

Called to order at 9:05 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Yamaguchi and Chair Josiassen. Supervisors not present: Houx. Also present: Starlyn Brown, Assistant 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. CHAIR JOSIASSEN READ A PRESIDENTIAL PROCLAMATION FOR NATIONAL DAYS OF PRAYER AND REMEMBRANCE 2006, AND ASKED ALL TO JOIN HIM IN A MOMENT OF SILENCE IN MEMORY OF THE AMERICANS LOST IN THE TRAGIC TERRORISTS ATTACKS OF SEPTEMBER 11, 2001. (60)

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (195)

CONSENT AGENDA

- 0618-001
1. Fiscal Year 2005-2006 Budget Transfer - approval is requested for a year-end budget transfer to move appropriations between sub-departments and establish appropriations in the debt service fund and interest expense accounts as part of the closing of the books for fiscal year 2005-2006 - action requested - APPROVE BUDGET TRANSFER B-590 (4/5 vote required) ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.
 2. Tulare County Office of Education - approval is requested for a revenue agreement with the Tulare County Office of Education/California Friday Night Live Partnership for funds to support the Summer 2006 Youth Leadership Training. The term of the agreement is July 1, 2006, through September 30, 2006, with a maximum amount payable to the County of \$12,000 - 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-050 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
 3. Best, Best & Krieger - Amendment - approval is requested for an amendment to the agreement with Best, Best & Krieger for the provision of specialized legal services relating to an administrative appeal. The amendment increases the maximum amount payable by \$18,519.21 (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. X15943)

- 0618-001 4. T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 109 Parmac Road, Suite 2, Chico. The amendment extends the term of the agreement through April 30, 2012, increases the maximum amount payable by \$543,510 (department budget) for the multi-year term, and adds a scope of work detailing improvements and maintenance to be performed. 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. X11013)
5. Youth For Change - approval is requested for a sole source agreement with Youth For Change for the provision of rehabilitation services, speciality mental health services, crises intervention services and medication support services for youth clients. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable \$837,644.88 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. Butte County Office of Education - approval is requested for a Memorandum of Understanding with the Butte County Office of Education for funds to provide school-based mental health services at designated school sites. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable to the County of \$27,900 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
7. Valley Oak Children's Services - approval is requested for a sole source agreement with Valley Oak Children's Services for the provision of specialty mental health services to children receiving Medi-Cal benefits. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$31,850 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
8. Victor Community Support Services, Inc. - approval is requested for a sole source agreement with Victor Community Support Services, Inc., for the provision of school-based mental health services to children receiving Medi-Cal benefits. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$1,716,896.23 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0618-001 9. Janese Charpentier, FNP-C, PA-C - approval is requested for a sole source agreement with Janese Charpentier, FNP-C, PA-C, for the provision of specialized medical services as a family nurse practitioner. The term of the agreement is September 4, 2006, through June 30, 2007, with a maximum amount payable of \$38,700 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
10. Feather River Tribal Health, Inc. - approval is requested for an agreement with Feather River Tribal Health, Inc., to act as Co-Director for the Connecting Circles of Care grant. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$168,830.54 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
11. State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Alcohol and Drug Programs, Combined Negotiated Net Amount (NNA) and Drug/Medi-Cal programs for fiscal years 2004-2008. The amendment reduces the fiscal year 2005-2006 allocation by \$70,356, and revises the agreement's fiscal allocation detail to reflect the change. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION 06-130 APPROVING THE AGREEMENT AMENDMENT 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. (Contract No. R40688)
12. Tehama County Health Services Agency - approval is requested for a revenue agreement with the Tehama County Health Services Agency for the County's provision of outpatient mental health services for referred Tehama County residents. The term of the agreement is July 1, 2006, through June 30, 2008, with a maximum amount payable to the County of \$30,000 (\$15,000 per fiscal year) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
13. Budget Transfer - approval is requested to transfer \$4,123.63 between department budget line items to provide additional appropriations needed for the remodel project of the office space located at 592 Rio Lindo Avenue, Chico. The project includes the construction of a new office, patio entrance area, cabinets, counter tops, doors, locks and painting. The additional funding will cover the cost of Change Order No. 6 - action requested - APPROVE BUDGET TRANSFER B-049 APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE AN INCREASE TO THE SERVICES CONTRACT WITH HIGNELL, INC.

- 0618-001 14. The Ferguson Group, L.L.C. - Amendment - approval is requested for an amendment to the agreement with The Ferguson Group, L.L.C., for the provision of legislative advocacy services for the County. The amendment extends the term of the agreement through September 30, 2007, continues the maximum amount payable of \$120,000 (department budget) for the extended term, and provides for reimbursement of expenses in an amount not to exceed \$8,000 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15254)
15. Community Development Block Grant Funds - approval is requested to accept and appropriate \$797,500 of a \$1,294,800 Community Development Block Grant award as follows: Butte County Housing Rehabilitation (\$541,300), Chico Veterans Hall Americans with Disabilities Act (ADA) Improvements (\$223,780), Southside Oroville Sidewalk Installation (\$16,200), and Butte County Library-Books by Mail Program (\$16,220). The remaining funds will be allocated in the next fiscal year - action requested - APPROVE BUDGET TRANSFER B-051 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT.
16. Bartig, Basler & Ray, CPAs, Inc. - Amendment - approval is requested for an amendment to the agreement with Bartig, Basler & Ray, CPAs, Inc., for the provision of annual auditing services. The amendment revises the scope of work to include additional auditing services, and increases the maximum amount payable by \$86,500 for the addition services. Board approval is also requested for a transfer from the General Fund Appropriation for Contingencies to provide funding for the amendment - action requested - APPROVE BUDGET TRANSFER B-052 (4/5 vote required) ACCEPTING AND APPROPRIATING \$86,500 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15996)
17. S.O.E. Software Corporation - approval is requested for an agreement with S.O.E. Software Corporation for the purchase, implementation, license, support and maintenance of Clarity Training software. The software will provide an online training platform for poll workers and election day workers, and will allow the department to manage tasks associated with elections. The term of the agreement is September 13, 2006, through September 13, 2009, with a maximum amount payable of \$56,782. Board approval is also requested for a transfer of \$43,844 from the General Fund Appropriation for Contingencies to provide additional needed funding for the agreement - action requested - APPROVE BUDGET TRANSFER B-054 (4/5 vote required) ACCEPTING AND APPROPRIATING \$43,844 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16242)

- 0618-001 18. Special Districts - Insufficient Nominee Appointments in Lieu of Elections - submitted is a list of special districts wherein no person filed a declaration of candidacy for any office, and where there was no petition submitted calling for an election. Pursuant to California Elections Code Section 10515, the Board may appoint any qualified person to office at any time on or before November 21, 2006. Following is a list of offices that require appointment: Durham Irrigation District-Division 1 - 1 Director, 4 year term (candidate shall be a voter and a landowner in the district and a resident of the division that they represent); Richvale Recreation and Park District - 2 Directors, 4 year terms (candidate shall be a voter of the district) - action requested - ACCEPT FOR INFORMATION.
19. Special Districts - Appointments in Lieu of Elections - California Elections Code Section 10515 allows the Board of Supervisors to appoint various special district board members for districts scheduled to elect members on November 7, 2006, where the number of persons filing a declaration of candidacy is equal to or less than the number of offices to be filled, and there was no petition submitted calling for an election. The Clerk-Recorder submits a Certificate of Facts-Exhibit A, listing the following appointments to be made pursuant to the Elections Code: Jeff Cooper and Bruce Lewis, El Medio Fire Protection District; Dee Hunter, South Feather Water and Power Agency-Division 1; W.L. "Bill" Kellogg, Paradise Irrigation District-Division 2; Larry Duncan, Paradise Irrigation District-Division 3; John Heinke, Paradise Irrigation District-Division 4; Edgar "Ed" Thompson, Thermalito Irrigation District-Division 3; Ernie Reynolds, Thermalito Irrigation District-Division 5; Jack J. Ball, J.J. "Jack" Kiely, and Robert "Bob" Simpson, Lake Oroville Area Public Utility District; Loren Gill and Vene Thompson, Feather River Recreation and Park District; and Cristie Akin, Richvale Recreation and Park District. All appointments are for 4 year terms - action requested - APPOINT NOMINEES.
20. Brown's River Records Preservation Services - approval is requested for an agreement with Brown's River Records Preservation Services for the provision of historical records restoration and preservation services. The term of the agreement is July 1, 2006, through June 30, 2008, with a maximum amount payable of \$100,000 (\$50,000 per fiscal year [department budget]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16408)
21. Donation of Equipment - pursuant to Government Code Section 25355, a donation of a Gestetner desktop copier has been received from the Gridley Lions Club. The copier will be utilized in the department's warehouse/training facility - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.

- 0618-001 22. Shaw Valenza LLP - approval is requested for an agreement with Shaw Valenza LLP, for the provision of specialized legal services. The term of the agreement is September 12, 2006, through September 11, 2007, with a maximum compensation rate of \$300.00 per hour (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.
23. Pacific Municipal Consultants - approval is requested for a sole source agreement with Pacific Municipal Consultants (PMC) for the provision of services to assist in the processing of planning applications. Applicants voluntarily electing to utilize PMC services would pay 100% of the costs associated with that processing. The term of the agreement is from the date of execution through June 30, 2007, with a maximum amount payable of up to \$200,000 (applicant reimbursement) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
24. Amendment to Land Conservation Act Agreement - Nathan H. Thomasson - approval is requested for an amendment to a Land Conservation Act agreement for property located between Keefer Road and Cohasset Road, in the vicinity of Mud Creek, and north of Mud Creek, in the Chico area, (APN 047-280-056, 057 and 058). The agreement was dated December 12, 1975, and recorded on February 26, 1976, Book 2050, Pages 659 through 665. On November 15, 2005, the Development Services Department approved a lot line adjustment for the property that requires revised parcel legal descriptions - action requested - APPROVE AMENDMENT TO LAND CONSERVATION ACT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
25. Don Wallrich and Gary Katz - General Plan Amendment-Rezone - Report to the Board - pursuant to Butte County Code Section 24-25.30, submitted is the Butte County Planning Commission Report regarding a proposed general plan amendment and rezone of a 17.3 acre parcel located on the west side of Clark Road and extending south from the southwest corner of Clark Road and Durham-Pentz Road, and identified as APN 941-120-088 and 041-030-040 - action requested - ACCEPT REPORT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THIS MATTER FOR TUESDAY, OCTOBER 24, 2006, AT 10:30 A.M.
26. Fiscal Year 2006 State Homeland Security Grant Program - approval is requested to accept and appropriate \$449,326 of a \$463,222 grant award under the Fiscal Year 2006 State Homeland Security Grant Program. The remaining \$13,896 will be appropriated during fiscal year 2007-2008. Board approval is also requested for the fixed asset purchase of equipment and training pursuant to the terms of the grant - action requested - APPROVE BUDGET TRANSFER B-055 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF EQUIPMENT AND OTHER AUTHORIZED TRAINING.

- 0618-001 27. Surplus Equipment - approval is requested to declare surplus a 1962 International Fire Engine (fixed asset no. 20791). The vehicle no longer meets the needs of the department - action requested - DECLARE VEHICLE SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZE DISPOSAL IN ACCORDANCE WITH COUNTY POLICY.
28. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: HUMAN RESOURCES - deletes 1 position of Human Resources Specialist. Adds 1 position of Human Resources Specialist, Senior/Human Resources Specialist. DISTRICT ATTORNEY-CRIMINAL - adds 1 sunset position of Office Assistant (position end date 6-30-07). PROBATION - deletes 1 position of Manager, Support Services. Adds 1 position of Manager, Personnel Operations. PUBLIC HEALTH-GENERAL SERVICES - deletes 1 position of Occupational Therapist/Physical Therapist. Adds 1 position of Occupational Therapist, Senior/Occupational Therapist/Physical Therapist, Senior/Physical Therapist. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes 1 position of Office Specialist/Office Assistant. Adds 1 position of Supervisor, Support Services, and 1 position of Supervisor, Administrative Analyst. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL (BCEA) UNIT CLASSIFICATIONS - adds the classifications of Occupational Therapist, Senior (Salary Range 55) and Physical Therapist, Senior (Salary Range 55). SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY (BCMEA) UNIT CLASSIFICATIONS - adds the classification of Human Resources Specialist, Senior (Salary Range 37) - action requested - ADOPT RESOLUTION 06-131 AND AUTHORIZE THE CHAIR TO SIGN.
29. Library Donations - pursuant to Government Code Section 25355, donations of \$1,450.25 from the Paradise Friends of the Library, \$700 from the Oroville Friends of the Library, and \$350 from the Paradise Pines Women's Club, have been received for the Butte County Trust Fund for the purchase of books. Donations of \$207.41 from the Paradise Friends of the Library, and \$170 from an anonymous donor, have been received for staff support hours at the Paradise Branch - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
30. Sentinel Offender Services, LLC - Amendment - approval is requested for an amendment to the agreement with Sentinel Offender Services, LLC, for the provision of electronic monitoring services for youth offenders on probation. The amendment extends the term of the agreement through June 30, 2009, increases the maximum amount payable by \$114,000 (department budget), 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. X14185)

- 0618-001 31. Donation for Animal Control - pursuant to Government Code Section 25355, donations totaling \$65 have been received from various Department of Employment and Social Services employees, in memory of Dee Lacey, to pay for heartworm treatment for a rescued animal. The animal will be suitable for adoption once treatment is complete - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
32. Physical and Occupational Therapists - Amendments - approval is requested for amendments to the agreements with various Physical and Occupational Therapists who provide services to the clients of the California Children's Services Program. The following amendments extend the term of each agreement through December 31, 2006, and increase the maximum amounts payable as follows: Connie Brattan (Contract No. X15584) increased by \$18,252; Bonnie Calhoon (Contract No. X15486) increased by \$19,656; Meg Palmer (Contract No. X15489) increased by \$5,460; Denise Sanford (Contract No. X15483) increased by \$8,736; Monica Schwartz (Contract No. X15485) increased by \$21,840; Patrick Slupski (Contract No. X15482) increased by \$19,656; Mary Sweeney (Contract No. X15490) increased by \$12,448.80; and Teresa Wood-Hansen (Contract No. X15484) increased by \$21,840. Funding for the increases is provided by Realignment Funds (25%), State Funds (50%), and County matching funds (25% [department budget]). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENTS (8) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
33. Fixed Asset Purchase - approval is requested for the fixed asset purchase of modular furniture for the Animal Control Division in the estimated amount of \$25,000. Funding for the purchase is available within the department's budget using savings from the fixed asset purchase of furniture for the Women, Infants and Children's Program - action requested - APPROVE FIXED ASSET PURCHASE OF MODULAR FURNITURE IN THE AMOUNT OF \$25,000.
34. Butte County Office of Education - approval is requested for a sole source agreement with the Butte County Office of Education for the provision of tobacco education, intervention and cessation services to school-aged children. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$61,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0618-001 35. Surplus Equipment and Fixed Asset Purchase - approval is requested to declare surplus a waste disposal tractor (fixed asset no. 26780) and authorize the trade-in of the surplus tractor toward the purchase of a new waste disposal tractor. Fixed asset purchase approval for the new tractor was included in the 2006-2007 budget. The trade-in value of the old tractor is \$200,000, reducing the total cost of the new equipment to \$334,047 (plus sales tax). Funding for the purchase was also included in the department's 2006-2007 budget - action requested - DECLARE TRACTOR SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZE THE TRADE-IN OF THE SURPLUS TRACTOR TOWARD THE PURCHASE OF NEW TRACTOR.
- 36. Resolution in Support of the Edward A. Craddock Water and Resource Conservation Scholarship - approval is requested for a resolution of support for the Edward A. Craddock Water and Resource Conservation Scholarship established through the Butte College Foundation - action requested - ADOPT RESOLUTION 06-132 AND AUTHORIZE THE CHAIR TO SIGN.
- 37. Water Advisory Committee - action requested - ACCEPT THE RECOMMENDATION OF THE BUTTE COUNTY WATER COMMISSION AND APPOINT TO THE WATER ADVISORY COMMITTEE RICK PONCIANO, INTERIM REPRESENTATIVE, PENTZ SUB-INVENTORY UNIT REPRESENTATIVE, AND MARK ORME, BUTTE SUB-INVENTORY UNIT REPRESENTATIVE.
- 38. Richvale Recreation and Park District - Insufficient Nominee Appointment in Lieu of Election - pursuant to California Elections Code Section 10515, approval is requested to appoint a candidate to a district vacancy - action requested - APPOINT ERIC D. LUNDBERG, DIRECTOR, TO A TERM TO END DECEMBER 1, 2010.
- 39. Area II Developmental Disabilities Planning Board - action requested - REAPPOINT VICKIE STEELE, BUTTE COUNTY REPRESENTATIVE, TO A TERM TO END JANUARY 1, 2009. (210)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE ACTION REQUESTED ON ITEM 3.37 AMENDED TO READ, "...TO THE WATER ADVISORY COMMITTEE RICK PONCIANE, INTERIM REPRESENTATIVE, PENTZ SUB-INVENTORY UNIT, AND..." .

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

REGULAR AGENDA

0618-002 Boards, Commissions and Committees. (245)

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

0618-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (269) STARLYN BROWN, ASSISTANT CHIEF ADMINISTRATIVE OFFICER, INFORMED THE BOARD THAT THE LEGISLATURE IS CURRENTLY IN RECESS, AND SUBMITTED A SUMMARY OF BILLS AFFECTING LOCAL GOVERNMENTS THAT HAVE BEEN SUBMITTED TO THE GOVERNOR FOR SIGNATURE. THE GOVERNOR HAS UNTIL SEPTEMBER 30TH TO SIGN OR VETO THE BILLS.

0618-004 Program 2.2 of the General Plan Agricultural Element - 300-Foot Agricultural Buffer - consideration of a resolution which will clarify the applicability of the 300-foot buffer requirement in Program 2.2 of the General Plan Agricultural Element - action requested:

- A. ADOPT A RESOLUTION ACCEPTING THE PLANNING COMMISSION'S CLARIFICATION MEMORANDUM REGARDING GENERAL PLAN AGRICULTURAL ELEMENT PROGRAM 2.2 - 300-FOOT SETBACK INTERIM TO AN ADOPTED ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; **OR**
- B. ADOPT A RESOLUTION ACCEPTING THE DEPARTMENT OF DEVELOPMENT SERVICES' CLARIFICATION MEMORANDUM REGARDING GENERAL PLAN AGRICULTURAL ELEMENT PROGRAM 2.2 - 300-FOOT SETBACK INTERIM TO AN ADOPTED ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (360) (**00)

MOTION: I MOVE TO CONTINUE THIS MATTER TO OCTOBER 10, 2006, AND DIRECT STAFF TO PROVIDE THE BOARD WITH ADDITIONAL INFORMATION, INCLUDING A SINGLE SHEET LIST OF WHAT THE ISSUES ARE, A GROUPING ANALYSIS OF THE 288 +/- DECISIONS THAT HAVE BEEN MADE THAT HAVE ALLOWED PEOPLE TO PROCEED, A LIST OF WHAT IS BEING HELD UP EITHER BECAUSE THE BOARD CONTINUED IT OR STAFF HAS HELD IT UP, A COMPARISON SHEET REGARDING THE FINDINGS OF UNUSUAL CIRCUMSTANCES, SOME HISTORY OF PAST POLICIES AND DISCUSSION OF THIS ISSUE, A WRITTEN DEFINITION OF THE SPHERE OF INFLUENCE, AND INFORMATION REGARDING THE NUMBER OF SMALL SUBSTANDARD PARCELS THAT HAVE BEEN CREATED IN THESE AGRICULTURAL AREAS.

M S

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

RECESS: 11:31 A.M.

RECONVENE: 11:53 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0618-005 Public Hearing - Joyce Vanman - Legal Lot Determination/ Conditional Certificate of Compliance Appeal - on August 18, 2006, the applicant filed an appeal of certain conditions of approval of a Legal Lot Determination/Conditional Certificate of Compliance for the property located on the north side of Craig Access Road, approximately 300 feet west of Cochise Drive, in the Feather Falls area, and identified as APN 071-290-005. Subsequent to the filing of the appeal, the Public Works Department determined that the condition appealed (Condition 2) was not applicable. On August 30, 2006, the appellant withdrew her appeal - action requested - ACKNOWLEDGE THE APPELLANT'S WITHDRAWAL OF THE APPEAL; AND DIRECT THE AUDITOR-CONTROLLER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$50.00. (**2187)

PUBLIC HEARING OPENED: 11:53 A.M.
PUBLIC HEARING CLOSED: 11:53 A.M.

MOTION: I MOVE TO ACKNOWLEDGE THE APPELLANT'S WITHDRAWAL OF THE APPEAL AND DIRECT THE AUDITOR-CONTROLLER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$50.00.

M S

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

REGULAR AGENDA

0618-006 Butte County General Plan Citizens Advisory Committee - consideration of a resolution establishing the method of appointment of members, and the Work Plan for the Butte County General Plan Citizens Advisory Committee, and consideration of recommendations for appointments to the Citizens Advisory Committee - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND MAKE APPOINTMENTS AS DETAILED IN THE AGENDA REPORT. (**2235)

MOTION: I MOVE TO ADOPT RESOLUTION 06-133 AND AUTHORIZE THE CHAIR TO SIGN AND APPOINT HELENE GINTER, KATE LEYDEN, MICHAEL WEISSENBORN, EMILY FISHER, JAMES D. SMITH, JASON BOUGIE, R. JOHN ANDERSON, GEORGIE BELLIN, JOHN J. CARTER, TROVEY GIEZENTANNER, TODD AHLL, BRUCE MCCLINTOCK, ALLEN L. HACKETT, MICHAEL EVANS, ANTHONY RUSHING, CALLI-JANE BURCH, PAULA KELSO, ALLAN JERRIGAN, SCOTT FOWLER, WILLIAM KIENZLE, WILLIAM BLACK, RAQUELANA MANI PINA, SUE P. SEROPIAN, STEVE RODOWICK, APRIL D. GROSSBERGER, SCARLETT S. KETTELL, SCOTT MCNALL, HARMAN GOSAI, EDWARD M. MILLER, AND PIA SEVELIUS.

M S

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

0618-007 Response to the 2005-2006 Grand Jury Final Report - submitted is the draft Board of Supervisors' response to the findings and recommendations contained in the 2005-2006 Grand Jury Final Report. The report also includes a copy of the responses provided directly to the Presiding Judge from the elected and appointed department heads - action requested - APPROVE THE DRAFT RESPONSE AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SUBMIT THE REPORT TO THE PRESIDING JUDGE OF THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE; OR PROVIDE STAFF DIRECTION AS NEEDED. (**2934)

MOTION: I MOVE TO APPROVE THE DRAFT RESPONSE AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SUBMIT THE REPORT TO THE PRESIDING JUDGE OF THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE.

S M

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

0618-008 Items Removed from the Consent Agenda for Board Consideration and Action. (**3140) (NONE)

PUBLIC COMMENT

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. (**3153)

1. BILL ORTHEL, A RESIDENT OF FREDERICK LANE IN DURHAM, ADDRESSED THE BOARD REGARDING FLOODING OF HIS PROPERTY AS A RESULT OF CONSTRUCTION OF A DRAINAGE DITCH BEHIND HIS PROPERTY BY PUBLIC WORKS.

BOARD DIRECTION TO MIKE CRUMP, DIRECTOR-PUBLIC WORKS, TO CONTINUE TO WORK WITH THE STATE AND THE PROPERTY OWNERS TO RESOLVE THIS ISSUE.

CLOSED SESSION

0618-009 Recess: THE BOARD RECESSED AT 12:23 P.M. TO A CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8; PROPERTY: 6626 AND 6724 SKYWAY, PARADISE; AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES; NEGOTIATING PARTY: MIKE TRINCA; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT. A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); 2. POE INTERVENTION (FERC PROJECT 2107); AND A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. (**3679)

Reconvene: THE BOARD RECONVENED AT 1:30 P.M. FROM A CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8; PROPERTY: 6626 AND 6724 SKYWAY, PARADISE; AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES; NEGOTIATING PARTY: MIKE TRINCA; UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT. A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); 2. POE INTERVENTION (FERC PROJECT 2107); AND A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. (**30) (NO ANNOUNCEMENTS)

PUBLIC HEARINGS AND TIMED ITEMS

0618-010 Timed Item - Final Consultant Selection and Contract Approval - Butte County Comprehensive General Plan and Zoning Ordinance Update and Environmental Impact Report - consideration of the Scope of Work and approval of an agreement with Design, Community & Environment to complete the Comprehensive General Plan/Zoning Ordinance Update and Environmental Impact Report for the County of Butte. The term of the agreement is September 12, 2006, through September 30, 2009, in an amount not to exceed \$1,593,206. The department currently has \$300,000 budgeted for the agreement, and Board approval is also requested for a transfer of \$200,000 from the General Fund Appropriation for Contingencies to provide additional appropriations for anticipated costs through fiscal year 2006-2007. Subsequent funding for the remainder of the agreement will be included in the department's annual budget requests - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$200,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (**36)

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-053 ACCEPTING AND APPROPRIATING \$200,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 2:01 P.M. TO
RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE
HELD TUESDAY, SEPTEMBER 26, 2006, AT 9:00 A.M.

CURT JOSIASSEN, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____