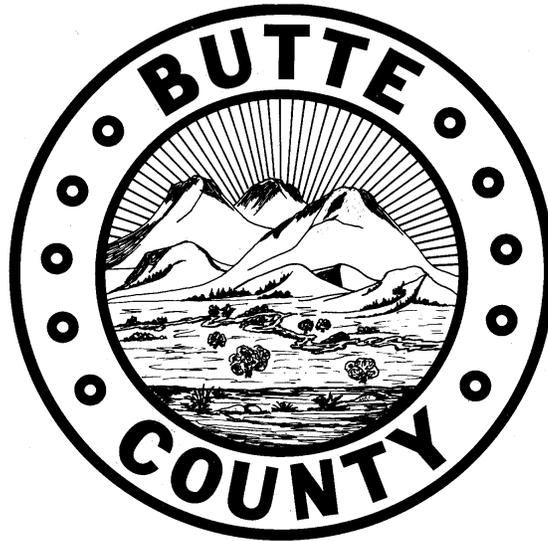


BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

APRIL 22, 2008



County Supervisors

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

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

Bruce Alpert, County Counsel

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, Kirk, and Chair Josiassen. Also present: C. Brian Haddix, Chief Administrative Officer, Bruce Alpert, County Counsel and Kathleen Moghannam, Associate 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.

- 0809-001 1. California Environmental Protection Agency - approval is requested for this revenue agreement with the State in order to receive grant funding for the implementation of the California Aboveground Petroleum Storage Act. This law transfers the authority and responsibility for the inspection of aboveground petroleum storage tank facilities to local Certified Unified Program Agencies (CUPAs). The Environmental Health Division is Butte County's CUPA. The term of the agreement is January 1, 2008 to March 1, 2010 with a maximum amount receivable of \$101,358.67 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFERS B-284 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

THE DEPARTMENT OF PUBLIC HEALTH REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA. IT WILL RETURN ON A FUTURE AGENDA.

2. Authorization to Award Project - Aguas Frias Bridge Across Butte Creek, Federal Project STPLF-5912(014), County Project Number 23201-95-1 - approval is requested to award the project to replace two County bridges located on Aguas Frias Road to MCM Construction of North Highlands, California. MCM was the lowest responsible and responsive bidder with a bid of \$7,183,500. This project is 100% reimbursable through the Federal Highway Bridge Program and the State Transportation Improvement Program - action requested - AWARD CONTRACT TO MCM CONSTRUCTION IN THE AMOUNT OF \$7,183,500.

THE DEPARTMENT OF PUBLIC WORKS REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA. IT WILL RETURN ON A FUTURE AGENDA.

3. Resolution for the Summary Vacation of a Portion of River Road - Caltrans relocated the intersection of River Road and Highway 32 and realigned a portion of River Road. This construction severed a portion of the existing River Road which is no longer necessary for public road purposes - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

THE DEPARTMENT OF PUBLIC WORKS REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA. IT WILL RETURN ON A FUTURE AGENDA.

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

- 0809-002
1. Waiver of Application Fee - consideration of a request submitted by Tom and Debbie Clarenbach for a waiver of the application fee in the amount \$2,883.80 for a Certificate of Compliance - action requested - PURSUANT TO BUTTE COUNTY CODE SECTION 3-40.5, DETERMINE WHETHER A PUBLIC INTEREST FINDING CAN BE MADE TO WAIVE THE \$2,883.80 FEE.

THIS ITEM WAS MOVED TO THE REGULAR AGENDA FOR DISCUSSION.

CONSENT AGENDA

- 0809-003
1. Budget Transfer and Fixed Asset Purchase - approval is requested to accept \$16,409 in unanticipated revenue from the California Department of Food and Agriculture. The department requests the \$16,409 be appropriated for the fixed asset purchase of a new vehicle which will replace an older vehicle which will go to surplus - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF NEW VEHICLE. (Agriculture)
 2. Cherokee Restoration Fellowship - amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services and Alcohol and Drug Free Housing (ADFH). The amendment decreases the maximum amount payable by \$35,768.12 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16718) (Behavioral Health)

3. Victor Community Support Services, Inc. - amendment - approval is requested for an amendment to this agreement for the provision of school-based mental health services to children. Under this agreement, approximately 350 clients will receive service. The amendment increases the maximum amount payable by \$73,389.03 (department budget) - action requested -APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16716) (Behavioral Health)
4. First Responder Emergency Medical Services, Inc. - approval is requested for this agreement for the provision of emergent and non-emergent client transportation services. The term of the agreement is March 1, 2008 through June 30, 2008 with a maximum amount payable of \$33,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. Clean King By Dehart - approval is requested for this agreement for the provision of environmental housekeeping/janitorial services per state regulations. The term of the agreement is April 22, 2008 through June 30, 2008 with a maximum amount payable of \$26,177.31 (department budget) - action requested -APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
6. 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, day care habilitative services, and Alcohol and Drug Free Housing services. The amendment increases the maximum amount payable by \$71,075.94 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16701) (Behavioral Health)
7. Tri-County Treatment - amendment - approval is requested for an amendment to this agreement for the provision of short-term residential recovery services and day care habilitative services. The amendment increases the maximum amount payable by \$18,120 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16700) (Behavioral Health)
8. Robert D. Barram, Ph.D. - amendment - approval is requested for an amendment to this agreement for the provision of medical work in the specialized field of psychology. The amendment increases the maximum amount payable by \$8,583.30 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (CONTRACT No. X16688) (Behavioral Health)

9. Anne Sippi Clinic Riverside Ranch - approval is requested for this agreement for a residential board and care facility for Butte County Department of Behavioral Health clients. The term of the agreement is December 1, 2007 through June 30, 2008 with a maximum amount payable of \$30,030 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
10. Willow Glen Care Center - approval is requested for an agreement with Willow Glen Care Center for a residential board and care facility for Behavioral Health clients. The term of the agreement is August 1, 2007 through June 30, 2008 with a maximum amount payable of \$44,540 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
11. Stairways Recovery, Inc. - approval is requested for an agreement with Stairways Recovery, Inc. for the provision of vocational experience services, supported employment, community work crews, and situation assessments. This program is within the Mental Health Services Act (MHSA) State approved plan and will serve clients in the Oroville Area. The term of the agreement is April 1, 2008 through June 30, 2008 with a maximum amount payable of \$31,825 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
12. Tamara Miller, PE - amendment - approval is requested for an amendment to the agreement with Tamara Miller, PE for the provision of engineering services related to the submittal of a loan application to the State Water Resources Control Board for sewer installation in the Greater Chico Urban Area. The amendment extends the term of the agreement through June 30, 2009 and amends the Fee Schedule effective January 1, 2008 as detailed in the agenda report - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15936) (Chief Administrative Office)
13. Approval of Minutes - action requested - APPROVE MINUTES OF SPECIAL JOINT MEETING OF FEBRUARY 26, 2008. (Chief Administrative Office)

14. Budget Transfer - approval is requested for a budget transfer in the amount of \$184,820 as detailed in the agenda report. The Office of Emergency Services (OES) received and held FEMA funds for the 2006 Storm Damage Projects. The Department of Public Works has completed most of the repairs and is now requesting the FEMA reimbursement for those repairs - action requested -APPROVE BUDGET TRANSFER B-283 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)
15. Budget Transfer - approval is requested for the re-appropriation of funds previously received under the Fiscal Year 2006 Buffer Zone Protection Program. Due to less than anticipated costs of fixed assets, the Emergency Services Office requests the re-appropriation of funds in the amount of \$18,364 for other approved grant purchases - action requested - APPROVE BUDGET TRANSFERS B-282 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)
16. Consolidated Area Housing Authority of Sutter County - Exhibit 2 - approval is requested for this exhibit for the administration of the County's Housing Rehabilitation Loan Program. As the County receives additional funds for Housing Rehabilitation, fiscal obligations will be recommended to the Board as exhibits of the agreement. Each exhibit will have terms with specific timeframes. The term of Exhibit 2 is May 1, 2008 to December 31, 2009 with a maximum amount payable of \$25,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
17. Tri-County Economic Development District - Membership Cash Match 2008/2009 - approval is requested for an agreement with Tri-County Economic Development Corporation, which serves as an Economic Development District for the counties of Butte, Glenn, and Tehama. Each jurisdiction is asked to contribute a cash match in order to continue membership within the District. The \$15,000 membership is paid through the County's Community Development Block Grant Small Business Revolving Loan fund - action requested -APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
18. Manpower, Inc. - approval is requested for an agreement with Manpower, Inc. for the provision of staffing services for the June primary election. Due to the short time frame and volume of staffing needed, it is more efficient to contract for personnel through an agency - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Clerk-Recorder/Registrar of Voters)

19. Contract for Hazard Reduction Services - HR 2389 - The Fire Department was awarded an HR 2389 (Secure Rural Schools and Community Self-Determination Act of 2000) grant through the Butte Fire Safe Council. This agreement with CalFire for staffing, which is funded within the Department's 2007-08 budget, will provide for fire inspectors to educate homeowners on defensible space and weed abatement, along with providing a checklist that homeowners can use in evaluating their own property. The term of the agreement is July 1, 2007 through June 30, 2008 with a maximum amount receivable of \$35,677 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION 08-041 AND AUTHORIZE THE CHAIR TO SIGN. (Fire)
20. Notice of Completion - Oroville Courthouse Stucco Repair Project - All contract work which consisted of sealing and patching cracks in the existing stucco and applying a new water proof exterior coating has been completed - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION. (General Services)
21. Budget Transfers - In 2007, the Board approved the Capital Improvement Plan (CIP), the creation of the General Service Department, and the reorganization of various financial management operations. Due to these organizational changes, approval is now requested for appropriations in order to co-locate staff in each affected department, which are General Services, Human Resources, and the Chief Administrative Office. The co-location projects will be funded from cash reserves currently available, with allowable capital costs being financed at the conclusion of all projects. In addition, the Sheriff's Evidence Storage building is in the top tier of the CIP, and the County will benefit from consolidating the funding for that project with this financing. A total appropriation of \$1,947,180 from the Capital Project fund as detailed in the agenda report is requested - action requested - APPROVE BUDGET TRANSFERS B-258(4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND ADOPT RELATED REIMBURSEMENT RESOLUTION 08-042. (General Services)
22. Western Business Products - approval is requested for an agreement with Western Business Products for digital copiers. The term of the agreement is July, 1, 2008 to June 30, 2013 with maximum amount payable of \$33,672.25 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)

23. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATION - requests to reclassify one position of Administrative Assistant, Senior; Office Specialist, Senior; or Office Specialist to the classification of Administrative Analyst, Associate. This reclassification better reflects the current duties being performed by the incumbent - action requested - ADOPT RESOLUTION 08-043 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
24. Resolution Recognizing Jeanne Gravette, Director of Human Resources, Upon Her Retirement from Butte County - action requested - ADOPT RESOLUTION 08-044 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
25. Fixed Asset Modification - approval is requested to modify the list of fixed assets that were approved in the Fiscal Year 2007/2008 Final Budget due to compliance issues, improvements in technology, and equipment obsolescence. The modifications are detailed in the agenda report. No additional funding is requested - action requested - APPROVE MODIFICATION OF APPROVED FIXED ASSETS. (Information Systems)
26. Resolution Authorizing Submittal of Application to the California Department of Corrections and Rehabilitation (CDCR) - consideration of a resolution which authorizes the Chief Probation Officer and/or Chair to submit an application and related documents to CDCR for annual funding received through the Juvenile Justice Crime Prevention Act. The projected distribution to Butte County for Fiscal Year 2008/2009 is \$618,684 - action requested - ADOPT RESOLUTION 08-045 AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
27. California Department of Public Health (CDPH) - approval is requested for a revenue agreement with CDPH for the provision of immunization services. The term of the agreement is January 1, 2008 through December 31, 2008 with a maximum amount receivable of \$67,683 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
28. California Department of Public Health - amendment - approval is requested for an amendment to the master agreement with California Department of Health Services for funding of a variety of AIDS related services. The amendment increases the maximum amount payable to the County by \$562,238 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN RELATED AMENDMENTS SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFERS B-287(4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Public Health)

29. Resolution Recognizing May 6, 2008 to May 12, 2008 as National Nurses Week - action requested - ADOPT RESOLUTION 08-046 AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
30. Resolution Authorizing Submittal of Grant Application to California Integrated Waste Management Board (CIWMB) - consideration of a resolution which authorizes the Director of Environmental Health to submit an application and related documents to obtain funds from CIWMB to support local solid waste landfill permit and inspection programs - action requested - ADOPT RESOLUTION 08-047 AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
31. City of Gridley - approval is requested for an agreement with the City of Gridley for the provision of striping services to be provided by the County. In order to promote visitation to the Grey Lodge State Wildlife Area, the city has requested that Butte County paint a green line on the center of the road along the Colusa Highway and Pennington Road between Gridley City Limits and the Grey Lodge Wildlife Area. The City of Gridley will reimburse the County for all costs incurred - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL. (Public Works)
32. Removal of Abandoned Vehicles Below Lookout Point - approval is requested for the Director of Public Works to enter into an agreement for the removal of 52 abandoned vehicles below Lookout Point. Staff has determined that the only way to remove the vehicles is by helicopter. A company that will be logging in the area has provided an initial estimate of \$20,000 to \$25,000 for this service. Community Cleanup Grant funds will be used to cover the costs - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT TO REMOVE THE ABANDONED VEHICLES BELOW LOOKOUT POINT. (Public Works)
33. Letter of Support to State Assembly Budget Subcommittee #5 - approval is requested for a letter of support to urge Subcommittee #5 to protect and fund vital transportation programs in the 2008/2009 State Budget. The California State Association of Counties, the League of California Cities, and the Regional Council of Rural Counties each support this position -action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
34. Forensic Medical Group (FMG) - amendment - approval is requested for an agreement with FMG for the provision of pathological services. The amendment increases the maximum amount payable by \$60,000 - action requested -APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16580) (Sheriff-Coroner)

- 35. Resolution Authorizing Execution of Grant Agreement with Department of Water Resources (DWR) - consideration of a resolution to authorize the Director of Water and Resource Conservation to negotiate a grant agreement with DWR to accept grant funding under Proposition 50 - action requested - ADOPT RESOLUTION 08-048 AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)
- 36. Resolution Proclaiming May 2008 as Water Awareness Month - action requested - ADOPT RESOLUTION 08-049 AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 3.19 WHICH WAS MOVED TO THE REGULAR AGENDA AND ITEMS 3.29, 3.36, AND 3.37 WHICH WERE REMOVED FROM THIS AGENDA.

2 M

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

JEANNE GRAVETTE, DIRECTOR OF HUMAN RESOURCES WAS PRESENTED WITH THE RESOLUTION RECOGNIZING HER RETIREMENT.

THE RESOLUTION RECOGNIZING MAY 6-12 AS NATIONAL NURSES WEEK WAS PRESENTED TO PHYLLIS MURDOCK, DIRECTOR OF PUBLIC HEALTH.

THE RESOLUTION PROCLAIMING MAY 2008 AS WATER AWARENESS MONTH WAS PRESENTED TO PAUL GOSSELIN, DIRECTOR OF WATER AND RESOURCE CONSERVATION.

REGULAR AGENDA

0809-004 Boards, Commissions and Committees.

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

SUPERVISOR KIRK REPORTED THAT SHE AND SUPERVISOR DOLAN HAVE BEEN WORKING WITH THE VETERANS FOR THE MAY 17 OPEN HOUSE OF THE VETERANS CENTER ON RIO LINDO IN CHICO.

SUPERVISOR YAMAGUHCI REPORTED HE WILL BE ATTENDING A VFW DINNER THIS EVENING AT A SENIOR CITIZEN'S CENTER IN PARADISE.

0809-005 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

C. BRIAN HADDIX, CHIEF ADMINISTRATIVE OFFICER REPORTED ON THE STATE BUDGET INDICATING THAT THE STATE IS LOOKING AT A \$17.2 BILLION DOLLAR DEFICIT WITH A PROJECTED DECREASE OF \$10 BILLION TO LOCAL PROGRAMS, PRIMARILY IN THE FIELD OF MENTAL HEALTH. THE MAY REVISE IS EXPECTED ON MAY 14.

1. Senate Bill (SB) 1617 (Kehoe) - approval is requested to ratify letter in opposition of SB 1617, a bill which proposes to establish a fee on buildings and structures in state responsibility areas in order to fund fire prevention and suppression activities - action requested - RATIFY LETTER OF OPPOSITION SIGNED BY CHAIR. (Chief Administrative Office)

MOTION: I MOVE TO RATIFY LETTER OF OPPOSITION SIGNED BY CHAIR.
2 M

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

0809-006 Update of General Plan 2030 Process by Director-Development Services. (896)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

0809-007 Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

0809-008 Veterans Memorial Park - Recognition of the Individuals and Entities that Assisted in Clearing the Future Site of the Veterans Memorial Park in Oroville - INFORMATIONAL ONLY. NO ACTION REQUESTED. (Supervisor Connelly)

SUPERVISOR CONNELLY THANKED STAFF AND THE BOARD FOR ALL EFFORTS TO MOVE THIS PROJECT FORWARD. HE RECOGNIZED ALL VOLUNTEERS IN THE COMMUNITY INCLUDING CAREY BROTHERS CONSTRUCTION, DELMAR RENTALS, TINO NAVA OF PG&E, AND JOE MATZ AND CARL PETERS FROM NORCAL WASTE WHO HAVE DONATED THEIR TIME AND EFFORTS TO THE PROJECT. (1327)

SUPERVISOR YAMAGUCHI RECOGNIZED ALL OF SUPERVISOR CONNELLY'S EFFORTS TO MOVE THIS PROJECT AHEAD.

STU SHANER, CO-CHAIR OF THE VETERANS MEMORIAL PARK ADDRESSED THE BOARD. HE THANKED THE BOARD AND STAFF FOR THEIR EFFORTS IN THE PROJECT. (1219)

RECESS: 9:53 A.M.
RECONVENE: 10:08 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0809-009 Public Hearing - Appeal of Planning Commission's Denial of Exception Request to Road Improvement Condition - Tentative Parcel Map 06-13 - consideration of an appeal regarding the Planning Commission's requirement for road improvement standards for Quail Point Lane and Rocky Point Road to Enterprise Road. The property is located approximately 18 miles east of Oroville at 231 Quail Point Lane, APN 071-300-002 - action requested -STAFF RECOMMENDS ADOPTING RESOLUTION TO DENY THE APPEAL AND UPHOLD THE PLANNING COMMISSION'S DENIAL AND AUTHORIZE THE CHAIR TO SIGN RESOLUTION. (Department of Development Services)(1667)

PRESENTATION BY MARK MICHELENA AND STACEY JOLIFFE OF DEVELOPMENT SERVICES.

THE OWNER OF THE PROPERTY, WILLIAM SITTMAN ADDRESSED THE BOARD. (1200) HE STATED THAT HIS APPEAL IS ONLY RELATED TO IMPROVEMENTS REQUIRED ON ROCKY POINT ROAD.

PUBLIC HEARING OPENED: 10:25 A.M.
PUBLIC HEARING CLOSED: CONTINUED OPEN

JIM BREFIS AND MR. FOWLER, WHO ARE MR. SITTMAN'S NEIGHBORS, ADDRESSED THE BOARD. (2454)(1:09:24)

THIS ITEM WAS CONTINUED OPEN TO MAY 20, 2008 AT 10:40 A.M. TO ALLOW TIME FOR CALFIRE STAFF TO REVIEW THE RECORD AND TO SURVEY THE ACTUAL LOCATION OF THE PROPERTY AND ROAD IN ORDER PROVIDE A REPORT TO THE BOARD REGARDING PUBLIC SAFETY ISSUES. NO ACTION WAS TAKEN AT THIS MEETING.

0809-010 Public Hearing - Two Appeals of Planning Commission's Decision Related to Tentative Parcel Map 06-0020 - The following appeals were received on this project: 1) an appeal by the applicant regarding the requirement to improve Webb Avenue along the parcel frontage and out to Rose Avenue; and 2) an appeal by a neighbor regarding approval of the project - action requested - STAFF RECOMMENDS ADOPTING RESOLUTION WHICH AUTHORIZES THE FOLLOWING:

- 1) GRANT IN PART AND DENY IN PART, THE FIRST APPEAL BY ALLOWING MODIFIED ROAD STANDARDS (CONDITIONS #8 AND #9) AS DETAILED ON THE RESOLUTION; AND
- 2) DENY THE SECOND APPEAL, ADOPTING MITIGATED NEGATIVE DECLARATION WITH FINDINGS AND CONDITIONS AS DETAILED ON THE RESOLUTION, INCLUDING MODIFIED CONDITIONS #8 AND #9. (Department of Development Services)

PRESENTATION BY STACEY JOLIFFE AND CHRIS TOLLEY FROM DEPARTMENT OF DEVELOPMENT SERVICES.

VANCE SEVERIN FROM ENVIRONMENTAL HEALTH ADDRESSED THE BOARD. HE AMENDED A RECOMMENDATION REGARDING THE LEACH FIELD EXCLUSION THAT WAS ORIGINALLY PROVIDED TO THE BOARD WITH THE AGENDA PACKET.

STEVE ST. CIN, THE PROPERTY OWNER, ADDRESSED THE BOARD.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: MIKE BERG, MAGGIE HILL, JERRY GRANDSTAD, SCOTT CORPORAN AND LARRY COLEMEN.

PUBLIC HEARING OPENED: 11:10 A.M.
PUBLIC HEARING CLOSED: CONTINUED OPEN

THIS ITEM WAS CONTINUED OPEN TO JUNE 10, 2008 AT 10:10 A.M. IN ORDER FOR THE DEPARTMENT TO PROVIDE A SOLUTION TO DRAINAGE AND FOR THE BOARD TO REVIEW MATERIALS THAT WERE SUBMITTED AT THIS MEETING. NO ACTION WAS TAKEN. (2200)

0809-011 Public Hearing - Appeal of Planning Commission's Prohibition of Second Dwelling Units Related to Tentative Parcel Map 06-0029 - consideration of an appeal of one of the conditions of approval as required by the Planning Commission. The applicant is appealing Condition #6 which prohibits second dwelling units. The property is located at 9106 Cohasset Road, north of the City of Chico and in the community of Cohasset -action requested - STAFF RECOMMENDS ADOPTING RESOLUTION 08-050 TO DENY THE APPEAL OF CONDITION #6. (Department of Development Services)

PRESENTATION BY STACEY JOLIFFE AND CHRIS TOLLEY FROM DEPARTMENT OF DEVELOPMENT SERVICES.

MICHAEL MCCRADY, THE PROPERTY OWNER ADDRESSED THE BOARD.

PUBLIC HEARING OPENED: 11:53 a.m.
PUBLIC HEARING CLOSED: 12:08 p.m.

MICHAEL MCCRADY, THE PROPERTY OWNER ADDRESSED THE BOARD.

MOTION: I MOVE TO ADOPT RESOLUTION TO DENY THE APPEAL OF CONDITION #6 AND CONTINUE TO PROHIBIT SECOND DWELLING UNITS WITH THE FINDINGS AS DEFINED ON PAGE 2 OF THE AGENDA REPORT AS FOLLOWS: 1) DETERMINING APPROPRIATE DEVELOPMENT DENSITIES BY TAKING INTO CONSIDERATION SOIL DEPTH AND SLOPE, WATER AVAILABILITY AND QUALITY, NATURAL HAZARDS, EXISTING PLANT AND WILDLIFE, ACCESSIBILITY, AND/OR SIGNIFICANT ENVIRONMENTAL CONCERNS, THE AREA ONLY HAS A FIRE STATION ABOUT 5 MONTHS OF THE YEAR; 2) ENCOURAGE THE PRESERVATION OF OPEN SPACE AND NATURAL WILDLIFE AND HABITAT TO MINIMIZE LAND USE CONFLICTS; AND 3) BECAUSE THE PROJECT SITE IS LOCATED IN A DEER HERD AREA.

2 M

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

0809-012 Public Hearing - Adoption of an Ordinance Amending Article VII of Chapter 3 of the Butte County Code Adjusting Specific Gate Fees Chargeable at the Neal Road Sanitary Landfill - action requested - OPEN AND CONTINUE PUBLIC HEARING ON THE PROPOSED ORDINANCE TO JUNE 10, 2008 AT 10:00 A.M. (Public Works)

PUBLIC HEARING OPENED: 12:10 P.M.
PUBLIC HEARING CLOSED: CONTINUED OPEN

THIS ITEM WAS CONTINUED TO JUNE 10, 2008 AT 10:00 A.M. NO ACTION TAKEN TODAY.

0809-013 Public Hearing - Further Proceedings Regarding the Appeal of Signalized Intersection West, LLC for a Grading Permit - GRD 06-01 - On September 11, 2007, the Board of Supervisors denied the appeal of the Planning Commission's denial of a grading permit application. A lawsuit has been filed alleging, in part, that the Board did not make findings to support its decision. Staff recommends the Board vacate and set aside its prior action and set the appeal for another hearing at a future Board meeting - action requested - ADOPT RESOLUTION 08-052 AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel)

PRESENTATION BY BRUCE ALPERT, COUNTY COUNSEL.

PUBLIC HEARING OPENED: 12:15 P.M.
PUBLIC HEARING CLOSED: 12:26 A.M.

THE BOARD RECONVENED AT 2:10 P.M. FROM CLOSED SESSION REGARDING:

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: INTERIM DIRECTOR OF HUMAN RESOURCES/DIRECTOR OF HUMAN RESOURCES.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. CHILD SUPPORT SERVICES DIRECTOR
6. COUNTY COUNSEL
7. DEVELOPMENT SERVICES DIRECTOR
8. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
9. HUMAN RESOURCES DIRECTOR
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA.

ONE ANNOUNCEMENT FROM CLOSED SESSION - THE BOARD VOTED UNANIMOUSLY TO APPOINT LAURA BRUNSON, THE ASSISTANT DIRECTOR OF HUMAN RESOURCES AS THE INTERIM DIRECTOR OF HUMAN RESOURCES.

0809-016 Resolution Regarding Butte County General Plan 2030 Citizens Advisory Committee (CAC) - consideration of a resolution that clarifies the CAC's role and the method for appointment of CAC's members and establishes a work plan for the committee. Upon adoption, this resolution will supercede and replace the four previous resolutions concerning the CAC - action requested - ADOPT RESOLUTION 08-051 AND AUTHORIZE THE CHAIR TO SIGN. (Department of Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES AND DAN BREEDON, PRINCIPAL PLANNER.

MOTION: I MOVE TO ADOPT RESOLUTION WITH AMENDMENT THAT MEMBERS OF THE PUBLIC WHO ARE ALREADY SERVING ON BOARD APPOINTED COMMITTEES OR OTHER APPOINTMENTS WILL NOT BE ELIGIBLE TO SERVE ON THE CITIZENS ADVISORY COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN.

M 2

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

SUPERVISOR KIRK INDICATED THAT APPOINTEE, RICHARD COON IS CURRENTLY ON 2 COMMITTEES - THE CAC AND BUTTE COUNTY RESOURCE CONSERVATION DISTRICT. SHE REQUESTED THAT THE BOARD ALLOW MR. COON TO ATTEND THE CAC MEETING ON THURSDAY, APRIL 24, AND THEN HE WOULD HAVE CHOOSE ONLY ONE OF THE COMMITTEES IN THE FUTURE. THE BOARD AGREED.

0809-017 Butte County Resource Conservation District (RCD) - Long Range Strategic Plan and Annual Report - RCD staff and RCD Board members will present their annual report and a draft of the 2008-2013 Long Range Strategic Plan - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office on behalf of Resource Conservation District) (**1547)

PRESENTATION BY PIA SEVELIUS, EXECUTIVE DIRECTOR OF RCD AND A REPRESENTATIVE FROM USDA'S NATURAL RESOURCE CONSERVATION SERVICE.

0809-018 Butte County 2008 System Improvement Plan (SIP) - The Director of Employment and Social Services (DESS) will provide a report regarding the 2008 SIP as required by Assembly Bill 636 and California Department of Social Services - action requested - ACCEPT FOR INFORMATION; AND APPROVE THE SYSTEM IMPROVEMENT PLAN AS SUBMITTED. (Department of Employment and Social Services)

PRESENTATION BY CATHI GRAMS, DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES.

MOTION: I MOVE TO APPROVE THE SYSTEM IMPROVEMENT PLAN AS SUBMITTED.

2 M

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

Items Removed from the Consent Agenda for Board Consideration and Action.

0809-019 Waiver of Application Fee - consideration of a request submitted by Tom and Debbie Clarenbach for a waiver of the application fee in the amount \$2,883.80 for a Certificate of Compliance - action requested - PURSUANT TO BUTTE COUNTY CODE SECTION 3-40.5, DETERMINE WHETHER A PUBLIC INTEREST FINDING CAN BE MADE TO WAIVE THE \$2,883.80 FEE.

MOTION: I FIND THAT IT IS IN THE PUBLIC INTEREST TO WAIVE THE \$2,883.80
FEE. (**2599)
M 2
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

Recessed at 3:21 p.m. as the Butte County Board of Supervisors
and Convene as the Butte County In-Home Supportive Services
Public Authority Board.

BUTTE COUNTY
IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
APRIL 22, 2008

Called to order at 3:21 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Yamaguchi, Kirk and Chair Josiassen. Connelly is absent. Also present: Associate Clerk, Kathleen Moghannam.

Consent Agenda

0804-001 Liebert Cassiday Whitmore - approval is requested for a sole source agreement with Liebert Cassiday Whitmore for the provision of labor relations services regarding In-Home Supportive Services providers. The agreement will be billed on an hourly basis along with necessary costs and expenses incurred by the contractor. The hourly rates range from \$160 to \$290 for attorneys and \$100 to \$130 for paraprofessionals. It is anticipated that Jack Hughes, associate attorney, and Deborah Glasser, labor relations professional, will be providing the majority of the services to the Public Authority. Mr. Hughes' hourly billing rate is \$220 and Ms. Glasser's hourly rate is \$185 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

MOTION: I MOVE TO APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER WITH THE CONDITION THAT THE BOARD BE PROVIDED WITH ALL COMMUNICATIONS RELATED TO THE LABOR NEGOTIATIONS.

M 2

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

Public Comment (None)

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda.

Adjournment

Adjourned at 3:25 p.m. as the Butte County In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

CLOSED SESSION

0809-020 **THE BOARD RECESSED AT 3:25 P.M. TO CLOSED SESSION REGARDING:**

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: INTERIM DIRECTOR OF HUMAN RESOURCES/DIRECTOR OF HUMAN RESOURCES.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. CHILD SUPPORT SERVICES DIRECTOR
6. COUNTY COUNSEL
7. DEVELOPMENT SERVICES DIRECTOR
8. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
9. HUMAN RESOURCES DIRECTOR
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA.

THE BOARD RECONVENED AT 5:34 P.M. FROM CLOSED SESSION REGARDING:

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: INTERIM DIRECTOR OF HUMAN RESOURCES/DIRECTOR OF HUMAN RESOURCES.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. CHILD SUPPORT SERVICES DIRECTOR
6. COUNTY COUNSEL
7. DEVELOPMENT SERVICES DIRECTOR
8. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
9. HUMAN RESOURCES DIRECTOR May 23, 2008
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC);
CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA. (No Announcements)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 5:34 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, MAY 6, 2008 AT 9:00 A.M.

CURT JOSIASSEN, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

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

By:_____