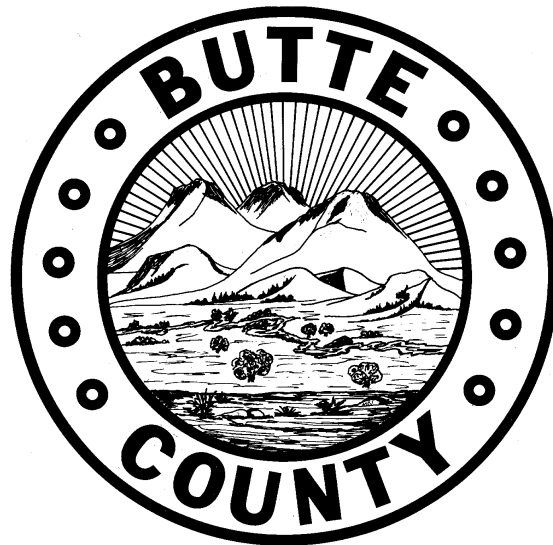


BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

NOVEMBER 6, 2007



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Curt Josiassen, District 4
Kim Yamaguchi, District 5

Starlyn Brown, Interim Chief
Administrative Officer and Clerk
of the Board

Bruce Alpert, County Counsel

Called to order at 9:07 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Josiassen, Yamaguchi, Kirk and Chair Dolan. Supervisor Connelly is absent. Also present: Starlyn Brown, Interim Chief Administrative Officer, Bruce Alpert, County Counsel and Kathleen Moghannam, Associate Clerk of the Board. The vote for District One will be reflected as 'NP' to represent 'not present' throughout this document.

Pledge of Allegiance to the Flag of the United States of America.

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA.

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

(NONE)

CONSENT AGENDA

- 0724-001
1. California Department of Food and Agriculture (CDFA) - approval is requested for a revenue agreement with CDFA to implement the Federal Emergency Order Restricting Interstate Movement of Nursery Stock and conduct emergency response activities as related to detections of Sudden Oak Death in nurseries. The term of agreement is July 1, 2007 though June 30, 2008 with a maximum amount payable to the County of \$38,179.24 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Agriculture)
 2. Authorization for Payment of Unauthorized Purchases - approval is requested for authorization of payment of eight invoices totaling \$13,388.04 payable to Wizard Graphics. These purchases circumvent the County's Purchasing authority and require Board approval of unauthorized purchases - action requested - AUTHORIZE PAYMENT OF INVOICES TOTALING \$13,388.04. (Behavioral Health)
 3. Loumark Associates - amendment - approval is requested for an amendment to the lease agreement with Loumark Associates for the property located at 564 Rio Lindo Avenue, Suite 100. The amendment extends the term of the lease through June 30, 2012 and increases the maximum amount payable by \$129,360 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13694) (Behavioral Health)

4. Gary Bess Associates - approval is requested for an agreement with Gary Bess Associates for evaluation and consultation services for Friday Night Live, Club Live, and the Friday Night Mentoring Program. The term of the agreement is November 1, 2007 through June 30, 2008 for a maximum amount payable of \$64,075.24 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. Butte County Mosquito and Vector Control District - Supervisor Yamaguchi submits his recommendation for District 5 representative - action requested - REAPPOINT MR. ALLAN SEEFELDT TO A TERM TO END DECEMBER 31, 2011. (Board of Supervisors)
6. Approval of Minutes - action requested - APPROVE MINUTES OF OCTOBER 9, 2007; and OCTOBER 23, 2007. (Chief Administrative Office)
7. Debra Lucero & Associates - amendment - approval is requested for an amendment to the agreement with Debra Lucero & Associates. The amendment would remove language in Attachment III that prohibits the contractor from billing the County more than \$3,750 per month, which is 1/36 of the total agreement amount. This amendment does not change the scope of work or the original agreement amount of \$135,000 -action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
8. MPM Engineering - approval is requested for a sole source agreement with MPM Engineering for the provision of Labor Compliance Coordination related to the Americans with Disabilities Act improvements for the Veterans Memorial Halls in Gridley, Paradise, and Oroville. Due to State and Federal requirements, the County must designate a Labor Standards Coordinator for each project. The term of the agreement is October 23, 2007 through December 31, 2009 with a maximum amount payable of \$30,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

9. Two Resolutions Accepting the Pass Through of State Park Bond Allocations from the City of Oroville and the Feather River Recreation and Parks District to the County for Park Land Acquisition - consideration of resolutions which will initiate a process to allow the return of grant funds to the County in order for the County to take the lead in acquiring park land for a Veterans Memorial Park. The City of Oroville is considering returning Proposition 12 grant funds in the amount of \$328,770, and the Feather River Recreation and Parks District is considering returning \$88,000 in Proposition 40 funds - action requested - ADOPT TWO RESOLUTIONS 07-176 AND 07-177 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
10. Request for Consolidation - the Biggs Unified School District has submitted Resolution No. 13 ordering a school bond election, establishing specifications of the election order, and requesting consolidation of the election with the statewide Presidential Primary Election to be held on February 5, 2008 - action requested - APPROVE CONSOLIDATION. (Clerk-Recorder/Elections)
11. Valley Toxicology Services - approval is requested for a sole source agreement with Valley Toxicology Services for the provision of forensic alcohol and drug testing, reporting and court testimony. The term of the agreement is July 1, 2007 through June 30, 2008 with a maximum amount payable of \$73,500 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (District Attorney)
12. Resolution to Continue the Water Infiltration Remediation at Courthouse Expansion - consideration of a resolution to continue the action taken by Resolution Number 07-153 which was adopted at the September 25, 2007 Board of Supervisors meeting. Section 22050(c) of the Public Contract Code requires that the Board adopt a resolution at each subsequent meeting until the findings of the initial resolution are no longer relevant - action requested - ADOPT RESOLUTION 07-178 (4/5 vote required) AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
13. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: BEHAVIORAL HEALTH - adds one position of Behavioral Health Education Specialist, Associate; Behavioral Health Education Specialist; Behavioral Health Education Specialist, Senior - action requested - ADOPT RESOLUTION 07-179 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

14. Library Donations - pursuant to Government Code Section 25355, donations of \$1,672 from Oroville Friends of the Library; \$6,507 from Chico Friends of the Library; \$2,000 from Susan Drake in honor of Olga Papeman; \$2,334.01 from Paradise Friends of the Library; \$471 from an anonymous source; \$100 from Geneta Kaelin in honor of Mildred Jean Gnass; \$300 from Maudie Penney; and \$650.03 from Ruthmarie Ferris have been received for the purchase of books; \$675.47 from Paradise Friends of the Library has been received for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
15. Library Holiday Hours Adjustment - approval is requested to close library branches at 5:00 p.m. on the day before Thanksgiving, Christmas Eve, and New Years' Eve. The Chico Branch would normally be opened until 8:00 p.m. on each of these days and the Gridley Branch would normally be open until 7:00 p.m. on the day before Thanksgiving. No other branches will be impacted by the adjustment - action requested - AUTHORIZE THE LIBRARY TO CLOSE AT 5:00 P.M. ON NOVEMBER 21, DECEMBER 24, AND DECEMBER 31, 2007. (Library)
16. Budget Transfer - approval is requested for a budget transfer of \$816 as detailed in the agenda report. The Board previously approved the purchase of a 4X4 SUV in the amount of \$18,000. The total purchase price, including tax, and license is actually \$18,815.67 - action requested - APPROVE BUDGET TRANSFER B-110 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Public Health)
17. Rare Earth Estate Subdivision - consideration of a resolution making application to the Local Agency Formation Commission (LAFCo) regarding a proposal to establish a County Service Area (CSA) for street lighting, fire protection, and storm drainage maintenance service. In addition, the resolution will direct the commencement of procedures to impose new service charges in the proposed CSA and set a protest hearing and ballot proceeding to consider levying such charges for Fiscal Year 2007/2008 and future years - action requested - ADOPT RESOLUTION 07-180 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A PROTEST HEARING AND BALLOT PROCEEDING BE SET FOR JANUARY 8, 2008 AT 10:00 A.M. (Public Works)
18. Budget Transfer - approval is requested for a budget transfer of \$3,000 as detailed in the agenda report. The Board previously approved the purchase of the inmate transport bus in the amount of \$218,000. Minor modifications are necessary requiring the additional funds - action requested - APPROVE BUDGET TRANSFER B-113 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Sheriff-Coroner)

19. Budget Transfer and Fixed Asset Purchase - approval is requested for a budget transfer of \$6,526 for the purchase of furniture to increase the number of work stations and to allow the Civil Division and Records Division to use the handicap accessible window - action requested - APPROVE BUDGET TRANSFER B-111 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF FURNITURE IN THE AMOUNT OF \$6,526. (Sheriff-Coroner)
20. School Resource Officer - approval is requested for an agreement with the Butte County Office of Education (BCOE) and the Oroville Union High School District to assign a deputy sheriff as a School Resource Officer at Las Plumas High School for the 2007/2008 school year. The position will be funded through a \$47,000 Safe Schools Healthy Students grant received by the BCOE and with \$5,000 for overtime provided by the Oroville Union High School District - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Sheriff-Coroner)
21. Office of Emergency Service Grant - approval is requested to accept and appropriate \$67,734 in funds for the Sexual Assault Felony Enforcement (SAFE) team. Shasta County designed the program to serve twelve Northern California counties. The grant will be used to fund overtime shifts for investigators to conduct 290 registrant sweeps and a seven month Sheriff's Clerk sunset position to support the SAFE program - action requested - APPROVE BUDGET TRANSFER B-107 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND RATIFY THE SHERIFF'S SIGNATURE ON THE AGREEMENT WITH SHASTA COUNTY. (Sheriff-Coroner)
22. Monthly Investment Report - submitted is the Monthly Investment Report dated September 30, 2007, in accordance with the Statement of Investment Policy dated July 1, 2007 - action requested - ACCEPT FOR INFORMATION. (Treasurer/Tax-Collector)
23. Butte County Children and Families Commission - action requested - APPOINT MARLENA SPARKS TO A TERM TO END JULY 1, 2009. (Other Departments and Agencies)
24. Butte County Fair Association 2008 Annual Budget -action requested - APPROVE 2008 BUTTE COUNTY FAIR ASSOCIATION BUDGET AND AUTHORIZE THE CHAIR TO SIGN.(Other Departments and Agencies)

25. Resolution Recognizing November 2007 as National Adoption Month - action requested - ADOPT RESOLUTION 07-181 AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE CHANGES TO ITEM 0723-015 IN THE OCTOBER 23, 2007 MINUTES AS READ INTO THE RECORD.

2 M

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

PRESENTATION OF RESOLUTION RECOGNIZING NATIONAL ADOPTION MONTH. DAN KATZ FROM THE CHICO DISTRICT OFFICE OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES ACCEPTED THE RESOLUTION.

REGULAR AGENDA

0724-002 Boards, Commissions and Committees.

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

CHAIR DOLAN DISCUSSED THE INVITATION RECEIVED REGARDING THE DEDICATION OF THE NEW PUBLIC LAW LIBRARY AT THE OLD COUNTY LIBRARY BUILDING CALLED THE CARNEGIE BUILDING. THE FORMAL DEDICATION WILL TAKE PLACE ON FRIDAY, NOVEMBER 9, 2007 AT 4:00 P.M.

CHAIR DOLAN NOTED THAT THIS WAS THE LAST BOARD MEETING THAT STARLYN BROWN WOULD BE SERVING AS INTERIM CHIEF ADMINISTRATIVE OFFICER (CAO) DUE TO THE ARRIVAL OF THE NEW CAO, BRIAN HADDIX. SHE THANKED MS. BROWN FOR HER SERVICE AND DEDICATION TO THE COUNTY.

0724-003 Update on Current Budget and Legislative Issues by the Interim Chief Administrative Officer.

REPORT BY STARLYN BROWN, INTERIM CHIEF ADMINISTRATIVE OFFICER. SHE INDICATED THAT THE WORK ON THE WATER BOND ISSUES AT THE STATE LEVEL WILL PROBABLY COME FORWARD AS INITIATIVES. SHE REPORTED THE HEALTH CARE REFORM ISSUE IS MOVING FORWARD. THERE HAS BEEN A COMMITMENT BY THE SPEAKER, THE GOVERNOR, AND THE SENATE PRO TEM THAT THERE WILL BE AN AGREEMENT ON HEALTH CARE BY THANKSGIVING OF THIS YEAR. THE FIRST MEETING THAT HAS BEEN SCHEDULED IS NOVEMBER 14, 2007, AND THE FIRST TIME THE ASSEMBLY COMES BACK IN SESSION WILL BE NOVEMBER 26, 2007 AT 1:00 P.M. (430)

0724-004 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED THE 22ND UPDATE TO THE BOARD. HE REMINDED THE PUBLIC THAT THE BOARD WILL BE HAVING A GENERAL PLAN STUDY SESSION ON NOVEMBER 27, 2007 FROM 1:30 P.M. TO 4:30 P.M. IN THE BOARD CHAMBERS TO COMPLETE THE WORKSHOP SERIES 2/3.

- 1. Design, Community & Environment (DC&E) - amendment - approval is requested for an amendment to the agreement with DC&E to amend scope of work changes. Approval is also requested for a budget transfer of \$154,875 from contingencies to fund the scope of work amendments - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-108 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (1060)

M 2

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0724-005 Sutter-Butte Flood Control Agency Joint Exercise of Powers Agreement (JPA) - approval is requested for this JPA with multiple jurisdictions within Butte and Sutter Counties. The state budget approved in August 2007 appropriated a total of \$774.4 million from Proposition 1E and Proposition 84 to repair and evaluate critical levees and to provide subventions to help local governments protect their communities from floods. The State Department of Water Resources has indicated that preference will be given to regional efforts. Over a year ago, various agencies within Butte and Sutter Counties began to meet to decide on the proper approach for addressing the need for coordinated planning - action requested - APPROVE THE SUTTER-BUTTE FLOOD CONTROL AGENCY JPA, SUBJECT TO THE PROVISION THAT ALL JURISDICTIONS PARTY TO THE AGREEMENT SIGN THE SAME AGREEMENT AS APPROVED BY THE BUTTE COUNTY BOARD OF SUPERVISORS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL; AND APPOINT TWO BOARD MEMBERS AS DIRECTORS ON THE GOVERNING BODY AND TWO BOARD MEMBERS AS ALTERNATES. (Chief Administrative Office)

PRESENTATION BY STARLYN BROWN, INTERIM CHIEF ADMINISTRATIVE OFFICER AND BY ROB MCKENZIE, PRIVATE PRACTICE ATTORNEY WHO IS A FORMER EMPLOYEE OF BUTTE COUNTY AND WHO WORKED ON THIS JPA BEFORE HE LEFT THE COUNTY. (1366)

MOTION: I MOVE TO APPROVE THE SUTTER-BUTTE FLOOD CONTROL AGENCY JPA, SUBJECT TO THE PROVISION THAT ALL JURISDICTIONS PARTY TO THE AGREEMENT SIGN THE SAME AGREEMENT AS APPROVED BY THE BUTTE COUNTY BOARD OF SUPERVISORS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL. (1490)

M 2

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

MOTION: I MOVE TO APPOINT SUPERVISORS JOSIASSEN AND CONNELLY AS DIRECTORS AND SUPERVISORS DOLAN AND YAMAGUCHI AS ALTERNATES. (1600)

M 2

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

RECESS: 9:55 A.M.
RECONVENE: 10:05 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0724-006 Public Hearing - Itemized Cost of Nuisance Abatement for property located at 6371 Imperial Way, Magalia, APN 065-450-036. This property was abated on July 17 and July 20, 2007 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,958.86; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES. (1775)

PUBLIC HEARING OPENED: 10:07 A.M.
PUBLIC HEARING CLOSED: 10:07 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,958.86; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (1811)

2 M

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0724-007 State Water Project (SWP) - Table A Allocation - Butte County has an allocation for SWP water of 27,500 feet per year per an agreement made with the Department of Water Resources when the Oroville Dam was built. Currently, the County does not have a local use for the entire Table A allocation and has historically had a reduction agreement to purchase only the amount of water used. Beginning 2008, the County will be required to pay for the entire Table A or risk losing it for future use. The cost for the water in 2008 is \$811,214. The department would like to investigate a temporary sale of the Table A water to re-coup the associated costs to the County - action requested - PROVIDE DIRECTION TO STAFF REGARDING THE POSSIBILITY OF CONTRACTING WITH OTHER SWP CONTRACTORS TO PURCHASE THE COUNTY'S EXCESS SWP TABLE A ALLOCATION FOR 2008. (Water and Resource Conservation)(2018) (2685)

PRESENTATION BY VICKIE NEWLIN, INTERIM DIRECTOR OF WATER AND RESOURCE CONSERVATION. SHE STATED SHE BELIEVES THAT BUTTE COUNTY WILL HAVE AN IN-COUNTY USE FOR ALL OF THE TABLE A WATER WITHIN A FIVE-YEAR PERIOD. MS. NEWLIN INDICATED THE SHE BELIEVES THE BEST APPROACH WILL BE TO SET UP A MATRIX TO SHOW WHAT BUTTE COUNTY IS LOOKING FOR AND TO SEND THAT TO CONTRACTORS. (2967)

THE BOARD GAVE THE DEPARTMENT THE FOLLOWING DIRECTION: WORK WITH THE ADVISE OF COUNTY COUNSEL, OVERSEEN BY THE CHIEF ADMINISTRATIVE OFFICE, AND PROCEED TO EXPLORE AND INVESTIGATE THIS SUBJECT. THE BOARD GAVE NO SPECIFIC RESTRICTIONS ON THE PARAMETERS OF NEGOTIATIONS AT THIS TIME. IT IS UNDERSTOOD THAT A SPECIAL BOARD MEETING WILL BE CALLED, IF NEEDED IN REGARDS TO THIS ITEM. (3300)

0724-008 Timed Item - Planning Agreement Regarding the Butte County Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) - approval is requested for a planning agreement between the following entities: Butte County; the cities of Biggs, Chico, Gridley, and Oroville; the California Department of Fish and Game; the United States Fish and Wildlife Service; and the National Marine Fisheries Service. Staff from the Butte County Association of Governments (BCAG) will make a presentation - action requested - APPROVE PLANNING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office on behalf of BCAG)

PRESENTATION BY CHRIS DEVINE AND JOHN CLARK OF BCAG. (3429)

MEMBER OF THE PUBLIC, KATHY BRAZEL (*0), ADDRESSED THE BOARD AND SUBMITTED WRITTEN MATERIALS FOR THE BOARD. D.C. JONES ALSO ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE PLANNING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (*486)

VOTE: 2 M
1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0724-009 Timed Item - Report on the Local Impact of the Digital Infrastructure and Video Competition Act (the Act) of 2006 - discussion of the impacts of Comcast's application for a state franchise agreement. The passage of the Act eliminated the ability for local jurisdictions to negotiate local franchise agreements with providers of video services after January 2, 2008 - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office) (*597) (*1135)

PRESENTATION BY SHARI MCCRACKEN, DEPUTY ADMINISTRATIVE OFFICER. HARRIET STIENER, BUTTE COUNTY OUTSIDE COUNSEL ON CABLE MATTERS WAS AVAILABLE FOR QUESTIONS.

BOB BARNES, DIRECTOR OF INFORMATION SERVICES ANSWERED QUESTIONS FROM THE BOARD. (*900)

CINDY PIERCE, ADMINISTRATIVE SERVICES DIRECTOR FROM THE CITY OF CHICO ANSWERED QUESTIONS FROM THE BOARD. (*1135)

0724-010 **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.

DAVID PALMERLEE OF BANGOR SPOKE TO THE BOARD ABOUT THE CABLE ISSUE.

RECESS: 11:27 A.M.
RECONVENE: 12:00 P.M.

CLOSED SESSION

0724-011 **THE BOARD RECESSED AT 12:00 P.M. TO CLOSED SESSION REGARDING: (*1492)**

CONFERENCES WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: A.P. NO. 007-240-078
AGENCY NEGOTIATOR: RICHARDS HALL
NEGOTIATING PARTY: CITY OF CHICO
NEGOTIATIONS: PRICE AND TERMS OF SALE;

PROPERTY: A.P. NO. 047-600-005
AGENCY NEGOTIATOR: RICHARDS HALL
NEGOTIATING PARTY: OJI TRUST
NEGOTIATIONS: PRICE AND TERMS OF PURCHASE.

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR - DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES

1. FIRST RESPONDER, ENLOE & OROVILLE HOSPITAL V. NOR CAL-EMS AND COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.
2. PEOPLE OF THE STATE OF CALIFORNIA AND THE COUNTY OF BUTTE V. GEORGE W. SCOTT, SR.; CHICO SCRAP METAL, INC., ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 140892.
3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(b) (1) - ONE POTENTIAL CASE.

THE BOARD RECONVENED AT 1:39 P.M. FROM CLOSED SESSION REGARDING:

CONFERENCES WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: A.P. NO. 007-240-078
AGENCY NEGOTIATOR: RICHARDS HALL
NEGOTIATING PARTY: CITY OF CHICO
NEGOTIATIONS: PRICE AND TERMS OF SALE;

PROPERTY: A.P. NO. 047-600-005
AGENCY NEGOTIATOR: RICHARDS HALL
NEGOTIATING PARTY: OJI TRUST
NEGOTIATIONS: PRICE AND TERMS OF PURCHASE.

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR - DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES

1. FIRST RESPONDER, ENLOE & OROVILLE HOSPITAL V. NOR CAL-EMS AND COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.
2. PEOPLE OF THE STATE OF CALIFORNIA AND THE COUNTY OF BUTTE V. GEORGE W. SCOTT, SR.; CHICO SCRAP METAL, INC., ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 140892.
3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(b) (1) - ONE POTENTIAL CASE. (No Announcements)

PUBLIC HEARINGS AND TIMED ITEMS

0724-012 Continued Public Hearing - M & T Chico Ranch Mine (MIN 96-03) - consideration of two appeals of the Planning Commission's certification of the Final Environmental Impact Report (EIR) and approval of the M & T Chico Ranch Mine. The project consists of a long-term gravel mining operation proposal by Baldwin Construction. The mining would take place on 193-acres of a 235-acre site over a 20-30 year period. Reclamation would occur incrementally and would consist of the creation of open-water wetland wildlife habitat and agricultural uses. The aggregate would be processed on a 40-acre area of the site. The project is located on a portion of the Ranch approximately 1.5 miles east of the Sacramento River and approximately 5 miles southwest of Chico. Access to the site would be from River Road, Chico. The APNs are 039-530-023 and 039-530-025 (formerly 036-530-019 and 039-530-020) - action requested - OPEN HEARING AND CONTINUE TO JANUARY 8, 2008, AT 1:30 P.M. (FROM 5-22-07 [5.02]) (Development Services) (*1545)

INTRODUCTION OF THE ITEM BY PETE CALARCO, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES. THERE WAS NO FORMAL STAFF REPORT. (*1723)

THE APPLICANT DID NOT MAKE ANY TYPE OF PRESENTATION AT THIS MEETING.

PUBLIC HEARING OPENED: 1:47 P.M.
PUBLIC HEARING CLOSED: 2:52 P.M.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: BARBARA MORRIS, MARIA A. PHILLIPS, ROGER S. BEADLE, JAN HOLMAN, KAREN READ, RANDALL BARCLAY, ROSALIE CARTWRIGHT, DARLENE BRUCE, RON JONES, CATHERINE COTTLE, STEVE PRENTICE, LILA PRENTICE, BOB WOODS, ROLINDA FOURNIER, COBY WALTER, MARK CHRISTOPHER, AND BETSY ADAMIS. (**1263)

MARIA PHILLIPS AND DARLENE BRUCE PROVIDED WRITTEN MATERIALS FOR BOARD RECORD. KAREN READ SUBMITTED PHOTOGRAPHS. RON JONES SHOWED AND DISCUSSED A SLIDE OF A MAP.

THIS ITEM WAS CONTINUED OPEN UNTIL JANUARY 8, 2008 AT 1:30 P.M.

ADJOURNMENT : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:00 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, NOVEMBER 27, 2007, AT 9:00 A.M.

JANE DOLAN, CHAIR

ATTEST:

C. Brian Haddix, Chief Administrative
Officer and Clerk of the Board

By: _____