

AGENDA



BOARD OF SUPERVISORS

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

July 9, 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 - Liana Fernandez, Spiritual Leader, Unity of Oroville.
<hr/>		
	3.00	<u>Consent Agenda</u>
Budget Transfers	3.01 *	Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-627 (DISTRICT ATTORNEY) AND B-628 (DISTRICT ATTORNEY).
Donations	3.02 *	Library Donation - pursuant to Government Code Section 25355, a donation of \$200 from the Cosmos Club, care of Barbara Copeland of Chico, has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
Appoint-ments	3.03 *	Butte Regional Waste Management Authority - Board approval is requested by the Public Works Department to consider a change to the appointment of the County's alternate appointee to the Butte Regional Waste Management Authority. Currently Supervisor Houx is the County's appointee and Supervisor Josiassen is the County's alternate appointee. Public Works is requesting the Board remove Supervisor Josiassen as alternate appointee and appoint the Director of Public Works as alternate. By appointing a staff member, the Board will provide an alternate who would be able to respond to meetings on very short notice in the absence of the appointee - action requested - REMOVE SUPERVISOR JOSIASSEN AS ALTERNATE APPOINTEE AND APPOINT THE DIRECTOR OF PUBLIC WORKS AS ALTERNATE APPOINTEE.

<u>Time</u>	<u>Item No.</u>	
	3.04 *	Americans with Disabilities Act Advisory Committee - action requested - APPOINT ROCKY BURKS, PUBLIC MEMBER REPRESENTATIVE.
	3.05 *	Oroville Memorial Hall Committee - action requested - REAPPOINT BILL CONNELLY, DELEGATE, AND CHARLES ROBERTSON, ALTERNATE, AMERICAN LEGION POST 95 REPRESENTATIVES; STAN RINEHART, DELEGATE, AND JIM AUSTIN, ALTERNATE, V.F.W. POST 9602 REPRESENTATIVES; AND ROBERT SIMPSON, DELEGATE, AND ROLAND STRANG, ALTERNATE, V.F.W. POST 1746 REPRESENTATIVES TO TERMS TO END JUNE 30, 2003.
	3.06 *	Paradise Memorial Hall Committee - action requested - REAPPOINT JOHN TEELE, DELEGATE, AND ERIC SWENSON, ALTERNATE, SUBMARINE VETERANS OF WORLD WAR II REPRESENTATIVES TO TERMS TO END JUNE 30, 2003.
Land Use	3.07 *	Formation of a County Service Area - Chambers and Speedway Subdivisions - the property owners within the Chambers and Speedway subdivisions have requested formation of a County Service Area for street lighting, fire protection, and storm drainage maintenance services. The protest hearing and ballot proceeding for the service charge, as required by Proposition 218, was held on June 25, 2002. As the next step in this process, the proposed resolution makes application to the Local Agency Formation Commission for formation of the County Service Area - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
	3.08 *	Formation of a County Service Area - Twin Palms Tentative Subdivision Map - the developer of the Twin Palms Subdivision has requested formation of a County Service Area for street lighting, fire protection, and storm drainage maintenance services. The protest hearing and ballot proceeding for the service charge, as required by Proposition 218, was held on June 25, 2002. As the next step in this process, the proposed resolution makes application to the Local Agency Formation Commission for formation of the County Service Area - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
	3.09 *	Becky Yount - General Plan Amendment and Rezone - Report to the Board - pursuant to Butte County Code, the Development Services Department submits the Planning Commission Action Report for a General Plan Amendment from Agricultural Residential to Industrial and a Rezone from SR-1 (Suburban Residential-1 acre parcels) to L-I (Limited Industrial). The Planning Commission considered the staff report and adopted a recommendation approving the General Plan Amendment and Rezone including a Conditional Zoning Agreement - action requested - ACCEPT REPORT; AND SET A PUBLIC HEARING FOR CONSIDERATION OF THIS MATTER FOR TUESDAY, AUGUST 13, 2002, AT 10:30 A.M.

<u>Time</u>	<u>Item No.</u>	
Fixed Assets and Facilities	3.10	* District Attorney - Relief of Accountability - Board approval is requested by the District Attorney for a relief of accountability for a Tape Drive-9 Track Controller (fixed asset no. 23297) which was sold as surplus without accompanying paperwork to remove the item from the inventory list - action requested - APPROVE RELIEF OF ACCOUNTABILITY.
	3.11	* District Attorney - Relief of Accountability - Board approval is requested by the District Attorney for a relief of accountability for a Battery Power Source (fixed asset no. 22303) which was sold as surplus without accompanying paperwork to remove the item from the inventory list - action requested - APPROVE RELIEF OF ACCOUNTABILITY.
	3.12	* District Attorney - Relief of Accountability - Board approval is requested by the District Attorney for a relief of accountability for a 1991 Chevy Lumina (fixed asset no. 22488) which was totaled in an accident on January 28, 2002 - action requested - APPROVE RELIEF OF ACCOUNTABILITY.
Audit and Finance	3.13	* Tachyon Software - Board approval is requested by the District Attorney for payment of an invoice to Tachyon Software in the amount of \$4,987.50 for program modifications to the Check Restitution automated software program. The District Attorney entered into an agreement with Tachyon Software to serve as a "beta" testing site for upgrades to the current Check Restitution computer program. Services to the system were to be without charge if the vendor was able to market the program to other District Attorney offices. Following completion of the work, the vendor was unable to market the program and presented a bill to the District Attorney's Office for service hours. The District Attorney's Office did not enter into an agreement prior to the delivery of services, as the department did not anticipate that an agreement would be needed. Board approval is requested to authorize payment of the invoice from the department's budget - action requested - AUTHORIZE THE AUDITOR-CONTROLLER TO PAY INVOICE FROM BUDGET UNIT 320.001 (FISCAL YEAR 2001-2002).
	3.14	* Office of Criminal Justice Planning - Drug Endangered Children Project - Board approval is requested by the District Attorney to accept and appropriate \$5,523 in augmentation funds for the Drug Endangered Children Project for fiscal year 2001-2002 - action requested - APPROVE BUDGET TRANSFER B-629 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.

Time

Item No.

- 3.15 * Local Groundwater Management Assistance Act of 2000 Funds - Board approval is requested by the Department of Water and Resource Conservation for a resolution authorizing the department to accept \$249,000 in grant funds under the Local Groundwater Management Assistance Act of 2000. The funds are the result of a grant application submitted in October 2001, and will be utilized to install two dedicated monitoring wells equipped with extensometers as part of the groundwater monitoring grid expansion project - action requested - ADOPT RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCEPT GRANT FUNDS.
- Ordinances 3.16 and Resolutions Adoption of a Salary Ordinance Amendment - the Human Resources Department has prepared a salary ordinance amendment which incorporates the salary recommendations for Elected Officials effective July 6, 2002. The salary ordinance is not being amended by resolution as a result of the effective date requirements contained in Government Code Section 25123(f) - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 6-25-02 [3.19])
- 3.17 * Resolution to Amend the Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the salary ordinance as follows: DISTRICT ATTORNEY-WELFARE FRAUD - adds one flexibly staffed position of District Attorney Investigator II/I with a sunset date of December 31, 2002. The position is being added to cover the absence of an incumbent on long-term workers compensation leave. PUBLIC HEALTH-GENERAL SERVICES - converts one term position of Public Health Nurse II (term to end 12-31-02) to a regular help position with a sunset date of December 31, 2002. SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS - adds the compensation rate for the newly hired Director-Development Services and Chief Probation Officer - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.18 * Resolution Adopting Butte County Volunteer Company Standard Operating Guidelines - Board approval is requested by the Fire Department for a resolution establishing and adopting the Butte County Volunteer Company Standard Operating Guidelines. The guidelines replace the Volunteer Company bylaws established in 1974 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Time

Item No.

Roads

- 3.19 * Contract Change Order (CCO) No. 2 - Pavement Overlay on Various Butte County Roadways - County Project No. AC-02-1 - the project consists of a total of three miles of asphalt concrete overlay on 23 roadways in the Chico and Oroville areas. CCO No. 2, in the increasing amount of \$22,213.01, provides for the furnishing and placement of additional asphalt concrete and for decreasing the maximum pavement width of pavement reinforcing fabric from 28 feet to 24 feet - action requested - APPROVE CCO NO. 2 AND AUTHORIZE THE CHAIR TO SIGN.

- 3.20 * Contract Change Order (CCO) No. 3 - Pavement Overlay on Various Butte County Roadways - County Project No. AC-02-1 - the project consists of a total of three miles of asphalt concrete overlay on 23 roadways in the Chico and Oroville areas. CCO No. 3, in the increasing amount of \$29,000, provides for excavating unsuitable subbase material that was encountered on Forestview Drive and Monte Vista Avenue and replacement with a full depth asphalt concrete section - action requested - APPROVE CCO NO. 3 AND AUTHORIZE THE CHAIR TO SIGN.

- 3.21 * Contract Change Order (CCO) No. 1 and Notice of Completion - Pavement Overlay on Various Butte County Roadways - County Project No. AC-02-1 - the project consists of a total of three miles of asphalt concrete overlay on 23 roadways in the Chico and Oroville areas. All contract work has been completed in accordance with plans and specifications. Prior to recording the Notice of Completion, final Contract Change Orders need to be completed and Board approval is also requested for CCO No. 1, in the decreasing amount of \$1,167.30, which provides for a change in the method of structural section repair prior to the overlay, and deletion of various contract items - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN; ACCEPT CONTRACT WORK; APPROVE THE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT THE RECORDING OF THE NOTICE OF COMPLETION.

Time

Item No.

3.22 * California Forest Highway 119 - Quincy-Oroville Road - Phase 1 and Phase 2 Project Agreement - Board approval is requested by the Public Works Department for an agreement with the Plumas National Forest, the Federal Highway Administration and the Butte County Association of Governments for the Quincy-Oroville Road Project. In September 1998 the Board approved an agreement which covered the entire project. The Federal Highway Administration subsequently determined the construction costs would exceed the funding allocated for the 2003 budget year. To address the cost increases the project was divided into two construction phases and a new agreement for the two phases was prepared. The new agreement provides for a revised project schedule for both phases. Additionally, the Federal Highway Administration requested the County fund the Lake Madrone Dam crossing work, and a separate agreement was prepared to address the County's contribution - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.23 * Intergovernmental Agreement for Forest Highway 119 - Quincy to Oroville - Board approval is requested by the Public Works Department for an agreement with the Federal Highway Administration (Central Federal Lands Highway Division) for County funds to assist with the cost of construction of the Lake Madrone Dam crossing in support of the project. The agreement also authorizes reimbursement of the \$100,000 to be used on the chip seal project on Bald Rock Road (to be made available to the County by a separate agreement). On May 21, 2002, the Board authorized a request to the Butte County Association of Governments to program \$500,000 of the County's 2002 Regional Improvement Program/State Transportation Improvement Program funds for use in the project. The Butte County Association of Governments has approved the County's request and Board approval is also requested to accept and appropriate the unanticipated revenue for use in the project - action requested - APPROVE BUDGET TRANSFER B-001 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Agreements 3.24 *
and
Grants

State of California-Department of Food and Agriculture - Amendment - approval is requested by the Agricultural Commissioner for an amendment to the revenue agreement with the California Department of Food and Agriculture for funds to augment, improve and maintain a viable inspection program of establishments licensed as weigh masters. The amendment increases the maximum amount payable to the County by \$8,155 as a result of adjusted fee rates. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40178)

Time

Item No.

- 3.25 * Counseling Solutions - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Counseling Solutions for the provision of mental health services to children receiving full scope Medi-Cal benefits. The term of the agreement is July 1, 2002, through December 31, 2002, with a maximum amount payable of \$149,641 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.26 * Community Living Centers-JOBS PLUS - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Community Living Centers-JOBS PLUS for the provision of vocational experience services to clients of the Oroville Adult Outpatient program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$101,173 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.27 * Community Living Centers-JOBS PLUS - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Community Living Centers-JOBS PLUS for the provision of vocational experience services to clients of the Chico ROOF program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$139,199 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13610)

- 3.28 * Community Living Centers-JOBS PLUS - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Community Living Centers-JOBS PLUS for the provision of vocational experience services to clients of the Adult System of Care program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$69,818 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13606)

- 3.29 * Community Living Centers-JOBS PLUS - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Community Living Centers-JOBS PLUS for the provision of vocational experience services to clients in the Oroville area under the Supportive Housing Initiative Act grant program. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$59,678 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13609)

Time**Item No.**

- 3.30 * BHC Heritage Oaks Hospital - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with BHC Heritage Oaks Hospital for the provision of inpatient hospitalization of adolescents referred by the Butte County Department of Behavioral Health. The term of the agreement is July 1, 2001, through June 30, 2003. Claims for services under this agreement will be paid directly by the State of California - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.31 * BHC Sierra Vista Hospital - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with BHC Sierra Vista Hospital for the provision of inpatient hospitalization of adolescents referred by the Butte County Department of Behavioral Health. The term of the agreement is July 1, 2001, through June 30, 2003. Claims for services under this agreement will be paid directly by the State of California - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.32 * Feather River Tribal Health, Inc. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Feather River Tribal Health, Inc., for the provision of mental health services to children receiving full scope Medi-Cal benefits. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$172,998 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13612)
- 3.33 * Echo Consulting Services of California, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Echo Consulting Services of California, Inc., for the provision of software maintenance, support and enhancement of the department's Medi-Cal billing system. The amendment extends the term of the agreement through June 30, 2003, increases the maximum amount payable by \$92,127.88 (department budget), and adds language regarding confidentiality. 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. X11516)

Time

Item No.

- 3.34 * Superior Court of California-County of Butte/Butte County Department of Behavioral Health - 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 services in support of Substance Abuse Crime Prevention Act programs. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$43,269 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13518)
- 3.35 * Robert L. Zadra M.D. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Robert L. Zadra, M.D., for the provision of medical services in the specialized field of psychiatry. The amendment extends the term of the agreement through June 30, 2003, and increases the maximum amount payable by \$46,800 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X12015)
- 3.36 * Thomas Lancaster, M.D. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Thomas Lancaster, M.D. for the provision of medical services in the specialized field of psychiatry. The amendment increases the maximum amount payable by \$5,400 (department budget) as a result of increased utilization of services. 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. X11300)
- 3.37 * Enloe Medical Center - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Enloe Medical Center for the provision of medical evaluation and emergency treatment, if necessary, to clients prior to admission to the County's Psychiatric Health Facility. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$72,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13611)

Time

Item No.

- 3.38 * Youth For Change - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Youth For Change for the provision of a day rehabilitation program and medication support services. The amendment corrects the original agreement by removing language requiring a fund match, and authorizes correct payment of the remainder of the agreement. 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. X11368)
- 3.39 * Youth For Change - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the sublease agreement with Youth For Change for the property located at 6249 Skyway, Paradise (Paradise Ridge Family Resource Center). The location is utilized by the Youth Service Division. The amendment clarifies the approximate square footage utilized at 258 square feet, sets the monthly lease amount at \$500 per month, extends the term of the agreement to June 30, 2004, and increases the maximum amount payable by \$12,000 (\$6,000 for fiscal year 2002-2003 and \$6,000 for fiscal year 2003-2004 [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. X11907)
- 3.40 * Butte County Department of Public Health/Butte County Department of Behavioral Health - Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health for a Memorandum of Understanding with the Butte County Department of Public Health for funds to support tobacco education and smoking cessation activities. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the Department of Public Health of \$50,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13575)
- 3.41 * Skyway House - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Skyway House for the provision of non-residential rehabilitative ambulatory intensive outpatient services and long-term residential recovery services to clients referred under the Substance Abuse and Crime Prevention Act. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$175,278 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Time**Item No.**

- 3.42 * Northern Valley Catholic Social Services - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Northern Valley Catholic Social Services for the provision of mental health services to children receiving full scope Medi-Cal benefits. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$536,486 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.43 * State of California-Department of Forestry and Fire Protection - Board approval is requested by the Fire Department for a Cooperative Agreement with the State of California-Department of Forestry and Fire Protection for the provision of hazard reduction services. The term of the agreement is May 1, 2002, through June 30, 2002, with a maximum amount payable of \$26,880 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13567)
- 3.44 * Gridley-Biggs Cemetery District - Amendment - Board approval is requested by the General Services Director for an amendment to the agreement with Gridley-Biggs Cemetery District for the maintenance and operation of the Thompson Flat Cemetery District. The amendment extends the term of the agreement through June 30, 2003. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.45 * United States Department of Justice-Bureau of Justice Assistance - Local Law Enforcement Block Grant Application - Board approval is requested by the Probation Department, in conjunction with the District Attorney's Office, to apply to the United States Department of Justice-Bureau of Justice Assistance for Local Law Enforcement Block Grant funds in the amount of \$64,910. The funds will be used to purchase additional licenses for the case management computer system. A cash match of \$7,212 is required and will be paid by Probation and the District Attorney (department budgets) - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN.
- 3.46 * Medi, Inc. (Medi.Com) - Amendment - Board approval is requested by the Public Health Department for an amendment to the agreement with Medi, Inc., for the provision of electronic billing, editing and auditing of claims for conformation to applicable Medi-Cal, Medicare and/or other regulations. The amendment extends the term of the agreement through June 30, 2003, and sets the maximum amount payable at \$70,000 (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. X11682)

Time

Item No.

3.47 * Data911, Inc. - Board approval is requested by the Sheriff's Office for an agreement with Data911, Inc., for the provision of software support for the dispatch and records divisions computer programs. The term of the agreement is for one year and continues until terminated by either party. The maximum amounts payable are \$32,100 for the first year, \$42,221 for the second year and \$52,341 for the third year (department budget). Sole Source Justification is also requested as Data911 designed and installed the system and are the only vendors capable of maintaining the software - action requested - APPROVE SOLE SOURCE JUSTIFICATION; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13630

Miscellaneous

3.48 * Award of Contract to Past Employee - the Butte County Department of Behavioral Health submits, for Board information, a professional services agreement with Barbara Holcraft, a former Butte County Department of Behavioral Health employee, for the provision of American Sign Language translation services to Butte County Department of Behavioral Health clients. The term of the agreement is November 1, 2001, through June 30, 2002, with a maximum amount payable of \$910 (project budget). Ms. Holcraft separated from County employment in November 2000 - action requested - ACCEPT FOR INFORMATION.

3.49 * Special Skills Differential Pay - the Department of Human Resources has prepared an agenda item at the request of the Department of Employment and Social Services requesting Board approval for continued Special Skills Differential Pay (5%) for a Program Manager in the Department of Employment and Social Services for services performed in connection with the Private Industry Council and CalWORKS. The Board's prior approval of the special skills differential pay ended in June, and the department is requesting the Board approve the continuation of the differential pay through the period of the on-going assignment - action requested - AUTHORIZE 5% SPECIAL SKILLS DIFFERENTIAL PAY FOR A PROGRAM MANAGER PERFORMING SERVICES IN CONNECTION WITH THE PRIVATE INDUSTRY COUNCIL AND CalWORKS.

3.50 * County-wide Classification and Compensation Study - the Department of Human Resources conducted a Request For Proposal for a comprehensive county-wide classification study as agreed upon by the County's employee bargaining units. Four proposals were received, and the Director of Human Resources, along with seven of the nine bargaining units, ranked the proposals. The ranking process resulted in Public Sector Personnel Consultants being selected as highest scoring proposal - action requested - ACCEPT PUBLIC SECTOR PERSONNEL CONSULTANTS AS THE SUCCESSFUL PROPOSAL TO CONDUCT THE COMPREHENSIVE COUNTY-WIDE CLASSIFICATION AND COMPENSATION STUDY.

Time

Item No.

4.00 Regular Agenda

4.01 Appointments - Boards, Commissions, and Committees.

 * 1. Appointments to listed vacancies.

4.02 Update on legislative and budget activities. (CHIEF ADMINISTRATIVE OFFICER)

4.03 * Proposed Nuisance Abatement Ordinance - the Butte County Code Enforcement Advisory Board submits an ordinance providing for summary and administrative abatement of public nuisances, recovery of costs of nuisance abatement and increasing the maximum fine for misdemeanor Butte County Code violations - action requested - WAIVE READING OF THE ORDINANCE. (DEVELOPMENT SERVICES)

4.04 * Sacramento River Conservation Area and Proposed Regulations - Report to the Board - presentation of the County Counsel staff report on the Sacramento River Conservation Area and proposed regulations regarding property acquisition for wildlife conservation purposes - action requested - PROVIDE STAFF DIRECTION AS REQUIRED. (COUNTY COUNSEL)

4.05 * Reclamation District 833 - Assessment Commission Report - Reclamation District 833 is in the process of imposing an assessment increase. It has requested the Board review its Assessment Commission Report and equalize its Operation and Maintenance Assessment Roll, as set forth in the Water Code - action requested - DISCUSS DISTRICT'S REQUEST AND DETERMINE IF THE BOARD WILL OR WILL NOT PARTICIPATE IN THIS PROCESS. (COUNTY COUNSEL) (FROM 6-25-02 [4.03])

Time

Item No.

4.06 * Gridley Redevelopment Project Area - action requested:

1. APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND THE CITY OF GRIDLEY/GRIDLEY REDEVELOPMENT AGENCY; AND
2. THE MEMORANDUM OF UNDERSTANDING ESTABLISHES THE GRIDLEY REDEVELOPMENT ADVISORY COMMITTEE, APPOINT TWO BOARD MEMBERS TO THE COMMITTEE; AND
3. WAIVE THE READING OF THE ORDINANCE AUTHORIZING THE REDEVELOPMENT OF CERTAIN TERRITORY OF THE COUNTY OF BUTTE BY THE CITY OF GRIDLEY AND THE REDEVELOPMENT AGENCY OF THE CITY OF GRIDLEY AND APPROVING THE REDEVELOPMENT PLAN FOR THE GRIDLEY REDEVELOPMENT PROJECT AREA. (CHIEF ADMINISTRATIVE OFFICER)

4.07 Items removed from the Consent Agenda for Board consideration and action.

5.00 Public Hearing and Timed Items

10:35 a.m. 5.01 * Public Hearing - Marc Nix - Use Permit Appeal - consideration of an appeal of the Planning Commission's denial of a Use Permit to remove development restrictions imposed by Use Permit 84-36 on the remaining property of a home site segregation on property zoned A-5 (Agricultural - 5 acre parcels). This is an item which has been determined to be categorically exempt from environmental review. The property is located at the southwest corner of the intersection of Bell Road and Nora Avenue, approximately 400 feet east of Muir Avenue, in the north Chico area and identified as APN 042-050-072 (CS [UP 02-12]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

1. SUBJECT TO FINDINGS I (A-C) AS DETAILED IN THE STAFF REPORT DATED JULY 9, 2002, DENY THE REQUEST FOR A USE PERMIT TO REMOVE DEVELOPMENT RESTRICTIONS IMPOSED BY USE PERMIT 84-36.

Time**Item No.**

10:50 A.M. 5.02

Continued Public Hearing - Tentative Parcel Map Appeal - Kenneth E. Ghimenti - consideration of an appeal of Condition 5 of the Conditions of Approval imposed by the Development Review Committee for approval of a Tentative Parcel Map to divide an 18.7 acre parcel into one parcel of 10.3 acres (Parcel 1) and one parcel of 8.4 acres (Parcel 2). This is a matter on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. Both parcels are developed with one single family dwelling. Sewage disposal is handled by on-site septic systems and domestic water is obtained from an individual on-site well that serves both dwellings. The property is zoned FR-2 (Foothill Recreational - 2 acre parcels) and is located on the east side of Concow Road, approximately 1,200 feet north of Highway 70, Concow, and identified as APN 058-560-006 (CS [TPM 02-12]) - action requested - DENY THE APPEAL AND UPHOLD THE DEVELOPMENT REVIEW COMMITTEE'S ACTION ON THE PROJECT WITH A REVISION TO CONDITION 5. CONDITION 5 IS TO READ AS FOLLOWS, "PRIOR TO RECORDATION OF THE FINAL MAP, EITHER PROVIDE EVIDENCE THAT THE EASEMENT DESCRIBED IN BOOK 1499 O.R. PAGE 313 AND TRAVERSING PARCEL 2 HAS BEEN ABANDONED OR THAT THE OWNERS OF THE PARCEL IN THE TEN SEVENTY PARCEL MAP RECORDED IN BOOK 40 OF PARCEL MAPS AT PAGE 58, DO NOT HAVE THE RIGHT TO USE THE EASEMENT. IF AN EASEMENT IS PRESERVED THROUGH PARCEL 2 OR A NEW EASEMENT ESTABLISHED THROUGH PARCEL 2, THE EASEMENT SHALL BE AT LEAST 50 FEET DISTANT FROM THE EXISTING HOUSE OR ACCESSORY STRUCTURES ON PARCEL 2 AND THE LEACH FIELDS SHALL NOT BE LOCATED IN THE EASEMENT." (FROM 6-11-02 [5.02])

Time **Item No.**

11:15 A.M. 5.03 *

Public Hearing - Chris Carter - Tentative Subdivision Map Appeal of Conditions of Approval - consideration of an appeal of conditions of approval of a Tentative Subdivision Map to divide a 30 acre parcel into 29 residential lots ranging in size from 0.21 acres to 5 acres in three development phases. Phase I consists of 13 lots with an average size of 0.31 acres. Phase II consists of 12 lots with an average size of 0.23 acres, and Phase III consists of 4 lots with lot sizes of 5 acres each. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. All lots within the project would be serviced by the Oroville Wyandotte Irrigation District (OWID) for domestic water and by the Lake Oroville Public Utilities District (LOAPUD) for sewage disposal. The project site is within OWID's and LOAPUD's districts and annexation is not required. The property is located on the east side of Oakvale Avenue, approximately 0.3 miles south of Hildale Avenue, Oroville, and identified as APN 068-360-116. A late appeal has been filed by the applicant pursuant to Butte County Code Section 20-66(d) regarding the Subdivision Map referenced above. The appellant requests modification of Conditions #12 and #21 of the Tentative Subdivision Map. The Board of Supervisors may act on such an appeal upon making the following findings: (1) the proposed change in the conditions will not adversely affect or cause a modification of the findings and determinations made in the environmental review process; and (2) the proposed changes in the conditions will not bring about an inconsistency with the General Plan, or to the zone or to any specific plans for the property in question; and (3) the facts are presented giving good and sufficient reason why the conditions in question were not appealed within the 10-day period; and (4) the final map has not been recorded. If the Board of Supervisors determines that these findings can be met, a public hearing shall be scheduled for a later date to consider the appeal - action requested - STAFF RECOMMENDS THE BOARD CONSIDER INFORMATION PRESENTED AT THE HEARING PRIOR TO TAKING ACTION ON THE MATTER. THE DEPARTMENT OF PUBLIC WORKS AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION HAVE BEEN CONTACTED REGARDING THIS APPEAL AND THEY ARE REVIEWING THE MATTER AND WILL PROVIDE INFORMATION PRIOR TO THE HEARING. IF THE BOARD MAKES THE FINDINGS AS REFERENCED ABOVE, A PUBLIC HEARING CAN BE SCHEDULED TO CONSIDER THE APPEAL.

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.

Time

Item No.

7.00

Closed Session

7.01

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

PROPERTY: A PARCEL OF LAND APPROXIMATELY 120 FEET IN WIDTH, (LOCATED BETWEEN THE WESTERN PACIFIC RAILROAD PROPERTY AND RAILROAD AVENUE) AND 2,850 FEET IN LENGTH (LOCATED BETWEEN PALERMO ROAD AND A POINT APPROXIMATELY 570 FEET SOUTH OF THE CENTERLINE OF MESSINA ROAD).

AGENCY NEGOTIATOR: BILL CURRY, GENERAL SERVICES DIRECTOR.

NEGOTIATING PARTIES: COUNTY OF BUTTE AND PALERMO UNION SCHOOL DISTRICT.

UNDER NEGOTIATION: TERMS OF LEASE AND PAYMENT.

THE BUTTE COUNTY BOARD OF SUPERVISORS' AGENDAS AND MINUTES ARE AVAILABLE ON THE WORLD WIDE WEB AT WWW.BUTTECOUNTY.NET/COB.

If you would like to receive your agenda by e-mail, please send your request to mreeves@buttecounty.net.

A copy of the agenda and supporting material provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) is available in the Administrative Office for your review. Please do not remove items from this file. A copy can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An "*" appearing before an agenda item in the agenda signifies that material has been provided to the Board of Supervisors members to explain this item. The Board of Supervisors is committed to making its proceedings accessible to all citizens. Individuals with special needs may call 530-538-7643 for assistance. All requests for special accommodations must be made 48 hours prior to the meeting.

AGENDA



BOARD OF SUPERVISORS

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

July 9, 2002

SUPPLEMENTAL AGENDA

Time

Item No.

4.00

Regular Agenda

4.08 *

Amendment to Settlement Agreement - Patrick S. Bernedo - consideration of an amendment to a Settlement Agreement dated January 16, 1997, between the County of Butte and Patrick S. Bernedo to allow reduction in the on-site road width from 24 feet to 20 feet. The approval has been requested by the new property owners to reduce the impacts to landscaping in front of existing residences - action requested - APPROVE THE REDUCTION IN THE MINIMUM ROAD WIDTH REQUIRED TO 20 FEET; AUTHORIZE CHANGE OF ITEM 6(c) OF THE SETTLEMENT AGREEMENT, ADDING THE FOLLOWING SENTENCE, "THE MINIMUM ROAD WIDTH REQUIRED FOR ON-SITE AND OFF-SITE ROAD CONSTRUCTION IS 20 FEET." (SUPERVISOR JOSIASSEN)