOSE OF THE N-C (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT;
  2. SUBJECT TO FINDINGS II (A-C) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, ADOPT A NEGATIVE DECLARATION;
  3. FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; AND
  4. SUBJECT TO FINDING IV(A) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, ADOPT THE ORDINANCE AMENDING SECTIONS 24-140, 24-145, 24-150, 24-155 AND 24-225, OF CHAPTER 24 OF THE BUTTE COUNTY CODE, REGARDING COMMERCIAL SIGN PROVISIONS AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC HEARING OPENED: 12:22 P.M.  
 PUBLIC HEARING CLOSED: 12:26 P.M.

MOTION: I MOVE TO FIND THAT THE SIGN ORDINANCE FOR COMMERCIAL ZONES HAS BEEN THE SUBJECT OF STAFF STUDY AND PUBLIC COMMENT, AND HAS BEEN PREPARED FOR THE PURPOSE OF REGULATING SIGNS IN THE C-1 (LIGHT COMMERCIAL), C-2 (GENERAL COMMERCIAL), H-C (HIGHWAY COMMERCIAL), AND S-H (SCENIC HIGHWAY) ZONES THAT ARE ADJACENT TO RESIDENTIALLY-ZONED PROPERTY. IN SUCH INSTANCES, THE REQUIRED SIGN STANDARDS ARE TO BE THOSE OF THE N-C (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND THAT IF THERE IS A FREE-STANDING POLE SIGN, IT WILL REQUIRE A USE PERMIT, AND THE MONUMENT SIGN REQUIREMENTS TO BE AS THE PLANNING COMMISSION RECOMMENDED; SUBJECT TO FINDINGS II (A-C) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, MOVE TO ADOPT A NEGATIVE DECLARATION (CLARIFIED TO INDICATE THAT THERE ARE NO MITIGATION MEASURES AS WRITTEN IN THE AGENDA); FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; AND SUBJECT TO FINDING IV(A) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, FURTHER MOVE TO ADOPT ORDINANCE 3905 AMENDING SECTIONS 24-140, 24-145, 24-150, 24-155 AND 24-225, OF CHAPTER 24 OF THE BUTTE COUNTY CODE, REGARDING COMMERCIAL SIGN PROVISIONS AND AUTHORIZE THE CHAIR TO SIGN. (\*\*2378) (\*\*00)

M S

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

0505-010 Public Hearing - Amendment to Sections 24-82, 24-95, 24-105, 24-110, 24-115, 24-120, 24-125, 24-130, 24-135, 24-155, 24-160, 24-165, 24-190, 24-210, 24-225, 24-235.10, 24-280, and 24-295.10 of Chapter 24, Zoning, of the Butte County Code, Regarding Second Dwelling Units - Butte County Department of Development Services - consideration of an ordinance amendment which would incorporate State laws that permit second units without a minor use permit requirement in zones where residential uses are permitted by right and changing the existing standards applying to second dwelling units. This is a project on which notice of intent to adopt a negative declaration ~~with mitigation measures~~ regarding environmental impacts has been given. (YC [ZCA 05-01]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. FIND THAT THE SECOND DWELLING UNIT ORDINANCE HAS BEEN THE SUBJECT OF EXTENSIVE STAFF STUDY AND PUBLIC COMMENT, AND HAS BEEN PREPARED FOR THE PURPOSE OF INCORPORATING STATE LAWS THAT PERMIT SECOND DWELLING UNITS WITHOUT A MINOR USE PERMIT REQUIREMENT IN ZONES WHERE RESIDENTIAL USES ARE PERMITTED BY RIGHT; AND
2. SUBJECT TO FINDINGS II (A-C) AS DETAILED IN THE STAFF REPORT DATED MARCH 22, 2005, ADOPT A NEGATIVE DECLARATION;
3. FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; AND
4. SUBJECT TO FINDINGS IV (A-C) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, ADOPT THE ORDINANCE AMENDING SECTIONS 24-82, 24-95, 24-105, 24-110, 24-115, 24-120, 24-125, 24-130, 24-135, 24-155, 24-160, 24-165, 24-190, 24-210, 24-225, 24-235.10, 24-280, AND 24-295.10 OF CHAPTER 24, ZONING, OF THE BUTTE COUNTY CODE, REGARDING SECOND DWELLING UNITS AND AUTHORIZE THE CHAIR TO SIGN. (\*\*142)

PUBLIC HEARING OPENED: 1:26 P.M.  
PUBLIC HEARING CLOSED: 1:53 P.M.

0505-010 MOTION: I MOVE TO FIND THAT THE SECOND DWELLING UNIT ORDINANCE HAS BEEN THE SUBJECT OF EXTENSIVE STAFF STUDY AND PUBLIC COMMENT, AND HAS BEEN PREPARED FOR THE PURPOSE OF INCORPORATING STATE LAWS THAT PERMIT SECOND DWELLING UNITS WITHOUT A MINOR USE PERMIT REQUIREMENT IN ZONES WHERE RESIDENTIAL USES ARE PERMITTED BY RIGHT; AND SUBJECT TO FINDINGS II (A-C) AS DETAILED IN THE STAFF REPORT DATED MARCH 22, 2005, MOVE TO ADOPT A NEGATIVE DECLARATION (CLARIFIED TO INDICATE THAT THERE ARE NO MITIGATION MEASURES AS WRITTEN IN THE AGENDA); FIND THAT THE PROPOSED PROJECT WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE ADOPTION OF THE AMENDED ORDINANCE WILL NOT RESULT IN IMPACTS TO FISH AND/OR WILDLIFE; AND SUBJECT TO FINDINGS IV (A-C) AS DETAILED IN THE AGENDA REPORT DATED MARCH 22, 2005, ADOPT ORDINANCE 3906 AMENDING SECTIONS 24-82, 24-95, 24-105, 24-110, 24-115, 24-120, 24-125, 24-130, 24-135, 24-155, 24-160, 24-165, 24-190, 24-210, 24-225, 24-235.10, 24-280, AND 24-295.10 OF CHAPTER 24, ZONING, OF THE BUTTE COUNTY CODE, REGARDING SECOND DWELLING UNITS AND AUTHORIZE THE CHAIR TO SIGN; WITH THE SUMMARY OF CHANGES AS LISTED ON PAGES 2-4 OF THE AGENDA REPORT DATED MARCH 22, 2005, TO BE AS FOLLOWS: 1. SECOND DWELLING UNITS - AS PROPOSED; 2. EXCLUDED AREAS - AS PROPOSED, WITH DIRECTION TO STAFF TO PREPARE A PROPOSAL TO RETURN TO THE BOARD TO CONSIDER THE APPROPRIATE ADDITION OF 2<sup>ND</sup> DWELLING UNITS IN AGRICULTURAL ZONES; 3. PARCEL SIZE - AS PROPOSED; 4. VARYING STANDARDS - AS PROPOSED; 5. ATTACHED UNITS - AS PROPOSED; 6. SIZE OF UNITS - NO SIZE LIMITATION AS LONG AS THE LAND AND RESTRICTIONS SUPPORT THE UNIT; 7. OCCUPANCY GUARANTEE - AS PROPOSED; 8. PARKING - 1 PARKING SPACE FOR 1 BEDROOM AND 2 PARKING SPACES FOR 2 OR MORE BEDROOMS; 9. ROADS AND DRIVEWAYS - AS PROPOSED; 10. DRAINAGE - TO READ, "CONSTRUCTION OF THE SECOND DWELLING UNIT MAY REQUIRE DRAINAGE IMPROVEMENTS THAT WOULD BE CUSTOMARY WITH A BUILDING PERMIT. THE EXTENT AND TIMING OF THE IMPROVEMENTS, IF ANY, SHALL BE DETERMINED BY THE BUTTE COUNTY DEPARTMENT OF PUBLIC WORKS. THE TECHNICAL STANDARDS AND SPECIFICATIONS FOR DRAINAGE IMPROVEMENTS ARE CONTAINED IN THE IMPROVEMENT STANDARDS AS ADOPTED BY RESOLUTION BY THE BOARD OF SUPERVISORS."; 11. MINOR USE PERMIT REQUIREMENT - AS PROPOSED; 12. REMOVE SECOND DWELLING UNIT OPTION IN NEIGHBORHOOD COMMERCIAL - AS PROPOSED; 13. WATERSHED PROTECTION OVERLAY ZONE - AS PROPOSED; AND 14. MINIMUM AREA REQUIREMENT OF ZONE FOR PARCEL/LOT - AS PROPOSED.

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

CLOSED SESSION

0505-011     RECESS:                    THE BOARD RECESSED AT 1:56 P.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): TWO POTENTIAL CASES; PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES; AND CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:            AGENCY REPRESENTATIVE:            JEANNE GRAVETTE.    EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION. (\*\*\*3581) (\*\*\*\*00)

RECONVENE:                    THE BOARD RECONVENED AT 2:59 P.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): TWO POTENTIAL CASES; PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-DEVELOPMENT SERVICES; AND CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:            AGENCY REPRESENTATIVE:            JEANNE GRAVETTE.    EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION. (\*\*\*\*46) (NO ANNOUNCEMENTS).

PUBLIC HEARINGS AND TIMED ITEMS

0505-012 Public Hearing - Community Development Block Grant Program - Fiscal Year 2005-2006 General Allocation Application - consideration of grant applications for multiple year funding under the Community Development Block Grant Program, General Allocation, in a maximum amount of up to \$1,500,000 (\$500,000 per year for 3 years) for the following projects: Housing rehabilitation in the unincorporated area of the County; Removal of architectural barriers to the Chico Veterans' Memorial Hall; Removal of architectural barriers to the Paradise Veterans' Memorial Hall; Removal of architectural barriers to the Gridley Veterans' Memorial Hall; Removal of architectural barriers to the Oroville Veterans' Memorial Hall; Construction of sidewalks in South Oroville; Code enforcement in the South Oroville area; and the Book by Mail Program for homebound seniors and disabled individuals in the County - action requested - ADOPT RESOLUTION APPROVING GRANT SUBMITTAL AND AUTHORIZE THE CHAIR TO SIGN. (\*\*\*\*45)

PUBLIC HEARING OPENED: 3:08 P.M.  
PUBLIC HEARING CLOSED: 3:17 P.M.

MOTION: I MOVE TO ADOPT RESOLUTION 05-042 APPROVING THE GRANT SUBMITTAL AS RECOMMENDED BY STAFF AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

REGULAR AGENDA

0505-013 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 - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-1-05 [4.06]) (\*\*\*\*923)

MOTION: I MOVE TO ADOPT ORDINANCE 3907 AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

SUPERVISOR HOUX NOT PRESENT (3:33 P.M.).

0505-014 Proposed Revision of Chapter 13 of the Butte County Code Regarding Grading and Mining - consideration of a working group to review and recommend possible revisions to Chapter 13 of the Butte County Code regarding grading, erosion and sedimentation regulations - action requested - APPOINT TWO BOARD MEMBERS TO WORK WITH STAFF ON REVIEWING AND RECOMMENDING PROPOSED REVISIONS TO CHAPTER 13, GRADING AND MINING, OF THE BUTTE COUNTY CODE. (\*\*\*\*988)

MOTION: I MOVE TO APPOINT SUPERVISORS CONNELLY AND JOSIASSEN TO WORK WITH STAFF ON REVIEWING AND RECOMMENDING PROPOSED REVISIONS TO CHAPTER 13, GRADING AND MINING, OF THE BUTTE COUNTY CODE.  
M S

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

0505-015 Resolution Requesting Changes to the Draft Diesel Particulate Matter Control Measures for Municipal or Utility On-Road Heavy Duty Diesel Fuel Vehicles - consideration of a resolution which would request changes to the California Air Resources Board's drafted proposed regulations for diesel particulate matter - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (\*\*\*\*1698)

MOTION: I MOVE TO ADOPT RESOLUTION 05-043 AND AUTHORIZE THE CHAIR TO SIGN.  
S M

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

0505-016 Items Removed from the Consent Agenda for Board Consideration and Action. (\*\*\*\*2170) (NONE)

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**PUBLIC COMMENT**

0505-017 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. (\*\*\*\*2175)

1. CYNTHIA HANNA, UNITED DOMESTIC WORKERS OF AMERICA, ADDRESSED THE BOARD TO DISCUSS INCREASED WAGES AND BENEFITS FOR HOME CARE WORKERS.

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**ADJOURNMENT :**

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:01 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, APRIL 12, 2005, AT 9:00 A.M.

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KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative  
Office and Clerk of the Board

By: \_\_\_\_\_