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Called to order at 9:10 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.**

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

- 0521-001 1. State Water Resources Control Board - approval is requested for a revenue agreement with the State Water Resources Control Board for funds to support an Irrigated Lands Conditional Waiver Program. The department will provide inspections of watershed monitoring locations, assist in identifying sources of water quality exceedance, and provide information on watershed activities. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$67,860. Board approval is also requested to accept and appropriate the unanticipated revenue, and to authorize the fixed asset purchase of a vehicle in the estimated amount of \$22,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET PURCHASE OF A VEHICLE IN THE ESTIMATED AMOUNT OF \$22,000. (Contract No. R40807)

AT THE REQUEST OF THE AGRICULTURAL COMMISSIONER, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON A SUBSEQUENT AGENDA.

- 0521-001 2. Willdan - Amendment - approval is requested for an amendment to the agreement with Willdan for the provision of plan examination and building permit/inspection services. The amendment increases the maximum amount payable by \$405,000 for plan check and inspection services for fiscal year 2005-2006. All other terms and provisions remain the same. Board approval is also requested for a transfer from the General Fund Appropriation for Contingencies to fund the agreement - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$405,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES; AND APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14838)

AT THE REQUEST OF THE DEVELOPMENT SERVICES DEPARTMENT, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON A SUBSEQUENT AGENDA.

3. Reuse Assistance Grant - approval is requested to apply to the California Integrated Waste Management Board, on behalf of TFI, Inc., of Chico, for Reuse Assistance Grant funds. The County will act as the public agency for the grant on behalf of TFI Inc. TFI Inc., is proposing to use the grant funds to develop a system to recapture materials generated in their manufacturing process and to reuse them as other products, including landscape materials. It is estimated that the program will divert 15 to 25 tons of refuse per month from the landfill - action requested - ADOPT RESOLUTION AUTHORIZING SUBMISSION OF THE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT AND CARRY OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

AT THE REQUEST OF THE PUBLIC WORKS DEPARTMENT, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION.

4. Chico Memorial Hall Committee - action requested - APPOINT W.N. "BILL" ANDRUS, DELEGATE, AND LARRY WAHL, ALTERNATE, VETERANS OF FOREIGN WARS REPRESENTATIVES, TO A TERM TO END JUNE 30, 2006. (FROM 10-25-05 [3.32])

AT THE REQUEST OF THE CLERK OF THE BOARD, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THIS ITEM WILL RETURN ON A SUBSEQUENT AGENDA.

CONSENT AGENDA

- 0521-002 1. State of California, Department of Food and Agriculture - approval is requested for a revenue agreement with the State of California, Department of Food and Agriculture, for funds to support the Seed Services Program, Nursery Inspection Program, and Sudden Oak Death Program. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$33,438.25 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40813)
2. State of California, Department of Food and Agriculture - approval is requested for a revenue agreement with the State of California, Department of Food and Agriculture, for funds to support the Glassy-winged Sharpshooter Program and the Pierce's Disease Program. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$113,719.02 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40806)
3. Substance Abuse and Mental Health Services Administration - Connecting Circles of Care Grant - approval is requested to accept and appropriate grant funds received under the Substance Abuse and Mental Health Services Administration's Connecting Circles of Care Grant program. The County will receive \$8,176,669 over a six-year period to provide a variety of services for severely emotionally disturbed children. The department is requesting the Board accept and appropriate \$746,001, which represents approximately 75% of the Year One award - action requested - APPROVE BUDGET TRANSFER B-101 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
4. Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services. The amendment increases the maximum amount payable by \$12,818.55 (department budget), and revises the agreement's exhibits to reflect the change. 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. X15667)
5. Runaway and Homeless Youth Grant - approval is requested to reduce revenue and appropriations associated with the Runaway and Homeless Youth Grant. The department was notified that the actual grant award was \$19,608 below the estimate contained in the adopted budget, and adjustment is needed to reflect the actual amount awarded - action requested - APPROVE BUDGET TRANSFER B-100 REDUCING APPROPRIATIONS AND REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0521-002 6. Projects for Assistance in Transition from Homelessness Grant - approval is requested to accept and appropriate an additional \$9,059 allocation for the Projects for Assistance in Transition from Homelessness Grant. The funds are used to provide services, emergency housing and job training for homeless or at-risk clients - action requested - APPROVE BUDGET TRANSFER B-099 (4/5 vote required) ACCEPTING AND APPROPRIATING THE UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
7. Code Enforcement Advisory Board - Supervisor Dolan submits her nomination for District 2 Representative to the Butte County Code Enforcement Advisory Board - action requested - APPOINT RICHARD SPELLMANN, DISTRICT 2 REPRESENTATIVE.
8. Rolls, Anderson & Rolls Civil Engineering - Amendment - approval is requested for an amendment to the agreement with Rolls, Anderson & Rolls Civil Engineering for the preparation of sewer facility studies in support of the Chico Urban Area Nitrate Compliance Plan. The amendment extends the term of the agreement through June 30, 2007, increases the maximum amount payable by \$10,000 (CSA No. 114 budget) for the extended term, and revises the agreement's exhibits to reflect the changes. 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. X10803)
9. NorthStar Engineering - approval is requested for an agreement with NorthStar Engineering for the preparation of a Chapmantown Affordable Housing Conceptual Design and Feasibility Study. The term of the agreement is September 23, 2005, through March 31, 2007, with a maximum amount payable of \$31,723 (Community Development Block Grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
10. Rochelle A. Forbis - approval is requested for an agreement with Rochelle A. Forbis for the provision of Indigent Defense Services. The term of the agreement is November 1, 2005, through December 31, 2008, with an annual compensation rate of \$41,616 per year (Public Defender budget [\$27,744 for the remainder of fiscal year 2005-2006]) - action requested - APPOINT ROCHELLE A. FORBIS TO THE PUBLIC DEFENDER CONSORTIUM; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
11. Approval of Minutes - action requested - APPROVE MINUTES OF OCTOBER 26, 2004, NOVEMBER 9, 2004, NOVEMBER 10, 2004, AND NOVEMBER 30, 2004, WITH THE NOTATION THAT SUPERVISOR CONNELLY WILL ABSTAIN FROM APPROVAL OF 2004 MINUTES.

- 0521-002 12. November Meeting Calendar - approval is requested to cancel the meeting of November 22, 2005 - action requested - CANCEL NOVEMBER 22, 2005, MEETING.
13. Butte County District Attorney - approval is requested for a Memorandum of Understanding with the District Attorney for the provision of welfare fraud investigative services. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$1,357,810 (CalWORKs and Food Stamp Administrative Allocations) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
14. Butte County District Attorney - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the District Attorney for the provision of in-home supportive services fraud and adult/elder abuse crimes investigative services. The amendment increases the maximum amount payable by \$25,000 (department budget) for fiscal year 2005-2006. 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. X14623)
15. State of California, Department of Forestry and Fire Protection - approval is requested for an Emergency Equipment Rental Agreement with the State of California, Department of Forestry and Fire Protection. Under the terms of the agreement the State may utilize County fire equipment on State incidents during periods of extreme need. Proposed are two agreements, one for the period of August 26, 2005, through September 11, 2005, and one for the period of September 12, 2005, through June 30, 2006. The amount to be charged to the State for use of the equipment is based on the current Office of Emergency Services California Fire Assistance Agreement rate letter. The rates in the two agreements range from \$31.00 per hour to \$71.00 per hour, depending on the equipment used. The funds generated by the agreement will be deposited into the Community Cost Share Trust Fund - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE REVENUE FROM THE AGREEMENT TO BE DEPOSITED INTO THE COMMUNITY COST SHARE TRUST FUND.
16. Paradise Veterans Memorial Hall Repairs - approval is requested for a transfer of \$3,300 from the General Fund Appropriation for Contingencies to provide the funds needed to install new vinyl and underlayment in the foyer of the Paradise Veterans Memorial Hall - action requested - APPROVE BUDGET TRANSFER B-109 (4/5 vote required) ACCEPTING AND APPROPRIATING \$3,300 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

- 0521-002 17. Butte County Employees' Association - Memorandum of Understanding - approval is requested for a successor Memorandum of Understanding with the Butte County Employees' Association, which includes the following major changes resulting from the meet and confer process: agreement term to be October 1, 2004, through September 30, 2007; salaries to be increased by 1%, retroactive to December 18, 2004; and an increase in County contribution to employee health premiums, effective January 1, 2005 - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.
18. City of Chico - approval is requested for a revenue agreement with the City of Chico for supplemental funding assistance for the Chico Branch Library for fiscal year 2005-2006. The funds received from the City provide an additional 25 hours of operation per week. The term of the agreement is October 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$108,750. Approval is also requested for a budget transfer to accept and appropriate \$18,750 of the allocation - 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-103 (4/5 vote required) ACCEPTING AND APPROPRIATING THE UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
19. Resolution Proclaiming November 14-20, 2005, as Children's Book Week - action requested - ADOPT RESOLUTION 05-134 AND AUTHORIZE THE CHAIR TO SIGN.
20. California Department of Health Services - approval is requested for a grant agreement with the California Department of Health Services for funds to support Public Health preparedness and response to bioterrorism activities. The term of the agreement is August 31, 2005, through August 30, 2006, with a maximum amount payable to the County of \$314,047 - action requested - APPROVE AGREEMENT AND CERTIFICATION FORM AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
21. Greg Costo - Amendment - approval is requested for an amendment to the agreement with Greg Costo for services as part-time Lab Director for the Public Health Department. The amendment extends the term of the agreement through June 30, 2006, increases the hourly compensation rate for travel time by \$3.00 per hour, and increases the maximum amount payable by \$65,000 (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. X14917)

- 0521-002 22. Right-of-Way Relinquishments - approval is requested for an agreement with the State of California to acquire portions of right-of-way no longer necessary for the main traveled road way of Highway 70. The State acquired the right-of-way as part of the improvement project for State Highway 70. Now that the project is complete, the State desires to relinquish to the County the right-of-way acquired that is no longer necessary - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA TO ACQUIRE THOSE PORTIONS OF RIGHT-OF-WAY NO LONGER NECESSARY FOR THE MAIN TRAVELED ROAD WAY OF HIGHWAY 70; AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO WAIVE THE 90-DAY NOTICE OF "INTENTION TO RELINQUISH" REQUIREMENT CONTAINED IN STREETS AND HIGHWAYS CODE SECTION 73; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ACCEPT THOSE PORTIONS OF RIGHT-OF-WAY NO LONGER NECESSARY TO THE MAIN TRAVELED ROAD WAY OF HIGHWAY 70 AS DEEDED BY THE STATE OF CALIFORNIA TO THE COUNTY OF BUTTE.
23. Red Hawk Ranch Subdivision - APN 047-460-005, is a conditionally approved 7-lot public street subdivision located on the north side of Keefer Road and the east side of Highway 99, and located within the North Chico Specific Plan area. The subdivision has annexed to County Service Area No. 180 to provide storm drainage maintenance, fire protection services and street lighting. The developer has complied with the Conditions of Approval, has completed the construction of the required road and drainage improvements, and has provided a letter of credit to guarantee construction of the remaining fire protection and street lighting improvements - action requested - APPROVE THE FINAL MAP FOR THE RED HAWK RANCH SUBDIVISION; APPROVE THE NEW PUBLIC STREET NAME "HAWK PLACE"; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE KEEFER ROAD AND HAWK PLACE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTERS RIGHTS OF ACCESS ALONG THE HIGHWAY 99 FRONTAGE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE EASEMENT FOR STORM DRAINAGE PURPOSES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND APPROVE THE SUBDIVISION AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

- 0521-002 24. State of California, Office of Traffic Safety - approval is requested for a grant agreement with the State of California, Office of Traffic Safety, for \$175,000 to implement an automated collision and tracking program with GIS capabilities and website interaction, in conjunction with the California Highway Patrol and other local agencies. Board approval is also requested to accept and appropriate the grant funds, and to authorize the fixed asset purchases of equipment in support of the grant - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO THE GRANT AGREEMENT WITH THE STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY, FOR AN AUTOMATED COLLISION ANALYSIS AND TRACKING-GIS WITH WEBSITE INTERACTION CAPABILITY PROGRAM SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO AGREEMENTS WITH QUALIFIED CONSULTANTS AND VENDORS FOR THE ITEMS OUTLINED WITHIN THE OFFICE OF TRAFFIC SAFETY GRANT; APPROVE BUDGET TRANSFER B-104 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE PURCHASE OF FIXED ASSET EQUIPMENT AND ASSETS AS SPECIFIED IN THE GRANT.
25. Transit System Operations Budget Transfer - approval is requested to transfer \$300,935 from the available fund balance in the Transit F0131 fund to provide the appropriation needed to pay for the County's share of operating costs of the Chico Area Transit System and Chico Clipper for fiscal year 2004-2005 - action requested - APPROVE BUDGET TRANSFER B-105 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
26. Resolution Directing Commencement of Procedures to Establish an Increased Annual Service Charge in County Service Area (CSA) No. 17 (Purposed Zone 2) That Would Include Alley Maintenance Services and Setting a Public Hearing to Consider Such Charge Within a Newly Created Zone of Benefit Known as Zone 2 - approval is requested for a resolution which would initiate the process necessary to set an annual service charge in a newly created zone of CSA No. 17 (South Oroville/Las Plumas Park Lighting). Board approval is also requested for a budget transfer of \$3,000 from the undesignated fund balance to the CSA's budget to provide the appropriation for expansion of powers related expenses - action requested - ADOPT RESOLUTION 05-135 SETTING A PUBLIC HEARING FOR TUESDAY, DECEMBER 13, 2005, AT 10:30 A.M., TO CONSIDER INCREASED ANNUAL SERVICE CHARGES IN CSA NO. 17 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-108 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

0521-002 27. Budget Augmentation - approval is requested to accept and appropriate \$170,000 from the General Fund Appropriation for Contingencies to the department's budget as an additional fiscal year 2005-2006 budget augmentation. The funds, freed-up by the SB 1033 process, will be used to reinstate a Lieutenant position, augment the fuel budget, and to purchase fixed assets, equipment and supplies - action requested - APPROVE BUDGET TRANSFER B-107 (4/5 vote required) ACCEPTING AND APPROPRIATING \$170,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; APPROVE THE EXPENDITURE OF FUNDS FOR ONE ADMINISTRATIVE LIEUTENANT POSITION; AND APPROVE THE FIXED ASSET PURCHASE OF A REPORT WRITING SOFTWARE SYSTEM AND A COMPUTER SERVER AS DETAILED IN THE AGENDA REPORT.

28. Resolution Proclaiming the Week of October 23-31, 2005, as Red Ribbon Week in Butte County and Drug Activity Education Trust Budget Transfer - approval is requested for a resolution proclaiming the week of October 23-31, 2005, as Red Ribbon Week in Butte County. Red Ribbon week calls upon all Americans to show their support for a drug-free state by wearing a red ribbon and participating in drug-free activities. Board approval is also requested to transfer \$8,000 from the Drug and Gang Activity Education Fund to fund a program to present medical professionals with information on the successful treatment of methamphetamine addiction, and to implement a public service media campaign to discourage methamphetamine use - action requested - ADOPT RESOLUTION 05-136 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-106 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH REMOVAL OF ITEMS 3.01, 3.14, 3.26 AND 3.32.

S M

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

CHAIR YAMAGUCHI READ RESOLUTIONS ACKNOWLEDGING CHILDREN'S BOOK WEEK AND RED RIBBON WEEK.

DENNIS HOPTOWIT, PUBLIC DEFENDER CONSORTIUM, INTRODUCED ROCHELLE FORBIS, THE COUNTY'S NEWEST MEMBER OF THE PUBLIC DEFENDER CONSORTIUM.

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**REGULAR AGENDA**

0521-003 Boards, Commissions and Committees. (455)

1. Appointments to Listed Vacancies.



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0521-006 3. PROVIDE FURTHER DIRECTION. (FROM 9-13-05 [5.01]) (1896)

PUBLIC HEARING RECONVENED: 10:24 A.M.  
PUBLIC HEARING CLOSED: 10:39 P.M.

MOTION: I MOVE TO ADOPT RESOLUTION 05-136 APPROVING THE CHICO AREA RECREATION AND PARK DISTRICT'S REQUESTED INCREASE TO PARK FACILITY FEES OF \$495, FOR A TOTAL FEE OF \$2,375, AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

0521-007 Continued Public Hearing - Tentative Parcel Map Appeal - Ramon LeFevre - consideration of an appeal of a denial of a Tentative Parcel Map to divide two 20-acre parcels into four parcels (two at 5 acres and two at 15 acres in the Critical Winter Deer Herd Area) and a 200 acre parcel that is offered as permanent open space on property zoned A-5 (Agricultural - 5 acre parcels) and located on the south side of LeFevre Lane at Century Court, approximately 4,000 feet west of Upham Road in the Bangor area and identified as APN 028-180-052, 056, 057 (CD [TPM 04N-30]) - action requested - STAFF RECOMMENDS THE BOARD REMAND THE PROJECT BACK TO THE DEPARTMENT OF DEVELOPMENT SERVICES FOR APPLICANT PREPARATION OF A BIOLOGICAL STUDY TO BE INCORPORATED INTO AN INITIAL STUDY AND AGENDA REPORT TO BE CONSIDERED BY THE PLANNING COMMISSION. (FROM 9-27-05 [5.04]) (2662) (\*\*00)

PUBLIC HEARING RECONVENED: 10:40 A.M.  
PUBLIC HEARING CLOSED: 11:25 A.M.

MOTION: I MOVE TO REMAND THE PROJECT BACK TO THE DEPARTMENT OF DEVELOPMENT SERVICES FOR THE APPLICANT'S PREPARATION OF A BIOLOGICAL STUDY TO BE INCORPORATED INTO AN INITIAL STUDY AND AGENDA REPORT TO BE CONSIDERED BY THE PLANNING COMMISSION; WITH THE ADDITIONAL DIRECTION THAT THIS PROJECT IS TO BE PLACED ON THE FAST TRACK.

S M

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

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RECESS: 11:26 A.M.

RECONVENE: 11:36 A.M.

REGULAR AGENDA

0521-008 Permanent Road Divisions - discussion regarding development of a policy for Permanent Road Divisions. Permanent Road Divisions are similar to County Service Areas, but are established specifically for road maintenance. The proposed policy will result in a new funding source to maintain the local roads that come into our County road system through the subdivision process - action requested - DIRECT STAFF TO DEVELOP WRITTEN POLICY AND PROCEDURES FOR THE ESTABLISHMENT OF PERMANENT ROAD DIVISIONS AND RETURN DOCUMENTS TO THE BOARD FOR FINAL REVIEW AND ADOPTION. (\*\*1001)

MOTION: I MOVE TO DIRECT STAFF TO DEVELOP WRITTEN POLICY AND PROCEDURES FOR THE ESTABLISHMENT OF PERMANENT ROAD DIVISIONS AND RETURN DOCUMENTS TO THE BOARD FOR FINAL REVIEW AND ADOPTION.

M S

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

0521-009 Speedway Avenue Extension Project (County Project No. 50255C-99-1) - Addendum to Initial Study and Approved Mitigated Negative Declaration - consideration of a proposed addendum to the Initial Study and approved Mitigated Negative Declaration as a result of required frontage road work that extends beyond the previous study limits - action requested - ADOPT THE ADDENDUM TO THE INITIAL STUDY AND APPROVED MITIGATED NEGATIVE DECLARATION FOR THE SPEEDWAY AVENUE EXTENSION PROJECT. (\*\*2530)

MOTION: I MOVE TO ADOPT THE ADDENDUM TO THE INITIAL STUDY AND APPROVED MITIGATED NEGATIVE DECLARATION FOR THE SPEEDWAY AVENUE EXTENSION PROJECT.

S M

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

0521-010 Items Removed from the Consent Agenda for Board Consideration and Action. (\*\*3123) (NONE)

PUBLIC COMMENT

0521-011 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. (\*\*3130)

- 1. SUSAN BURKE, ROWELL FAMILY EMPOWERMENT OF NORTHERN CALIFORNIA, ADDRESSED THE BOARD TO EXPRESS THE AGENCY'S EXCITEMENT IN PARTICIPATING IN THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION CONNECTING CIRCLES OF CARE GRANT.

CLOSED SESSION

0521-012    **RECESS:**                    RECESSED AT 12:29 P.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. WHEAT V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 128644); AND 2. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); A CLOSED SESSION CONFERENCE TO DISCUSS PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; A CLOSED SESSION 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 SHERIFFS' 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; AND A CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:            PROPERTY:    APN 026-100-027; AGENCY NEGOTIATOR:            BILL CURRY,            DIRECTOR-GENERAL SERVICES; NEGOTIATING PARTIES: JESSE LEMIRE AND CINDY LEMIRE; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT OF LEASE.    (\*\*3237)

0521-012    **RECONVENE :**                    RECONVENED AT 2:40 P.M. FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. WHEAT V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 128644); AND 2. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); A CLOSED SESSION CONFERENCE TO DISCUSS PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; A CLOSED SESSION 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 SHERIFFS' 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; AND A CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:                    PROPERTY: APN 026-100-027; AGENCY NEGOTIATOR:                    BILL CURRY,                    DIRECTOR-GENERAL SERVICES; NEGOTIATING PARTIES: JESSE LEMIRE AND CINDY LEMIRE; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT OF LEASE.    (\*\*3317) (NO ANNOUNCEMENTS)

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**ADJOURNMENT :**                    THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:40 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, NOVEMBER 8, 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: \_\_\_\_\_