

# AGENDA



## BOARD OF SUPERVISORS

R.J. "BOB" BEELER, 1<sup>ST</sup> DISTRICT  
JANE DOLAN, 2<sup>ND</sup> DISTRICT  
MARY ANNE HOUX, 3<sup>RD</sup> DISTRICT  
CURT JOSIASSEN, 4<sup>TH</sup> DISTRICT  
KIM YAMAGUCHI, 5<sup>TH</sup> DISTRICT

April 23, 2002

<u>Time</u>	<u>Item No.</u>	
9:00 A.M.	1.00	Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
	2.00	Pledge of Allegiance to the Flag of the United States of America.
	2.01	Invocation - Alberta Tracy, First Church of Christ Scientist, Oroville.

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### **3.00**      Consent Agenda

Budget Transfers	3.01 *	Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-411 (APPROPRIATION FOR CONTINGENCIES/WATER AND RESOURCE CONSERVATION); B-419 (DISTRICT ATTORNEY); B-420 (SHERIFF/INMATE WELFARE FUND); AND B-421 (DISTRICT ATTORNEY). All budget transfers listed above, with the exception of B-421, require a 4/5 vote.
Donations	3.02 *	Library Donations - in accordance with Government Code Section 25355, donations of \$3,033.19 from the Paradise Friends of the Library and \$500 from the Fraternal Order of Eagles-Aerie # 2960 of Paradise have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
	3.03 *	Library Public Service Staff Support Hours Donation - pursuant to Government Code Section 25355, a donation of \$2,671 has been received from the Paradise Friends of the Library for the Continuing Operation Trust Fund. The trust fund is used to pay for extra-help staff support hours. Board approval is requested to transfer the funds from the trust fund to the Library budget - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-410 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.

<u>Time</u>	<u>Item No.</u>	
Land Use	3.04 *	Resolution Consenting to Assignment of Rights and Duties Under Development Agreement - Board approval is requested by County Counsel for a resolution which will provide for the assignment of the rights and duties specified in the Development Agreement between the County and Robinson & Sons, recorded October 22, 1996, to Granite Construction Company. Robinson & Sons is selling its business to Granite Construction Company and is requesting the County consent to the assignment of rights and duties as specified in the Development Agreement - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
Fixed Assets and Facilities	3.05 *	Notice of Substantial Completion - Southside Oroville Community Center (IBF No. 110-01) - Board approval is requested by the General Services Director to accept the contract work for the Southside Oroville Community Center as substantially complete. Virtually all work on the project has been completed in accordance with plans and specifications; however, there are a few minor items that remain open, and those items are expected to take several more weeks to resolve. Approving a Substantial Notice of Completion will allow for occupancy of a portion of the building, release a portion of the 10% withhold to permit the contractor to pay subcontractors for their completed work, and permit negotiations with the contractor of an amount that will be held in retention until all work is completed - action requested - ACCEPT CONTRACT WORK AS SUBSTANTIALLY COMPLETE; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF SUBSTANTIAL COMPLETION; AND DIRECT RECORDING OF THE NOTICE OF SUBSTANTIAL COMPLETION.
	3.06 *	Food Steamer Purchase for Jail Kitchen - Board approval is requested by the Sheriff's Office for the fixed asset purchase of a food steamer for the jail kitchen in the amount of \$11,025 to replace equipment that is no longer cost effective to repair. The Purchasing Department solicited bids for the equipment, and Cooks of Illinois was the lowest responsible bidder. Board approval is also requested for a budget transfer of \$11,025 from the Inmate Welfare Fund to provide funding for the purchase - action requested - APPROVE BUDGET TRANSFER B-423 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE FIXED ASSET PURCHASE OF A FOOD STEAMER.
Audit and Finance	3.07 *	Monthly Investment Report - the Treasurer-Tax Collector submits the March 29, 2002, report in accordance with the Butte County Statement of Investment Policy dated July 1, 2001 - action requested - ACCEPT FOR INFORMATION.

**Time**

**Item No.**

- 3.08 \* State Department of Health Services - Board approval is requested by the Public Health Department to accept and appropriate \$39,700 in unanticipated revenue received from the State Department of Health Services to be used for bio-terrorism prevention and related public health activities. The funding will be used to enhance information and communications systems, support surveillance and epidemiology efforts, and provide for specialized training. Board approval is also requested to utilize approximately \$6,000 of the funds for the fixed asset purchase of a replacement microscope for the Public Health Laboratory - action requested - APPROVE BUDGET TRANSFER B-417 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE FIXED ASSET PURCHASE OF A MICROSCOPE IN THE ESTIMATED AMOUNT OF \$6,000.
- 3.09 \* Substance Abuse and Mental Health Services Administration Block Grant - on March 26, 2002, the Behavioral Health Department requested the Board appropriate \$80,478 of a \$94,983 allocation received from the Federal Substance Abuse and Mental Health Services Administration (SAMSHA) Block Grant program, with the notation that the remaining funds would be allocated at a later date. The Behavioral Health Department intends to use the funds to support the placement of Behavioral Health staff in the new Juvenile Hall and provide integrated services in support of the SAMSHA program. Board approval is requested to accept the balance of the additional allocation received (\$14,505) and to transfer \$52,124 from the Realignment Trust Fund to support SAMSHA activities - ADOPT RESOLUTION ACCEPTING SAMSHA ALLOCATION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-416 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

**Time**            **Item No.**

Ordinances 3.10 \*  
and  
Resolutions

Resolution Amending the Butte County Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the Butte County Salary Ordinance as follows: PUBLIC HEALTH-GENERAL SERVICES - 1) the department has requested the following term positions funded through the Butte County Children and Families Commission be converted from term positions to regular help positions with sunset dates of June 30, 2003: one position of Program Manager-Butte County Children and Families Commission, one flexibly staffed position of Administrative Analyst III/II/I, and one position of Administrative Services Assistant. 2) requested is the conversion of one term flexibly staffed position of Public Health Nurse III/II/I to a regular help position with a sunset date of March 31, 2003; and 3) requested is the deletion of two positions of Nutrition Assistant III and seven flexibly staffed positions of Nutrition Assistant II/I, and the addition of nine flexibly staffed positions of Nutrition Assistant III/II/I. Flexibly staffing the positions will provide for employee advancement. PUBLIC HEALTH-ENVIRONMENTAL HEALTH - deletes one half-time flexibly staffed position of Office Assistant II/I, and adds one half-time flexibly staffed position of Office Assistant III/II/I. Flexibly staffing the position will provide for employee advancement and provide the department greater flexibility in staffing choices. PUBLIC HEALTH-RABIES CONTROL - deletes one flexibly staffed position of Office Assistant II/I, and adds one flexibly staffed position of Office Assistant III/II/I. Flexibly staffing the position will provide for employee advancement and provide the department greater flexibility in staffing choices. BEHAVIORAL HEALTH-GENERAL SERVICES - adds two flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker, and one half-time flexibly staffed position of Medical Records Technician II/I, all with sunset dates of June 30, 2004. Additionally the department is requesting the addition of one flexibly staffed position of Mental Health Clinician II/I. All positions are in support of the new Juvenile Hall and will be funded with Substance Abuse and Mental Health Services Administration funds - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**Time**

**Item No.**

- 3.11 \* Resolution to Authorize the Creation of the Butte County Library Advisory Board - pursuant to the recommendation of the Library Long Range Planning Commission, Board approval is requested by the Butte County Library for a resolution which would create the Butte County Library Advisory Board. The board will consist of ten members, and is created for the purposes of: updating and maintaining a strategic plan for the library; developing and maintaining a long range library financial plan; providing an annual statement/report on the state of the library; re-energizing the Butte County Libraries Foundation and developing fund raising plans for the Board of Supervisors' approval; overseeing the development of relationships with community partners; advising the Board of Supervisors on issues and trends impacting the library; monitoring technology that will affect library operations and providing guidance to the Board of Supervisors; and developing and overseeing public relations campaigns in support of the library - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT LIBRARY STAFF TO SOLICIT LETTER OF INTEREST FROM POTENTIAL APPOINTEES TO THE BOARD, REVIEW LETTERS RECEIVED, AND FORWARD RECOMMENDATIONS TO THE BOARD OF SUPERVISORS FOR APPOINTMENT.
- 3.12 \* Resolution Regarding Juvenile Justice Crime Prevention Act Modification - Board approval is requested by the Probation Department for a resolution approving the application for a modification to the County's Comprehensive Multi-agency Juvenile Justice Plan as a result of a reduced allocation of funds for fiscal year 2002-2003. The Juvenile Justice Coordinating Council met and agreed to modify the plan by adjusting the amounts received by each of the community based organizations which provide services in support of the program in accordance with the reduced funding - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.13 \* Resolution Forming the Butte County Resource Conservation District - Board approval is requested by the Department of Water and Resource Conservation for a resolution which would form the Butte County Resource Conservation District in response to the approval by the voters at the March 5, 2002, Statewide Primary Election, and as required by the Local Agency Formation Commission - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A CERTIFIED COPY BE FILED WITH THE LOCAL AGENCY FORMATION COMMISSION'S EXECUTIVE OFFICER FOR FILING OF A CERTIFICATE OF COMPLETION.
- 3.14 \* Resolution Proclaiming May 2002 as Older Americans Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.15 \* Resolution Proclaiming Dr. Glenn Kendall Day, May 4, 2002 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**Time**

**Item No.**

Agreements 3.16 \*  
and  
Grants

Fred Davis and Associates - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Fred Davis and Associates for the provision of services by Fred Davis as the Interim Director-Development Services. The amendment extends the term of the agreement from February 1, 2002, through June 1, 2002, effective April 9, 2002, with all other terms and provisions to remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.17 \*

Butte County Department of Employment and Social Services - Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for a Memorandum of Understanding (MOU) with the Butte County Department of Employment and Social Services-Public Guardian for the provision of investigation and administration services of conservatorships for BCDBH clients. The term of the MOU is July 1, 2001, through June 30, 2002, with a maximum amount payable to the Department of Employment and Social Services of \$140,000 (department budget) - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.18 \*

United States Department of Health Services-Substance Abuse and Mental Health Services Administration - Grant Application - Board approval is requested by the Butte County Department of Behavioral Health to apply to the United States Department of Health Services-Substance Abuse and Mental Health Services Administration for funds under the Cooperative Agreements for Comprehensive Community Mental Health Services for Children and Their Families program (Child Mental Health Initiative). The funds will be used for cooperative agreements to develop systems of care that deliver comprehensive community mental health services to children and adolescents with serious emotional disturbances, and their families. Approximately \$13 million will be available for 13-16 awards, and funds must be used to develop systems of care in geographic areas that have not been targeted for Children's Mental Health Initiative awards in the past. The grant will require a soft match, and will allow the use of existing staff to meet the match requirement, no additional funds will be needed - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION FOR THE CHILDREN'S MENTAL HEALTH INITIATIVE GRANT AND AUTHORIZE THE CHAIR TO SIGN.

**Time**

**Item No.**

- 3.19 \* Cherokee Restoration Fellowship - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential alcohol and drug treatment services for referred clients. The amendment provides for the provision of services to clients of the Butte County Drug Court program, and increases the daily rate by \$3.28 as of March 1, 2002, for a maximum amount payable increase of \$14,850 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13133)
- 3.20 \* Sutter Center for Psychiatry - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Sutter Center for Psychiatry for the provision of inpatient hospitalization services to referred adolescents 11½ to 18 years of age. The term of the agreement is July 1, 2001, through June 30, 2002. Payment of services under this agreement will be paid on an individual basis as a client is referred to the facility. Claims for payment will not be made to the County, but will be made to, and paid for directly by the State. Funding for the agreement is identified as Inpatient Consolidation Funds - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13459)
- 3.21 \* Feather River Tribal Health, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Feather River Tribal Health, Inc., for the provision of specialty mental health services to Medi-Cal recipients who meet the criteria of medical necessity. The amendment provides for the inclusion of medication support services, including prescribing, administering, dispensing and monitoring of psychiatric medications. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11903)
- 3.22 \* Butte County Probation Department - Memorandum of Understanding - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the Memorandum of Understanding with the Probation Department for the provision of drug testing services in support of the Drug Court program. The amendment decreases the maximum amount payable by \$18,186 for fiscal year 2001-2002, with all other terms and provisions to remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X10941)

**Time**

**Item No.**

- 3.23 \* Select Janitorial Services - Amendment - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for an amendment to the agreement with Select Janitorial Services for janitorial services for BCDBH offices. The amendment adds the site at 5910 Clark Road, Suite T, Paradise, increases the monthly charge for the site at 5910 Clark Road, Suite W, Paradise, as of March 1, 2002, increases the maximum amount payable by \$1,243.50 for fiscal year 2001-2002, and increases the maximum amount payable by \$4,092 for fiscal year 2002-2003 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11588)
- 3.24 \* Superior Court of California, County of Butte - Memorandum of Understanding - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the Memorandum of Understanding with the Superior Court of California, County of Butte, for the provision of funds to support the position of Drug Court Manager, funded by the Drug Court Partnership Grant. The amendment reduces the maximum amount payable for fiscal year 2001-2002 by \$13,250, with all other terms and provisions to remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11418)
- 3.25 \* Oroville Recovery Center - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Oroville Recovery Center for the provision of long-term residential recovery services for female clients referred under the Substance Abuse and Crime Prevention Act. The amendment provides for the addition of services to Drug Court clients, and increases the maximum amount payable by \$14,850 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13378)
- 3.26 \* Right Road Recovery Programs, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Right Road Recovery Programs, Inc., for the provision of outpatient and residential treatment services to Drug Court clients. The amendment increases the maximum amount payable by \$32,888 (department budget) for fiscal year 2001-2002. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10930)

**Time**

**Item No.**

- 3.27 \* Regents of the University of California-Davis - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with the Regents of the University of California-Davis for the provision of Eligibility Services training to County staff. The amendment increases the training days by 2 days, and increases the maximum amount payable by \$5,800 (department budget) with all other terms and provisions to remain the same - action requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13181)
- 3.28 \* Northern California Youth and Family Programs - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Northern California Youth and Family Programs for the provision of the Independent Living Program. The amendment increases the maximum amount payable by \$22,500, provides for one additional part-time case manager in response to increased participation in the program, and provides for additional support items for the participants. Funding for the agreement will be provided by the State's allocation for this program for fiscal year 2001-2002. The allocation will also provide \$6,000 needed to fund additional contracts for this program - action requested - APPROVE BUDGET TRANSFER B-415 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11477)
- 3.29 \* Home Health Care Management, Inc., d.b.a CHP Plus (HHCM) - Board approval is requested by the Department of Employment and Social Services for an agreement with Home Health Care Management, Inc., d.b.a CHP Plus (HHCM) for the provision of services in support of the Childcare Assistance Program. The agreement provides for respite childcare services for children ages 0-12 who reside with relative care givers in Butte County. The term of the agreement is February 1, 2002, through June 30, 2003, with a maximum amount payable of \$142,569. Funding for the agreement will be provided through a combination of appropriations from Federal TANF Welfare Performance Incentives funds and department budget funds, and Board approval is also requested for a budget transfer to provide the needed funding - action requested - APPROVE BUDGET TRANSFER B-424 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13446)

**Time**

**Item No.**

- 3.30 \* Youth For Change - Board approval is requested by the Department of Employment and Social Services for a renewal agreement with Youth For Change for the provision of the AmeriCorps Family Support Program. The agreement provides for intensive family support case management services to CalWORKs participants residing in the Paradise area. The term of the agreement is January 1, 2002, through June 30, 2003, with a maximum amount payable of \$30,000. Funding for the agreement will be provided through a combination of appropriations from Federal TANF Welfare Performance Incentives funds and department budget funds, and Board approval is also requested for a budget transfer to provide the needed funding - action requested - APPROVE BUDGET TRANSFER B-425 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13471)
- 3.31 \* Federal Office of Justice Programs - Board approval is requested by the Department of Employment and Social Services to apply to the Federal Office of Justice Programs for the Safe Havens: Supervised Visitation and Safe Exchange Planning Grant. The grant will provide \$120,000 over a two year period to assist in the planning and development of a supervised visitation center which would provide a safe and secure environment for supervised visitation and safe exchanges of children. The target population includes victims of child abuse, sexual abuse, domestic violence and stalking. There is no County match required for the grant - action requested - APPROVE SUBMISSION OF GRANT APPLICATION
- 3.32 \* California Department of Forestry and Fire Protection - Cooperative Forestry Assistance Act of 1978 Volunteer Fire Assistance Program - Board approval is requested by the Fire Department for a grant application to the California Department of Forestry and Fire Protection for funds under the Cooperative Forestry Assistance Act of 1978, Volunteer Fire Assistance Program. The grant funds would be utilized to purchase pagers for the County's volunteer firefighters. The grant amount is \$31,556.12 with a required County match of \$15,778.06 (department proposed budget for fiscal year 2002-2003) - action requested - APPROVE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40424)

**Time**

**Item No.**

- 3.33 \* California Family Health Council, Inc. - Board approval is requested by the Public Health Department for a grant agreement with California Family Health Council, Inc., for the provision of funds to implement a Peer Provider Program at the clinic located on Table Mountain Boulevard, Oroville. The Peer Provider program will provide family planning and reproductive health services to teens by teens. The term of the agreement is January 1, 2002, through December 31, 2002, with a maximum amount payable to the County of \$75,000. Board approval is also requested to appropriate \$21,629 in this fiscal year - action requested - APPROVE BUDGET TRANSFER B-418 (4/5 vote required) ACCEPTING AND APPROPRIATING \$21,629 IN UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40438)
- 3.34 \* Physical and Occupational Therapists - Amendments - Board approval is requested by the Public Health Department for amendments to the agreements with several physical and occupational therapists for the provision of services in support of the California Children's Services program. The program is mandated by Health and Safety Code 252 and is funded with Realignment funds (25%), State funds (50%) and County matching funds (25%). The amendments increase the maximum amounts payable for each of the listed contractors to provide for the increased hours of services needed under this program: Monica Swartz - increases the maximum amount payable by \$6,400; Teresa Wood Hansen - increases the maximum amount payable by \$4,600; Alice McCall - increases the maximum amount payable by \$3,000; and Diane Willow Dejesus - increases the maximum amount payable by \$5,170. All amendment increases are included in the department's current year budget. All other terms and provisions of the agreements remain the same - action requested - APPROVE AGREEMENT AMENDMENTS (4) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract Nos. X12099, X13000, X12097, and X12096)
- 3.35 \* Home Health Care Management, Inc. d.b.a. CHP Plus - Amendment - Board approval is requested by the Public Health Department for an amendment to the agreement with Home Health Care Management, Inc., doing business as CHP Plus, for the provision of services in support of the HIV/AIDS Early Intervention Program and the HIV Transmission Prevention Program. The amendment increases the maximum amount payable under the HIV Transmission Prevention Program portion of the agreement by \$3,200 (department budget/State funds) with all other terms and provisions to remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13231)

**Time**

**Item No.**

- 3.36 \* California Department of Health Services - AIDS Master Grant Agreement - Amendment - Board approval is requested by the Public Health Department for an amendment to the AIDS Master Grant Agreement with the California Department of Health Services. The amendment decreases the budget and services in the Scope of Work for the Education and Prevention Program Memorandum of Understanding by 10% for each budget year as a result of State budget changes. The new maximum amount payable for the period of July 1, 2001, through June 30, 2004, under the AIDS Education and Prevention Program Memorandum of Understanding will be \$284,295, a decrease of \$31,587, or \$10,529 per fiscal year. All other terms and provisions remain the same - action requested - APPROVE AMENDMENT TO MASTER GRANT AGREEMENT 01-15068 AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN AMENDMENT NO. 1 TO THE AIDS EDUCATION AND PREVENTION PROGRAM MEMORANDUM OF UNDERSTANDING SUBJECT TO APPROVAL OF COUNTY COUNSEL AND AUDITOR-CONTROLLER. (Contract No. R40331)
- 3.37 \* Ecology Action - Amendment - Board approval is requested by the Public Works Department for an amendment to the agreement with Ecology Action for the development and implementation of an oil recycling program in support of the Used Oil Opportunity Grant of 2000. The amendment increases the maximum amount payable by \$319,218.47 for the provision of additional services required to complete the seven components of the grant. Initially the Environmental Services Joint Powers Agency was hired to assist in completion of the grant tasks, but has since cancelled their contract due to a lack of staff. The amendment provides for the remaining tasks which were to be completed by the Environmental Services Joint Powers Agency to be completed by Ecology Action. Funding for the agreement amendment is available through the Used Oil Opportunity Grant of 2000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11548)

**Time**

**Item No.**

- 3.38 \* California Forensic Medical Group - Board approval is requested by the Sheriff's Office to award an agreement for the provision of medical services to inmates in the Butte County Jail and individuals detained in the Butte County Juvenile Hall. A Request For Proposal for the medical services was issued with California Forensic Medical Group selected as the lowest responsible bidder. The term of the agreement is May 1, 2002, through June 30, 2005, and thereafter extended annually upon the written agreement of the parties. First year costs for services will be \$1,656,115. As a result of the cancellation of the services by the current medical services provider, and the increased costs incurred as a result of the interim contract, the medical services budgetary shortfall for this fiscal year is \$53,000. Board approval is requested for a budget transfer of \$53,000 from the Appropriation for Contingencies to provide funding for the current year medical services costs - action requested - APPROVE BUDGET TRANSFER B-423 (4/5 vote required) FROM THE APPROPRIATION FOR CONTINGENCIES; AND AWARD AGREEMENT FOR MEDICAL SERVICES TO CALIFORNIA FORENSIC MEDICAL GROUP AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.39 \* State of California-Department of Boating and Waterways Grant Application for Fiscal Year 2003-2004 - Board approval is requested by the Sheriff's Office for a grant application to the State of California-Department of Boating and Waterways for continued funding for marine patrol of Lake Oroville, the Sacramento River, and the Feather River. The maximum grant amount is \$188,069, and requires the County to provide a match of the County's estimated boat tax revenue for that fiscal year, estimated at \$40,787 - action requested - APPROVE GRANT APPLICATION FOR FISCAL YEAR 2003-2004; APPROVE USE OF ESTIMATED BOAT TAX REVENUE IN THE AMOUNT OF \$40,787; ADOPT RESOLUTION IN SUPPORT OF GRANT PROGRAM AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE SHERIFF TO SIGN GRANT APPLICATION AND DOCUMENTS; AUTHORIZE KEN JONES, ASSISTANT AUDITOR-CONTROLLER, TO SIGN AND CERTIFY THE DOCUMENTATION OF ESTIMATED BOAT TAX REVENUES; AND APPROVE BECKY BLAINE, SUSAN TIFFANY, DAVE HOUSER, DAVE KELLY, AND/OR MARVA VANGILDER TO SIGN QUARTERLY REIMBURSEMENT FORMS.

**Time**

**Item No.**

3.40 \* Forensic Resource Team (FOREST) Grant - Board approval is requested by the Sheriff's Office for a Memorandum of Understanding between the Butte County Sheriff's Office and the Probation Department, District Attorney, Department of Behavioral Health, the Superior Court of California, County of Butte, and the Butte County Public Defender for the implementation of the FOREST program. The Sheriff's Office received the Mentally Ill Offender Crime Reduction Grant in September 2001 in support of the program. The term of the agreement is July 1, 2001, through June 30, 2002, to be renewed annually through June 2004, subject to availability of funds and agreement of the parties - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13452A-E)

Miscellaneous

3.41 \* Recognition of Professional Employees Unit and Exclusive Representative - on March 28, 2002, an election was held to establish the Professional Employees Unit exclusive representative, and the Professional Bargaining Unit was elected as the Professional Employees Unit for representation with regards to wages, hours and other terms and conditions of employment - action requested - RECOGNIZE BUTTE COUNTY PROFESSIONAL BARGAINING UNIT AS THE PROFESSIONAL EMPLOYEES UNIT'S EXCLUSIVE REPRESENTATIVE FOR THE PURPOSE OF MEETING AND CONFERRING WITH THE COUNTY WITH RESPECT TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF WORK.

3.42 \* Medical and Hospital Care Act - Board approval is requested by the Department of Human Resources for a resolution which would provide for the County's compliance with the Employee's Medical and Hospital Care Act. In 2001 the State Legislature enacted Labor Code Section 4856, Government Code Section 21635, requiring local agencies to provide lifelong health benefits to survivors of peace officers and firefighters who have died in the line of duty, and allows collective bargaining for the continued benefits coverages of surviving spouses. The proposed resolution will provide for spouses of past-fallen officers to apply for lifelong health benefits with their share of the cost remaining the same as an active employee would have. Costs for this benefit are reimbursable to the County. The County classifications that will be subject to this benefit include: Sheriff, Undersheriff, Deputy Sheriff, District Attorney Investigator, Deputy Coroner, Correctional Officer, Probation Officer and Juvenile Hall Counselor - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**Time**

**Item No.**

- 3.43 \* Substance Abuse and Crime Prevention Act of 2000 (Proposition 36) - County Plan and Funding Request for Fiscal Year 2002-2003 - Board approval is requested by the Butte County Department of Behavioral Health for a resolution approving the Substance Abuse and Crime Prevention Act of 2000 County Plan and Funding Request for Fiscal Year 2002-2003 as required prior to submission to the State Department of Alcohol and Drug Programs. The purpose of the program is to divert nonviolent persons convicted of drug possession or drug use into treatment and supervision instead of incarceration. The Proposition 36 Working Group consists of representatives from the Butte County Department of Behavioral Health, Sheriff's Office, Public Defender, District Attorney, Probation, Parole, Courts, Public Health, and Administrative Office. The working group has met on several occasions to discuss program aspects and funding relative to the development of the County plan for fiscal year 2002-2003 - action requested - ADOPT RESOLUTION APPROVING COUNTY PLAN AND AUTHORIZE THE CHAIR TO SIGN.
- 3.44 \* Certification of Statement of Votes Cast - Special Election - the County Clerk-Recorder-Registrar of Voters submits the Certification of Statement of Votes Cast at the April 9, 2002, Special Election for multiple County Service Areas as specified in County Resolution No. 02-008 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.
- 3.45 \* Secure Rural Schools and Community Self-Determination Act of 2000 - Board approval is requested by the Fire Department for authorization of 15 projects recommended by the Butte Fire Safe Council that will be funded with Secure Rural Schools and Community Self-Determination Act of 2000 funds. The projects have been published for the mandatory 45-day comment period, with no comments brought forward - action requested - APPROVE PROJECTS; AUTHORIZE THE FIRE DEPARTMENT TO PROCESS THE GRANTS FOR THESE FUNDS; AND APPROVE BUDGET TRANSFER B-412 (4/5 vote required) TRANSFERRING FUNDS FOR THE PROJECTS INTO THE FIRE DEPARTMENT'S ANCILLARY SERVICES BUDGET AND REGULAR SERVICES BUDGET.

**Time**

**Item No.**

**4.00           Regular Agenda**

- 4.01           Appointments - Boards, Commissions, and Committees.
- \*           1.     Appointments to listed vacancies.
  
  - \*           2.     Housing Authority of Butte County - the Housing Authority of Butte County has requested the Board appoint two resident commissioners - action requested - APPOINT TWO RESIDENT COMMISSIONERS TO TERMS TO END APRIL 18, 2004.
  
  - \*           3.     In-Home Supportive Services Advisory Committee - the Chair of the In-Home Supportive Services Advisory Committee has requested the Board appointment two committee members - action requested - APPOINT TWO COMMITTEE MEMBERS (ONE TO A TERM ENDING DECEMBER 19, 2003, AND ONE TO A TERM ENDING DECEMBER 19, 2005).
- 4.02           Update on legislative and budget activities.     (CHIEF ADMINISTRATIVE OFFICER)
- 4.03   \*       Butte County Elder Services Coordinating Council - Report to the Board - presentation by the Butte County Elder Services Coordinating Council of progress, and presentation of Needs Assessment - action requested - ACCEPT FOR INFORMATION. (BUTTE COUNTY ELDER SERVICES COORDINATING COUNCIL)
- 4.04   \*       Speed Zone Ordinance on Garden Road - consideration of an ordinance establishing a speed zone of 25 miles per hour on Garden Road from Lott Road westerly to the end of the pavement - action requested - WAIVE READING OF THE ORDINANCE. (PUBLIC WORKS)

**Time**

**Item No.**

- 4.05 \* Waste Services Agreement Negotiations - Report to the Board - on March 13, 2001, the Board directed the Department of Public Works to work with the Solid Waste Committee to negotiate exclusive waste services agreements with Norcal and Waste Management. The committee and staff have been in negotiations with the two haulers for approximately one year, and submitted is a report on the current status of negotiations, and options for the Board's consideration - action requested - ACCEPT STATUS REPORT ON THE CURRENT CONTRACT NEGOTIATIONS; AND PROVIDE DIRECTION TO THE PUBLIC WORKS DEPARTMENT AND SOLID WASTE COMMITTEE ON HOW TO PROCEED WITH DEVELOPMENT OF COUNTY SOLID WASTE COLLECTION PROGRAMS. (PUBLIC WORKS)
- 4.06 Supervisorial Redistricting - on March 5, 2002, a majority of voters in Butte County voted no on Measure B, "Ordinance 3759-Ordinance Amending Article IV of Chapter 2 of the Butte County Code Redistricting the Supervisorial Districts in the County of Butte"; therefore, it is incumbent upon the Board of Supervisors to decide on a process and procedure to bring forward and adopt a new redistricting ordinance to comply with the requirements of State law - action requested - BOARD DIRECTION IS SOUGHT ON THE PROCESS AND PROCEDURE TO BE USED TO ENACT A NEW REDISTRICTING ORDINANCE. (COUNTY CLERK-RECORDER-REGISTRAR OF VOTERS AND COUNTY COUNSEL)
- 4.07 Items removed from the Consent Agenda for Board consideration and action.

**Time**            **Item No.**

**5.00**            **Public Hearing and Timed Items**

10:30 A.M.    5.01    \*

Continued Public Hearing - George W. Suhrie/Lassen Foundation, M. C. Horning - Use Permit Appeal - consideration of an appeal of the Planning Commission's denial of a Use Permit to develop multi-family housing units consisting of four duplexes and a freestanding three bedroom, two bathroom single family dwelling. A total of nine living units would be provided with eight to be arranged within four duplexes. Each duplex unit would include two bedrooms and two bathrooms. All proposed units will have attached garages. The development will include parking areas, landscaping, driveways, walkways, on-site sewage disposal systems, including five septic tanks. Traffic circulation would be provided by two 24-foot wide driveway connections to Lakeridge Circle. The property is zoned C-C (Community Commercial) and WP (Watershed Protection Overlay) and located east of and adjacent to Lakeridge Circle, approximately 1,200 feet east of the intersection of Lakeridge Circle and the Skyway in the Magalia area and identified as APN 066-320-003 and 004 (DB [UP 02-04]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1.        SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED APRIL 23, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION;
  
2.        FIND THAT THE DESIGN OF PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4(d)(3) AND 14 CCR 753.5, AS THE PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR UNITED STATES FISH AND WILDLIFE SERVICE. THE PROJECT WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT; HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT; INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES; OR, CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN;

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**Time**

**Item No.**

**6.00**

**Public Comment**

COMMENTS REGARDING ITEMS NOT LISTED ON THE AGENDA. PRESENTATIONS WILL BE LIMITED TO FIVE MINUTES. THE BOARD OF SUPERVISORS IS PROHIBITED FROM TAKING ACTION ON ANY ITEM NOT LISTED ON THE AGENDA.

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**7.00**

**Closed Session**

7.01

CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):

1. Faith v. Bell (Appeal)
2. Ielati v. County of Butte

7.02

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

1. AGRICULTURAL COMMISSIONER
2. COUNTY COUNSEL
3. DIRECTOR-BEHAVIORAL HEALTH
4. DIRECTOR-CHILD SUPPORT SERVICES
5. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES
6. DIRECTOR-HUMAN RESOURCES
7. DIRECTOR-INFORMATION SYSTEMS
8. DIRECTOR-LIBRARIES
9. DIRECTOR-PUBLIC HEALTH
10. DIRECTOR-PUBLIC WORKS
11. DIRECTOR-WATER AND RESOURCE CONSERVATION

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