

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

September 10, 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 - Reverend Stephen Terry, Oroville Rescue Mission, Oroville.
	2.02	Moment of Silence - observation of a moment of silence to honor those whose lives were lost in the terrorist attacks of September 11, 2001.

3.00 Consent Agenda

Minutes	<u>3.01</u> *	Approval of Minutes - action requested - APPROVE MINUTES OF MAY 7, 2002, AND MAY 21, 2002.
Budget Transfers	<u>3.02</u> *	Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-029 (DEVELOPMENT SERVICES); B-026 (CHILD SUPPORT SERVICES); B-031 (SHERIFF-CORONER); AND B-030 (EMERGENCY SERVICES/APPROPRIATION FOR CONTINGENCIES). (All budget transfers listed above, with the exception of B-026, require a 4/5 vote.)
Appoint-ments	<u>3.03</u> *	Butte County Library Advisory Board - action requested - APPOINT NORMAN L. COLE, JERRY SHELTON, RUTHMARIE A. FERRIS, DORIS LITHGOW, FRED DAVIS, JAN PLIMPTON, RUTH E. MOYER, ELIZABETH M. MCDONOUGH, LINDA LEAHY, AND DAVID E. CONRAD.
	<u>3.04</u> *	Private Industry Council - action requested - REAPPOINT PAUL HENDRICKS, CHICO BUSINESS REPRESENTATIVE, TO A TERM TO END JUNE 2005.

Time

Item No.

- 3.05 Butte County Treasury Oversight Committee - pursuant to Resolution 96-43, and Government Code Section 27131 the Treasurer has nominated, and is requesting the Board confirm, the appointment of Susan Stutznegger, Butte County Office of Education Representative, David A. Houser, County Auditor-Controller, Mary Anne Houx, Board of Supervisor's Representative, Gerald Phillips, Butte County Special District Representative, and Robert Purvis, Butte County School District Representative, to the Butte County Treasury Oversight Committee - action requested - CONFIRM APPOINTMENTS.
- 3.06 * Paradise Memorial Hall Committee - action requested - APPOINT JOSEPH FRANK, REPRESENTATIVE, AND LOUIS KESTHELY, ALTERNATE, DISABLED AMERICAN VETERANS, PARADISE CHAPTER 106, TO TERMS TO END JUNE 30, 2003.
- Fixed Assets and Facilities 3.07 * Purchase of Real Property - Board approval is requested by the Fire Department to purchase land located at 3514 Hicks Lane, Chico. The land will be utilized as the North Chico Fire Station's new location. The property is owned by Lorraine M. Paisley, and the proposed purchase price is \$360,000. Notice of intent to purchase has been published pursuant to Government Code Section 25350 - action requested - APPROVE PURCHASE AND AUTHORIZE THE CHAIR TO SIGN PURCHASE AGREEMENT.
- 3.08 * Transfer of Funds and Purchase of Fixed Asset - Board approval is requested by the Fire Department to transfer \$39,500 in Secure Rural Schools and Community Self-Determination Act of 2000 funds within the department's budget to provide for payment of project expenses, and to fund the purchase of a low-powered radio station (in an amount not to exceed \$30,000) - action requested - APPROVE BUDGET TRANSFER B-028; AND APPROVE FIXED ASSET PURCHASE OF LOW-POWERED RADIO STATION IN AN AMOUNT NOT TO EXCEED \$30,000.
- 3.09 * Award of Proposal - Convenience Copiers - proposals have been received to provide digital convenience copiers throughout Butte County buildings. The lowest proposal meeting specifications was submitted by Western Business Products. The term of the proposed agreement is September 1, 2002, through August 31, 2007. The cost of the copiers and copies will be charged to each department according to use and equipment included with each department's machine - action requested - AWARD AGREEMENT TO WESTERN BUSINESS PRODUCTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Time

Item No.

- 3.10 * Award of Proposal - Architectural Services - Evidence Storage Facility - proposals have been received for architectural design services for construction of an evidence storage facility for the Sheriff's Office. The source selection committee evaluated the proposals and is recommending the Board award an agreement to Rhetta Associates for architectural programming, master planning and schematic design services in the amount of \$26,330 (encumbered fiscal year 2001-2002 Capital Projects funds). In order to provide for continuity, the agreement includes an option to allow the County to proceed with the firm through completion of design development, construction and bid documents, and construction administration services for an additional \$69,710, should additional funding become available - action requested - APPROVE AWARD OF AGREEMENT TO RHETTA ASSOCIATES AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- Audit and Finance 3.11 * Reissue Time Expired Check - Board approval is requested by the Administrative Office, on behalf of Shawn Parrish and Sharlene Mackey, to reissue time expired check number 1000-078198, in the amount of \$84.04, dated May 28, 1999. The Auditor's Office has verified that the check has not been paid, and the original check is in the possession of the County - action requested - DIRECT THE AUDITOR-CONTROLLER TO REISSUE TIME EXPIRED CHECK NUMBER 1000-078198.
- 3.12 * Relief of Accountability - Board approval is requested by the District Attorney, on behalf of the Butte Interagency Narcotics Task Force (BINTF) Board of Directors, to grant a relief of accountability to BINTF in the amount of \$91,500 for funds not realized in fiscal years 1993-1994 (\$30,000) and 1997-1998 (\$61,500) - action requested - GRANT RELIEF OF ACCOUNTABILITY TO BINTF IN THE AMOUNT OF \$91,500.
- 3.13 * Reauthorization of Federal Forest Reserve Payments - Board approval is requested to reauthorize the allocation of Federal Forest Reserve Payment to Butte County Fire for administration. Recommendations for expenditure of the funds are made by the Fire Safe Council. The Board has previously authorized payments under Title III of the program, and authorization is requested to continue that allocation - action requested - AUTHORIZE FEDERAL FOREST RESERVE PAYMENTS UNDER TITLE III, ALLOCATING THOSE FUNDS TO BUTTE COUNTY FIRE, WITH RECOMMENDATIONS ON SPECIFIC EXPENDITURES TO BE MADE BY THE FIRE SAFE COUNCIL.
- 3.14 * Monthly Investment Report - the Treasurer-Tax Collector submits the July 31, 2002, report in accordance with the Butte County Statement of Investment Policy dated July 1, 2002 - action requested - ACCEPT FOR INFORMATION.

Time

Item No.

3.15 *

County Service Areas - Preliminary Final Budget Adjusting Entries - Board approval is requested by the Auditor-Controller for the fiscal year 2002-2003 final County Service Area budget adjustments as recommended by the Public Works Department, and technical corrections and adjustments identified by the Auditor's Office - action requested - APPROVE BUDGET TRANSFER B-032, MAKING THE COUNTY SERVICE AREA PRELIMINARY FINAL BUDGET ADJUSTMENTS.

Ordinances 3.16
and
Resolutions

Adoption of an Ordinance - Board approval is requested by the Administrative Office for an ordinance amending Ordinance No. 3825, approving the Gridley Redevelopment Plan and adopting Findings and Statement of Facts and Overriding Considerations related to the Environmental Impact Report. The proposed amendment removes the requirement for filing the Notice of Determination by the County. The Notice of Determination is filed by the Lead Agency, which is the City of Gridley - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-27-02 [3.13])

3.17

Adoption of a Salary Ordinance Amendment - the Department of Human Resources has prepared a salary ordinance amendment which reflects changes contained in the fiscal year 2002-2003 final budget as follows: TREASURER-TAX COLLECTOR - adds one flexibly staffed position of Office Assistant III/II/I. DISTRICT ATTORNEY-CRIMINAL - adds three flexibly staffed positions of Office Assistant III/II/I. PROBATION - deletes one flexibly staffed position of Probation Officer III/II/I and one half-time position of Probation Technician. DEVELOPMENT SERVICES-BUILDING INSPECTION - adds one position of Code Enforcement Officer and one flexibly staffed position of Office Assistant III/II/I. COUNTY CLERK-RECORDER - adds one position of Senior Account Clerk. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes one flexibly staffed position of Staff Nurse III/II/I and one flexibly staffed position of Office Assistant II/I. Adds two flexibly staffed positions of Mental Health Clinician II/I. BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - adds two flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker. CHILD SUPPORT SERVICES - adds two flexibly staffed positions of Administrative Analyst III/II/I. LIBRARY - extends the ending date of three sunset positions of Library Assistant I to September 30, 2003 - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-27-02 [3.14])

<u>Time</u>	<u>Item No.</u>	
Roads	3.18	* Resolution Regarding the Finding of No Significant Impact as a Result of the Oroville-Quincy Highway Project (CA PFH 119-2(3) and 119-2(4)) - Board approval is requested by the Public Works Department for a resolution regarding the Finding of No Significant Impact in support of the proposed reconstruction and improvement of 8.6 miles of Oroville-Quincy Highway from Lake Madrone to 1.1 miles north of Mountain House - action requested - FIND THAT THE ENVIRONMENTAL ASSESSMENT, FINDING OF NO SIGNIFICANT IMPACT, PREPARED AND ADOPTED BY THE FEDERAL HIGHWAY ADMINISTRATION SATISFIES BOTH SUBSTANTIVE AND PROCEDURAL REQUIREMENTS FOR ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; FIND THAT THE PROJECT IS A FEDERAL PROJECT AND NOT SUBJECT TO THE FEE REQUIREMENTS OF THE CALIFORNIA DEPARTMENT OF FISH AND GAME; AND ADOPT A RESOLUTION REGARDING THE FINDING OF NO SIGNIFICANT IMPACT AND AUTHORIZE THE CHAIR TO SIGN.
	3.19	* Highway 149 Project - Letters of Support - the Administrative Office, at the request of the Butte County Association of Governments, is requesting the Board ratify letters which were sent to the United States Environmental Protection Agency and the Army Corps of Engineers on August 27, 2002, encouraging rapid review and approval of the Highway 149 project - action requested - RATIFY LETTERS.
	3.20	* Resolution Supporting Advance Acquisition for State Highway 149 - Board approval is requested by the Butte County Association of Governments for a resolution of support to CalTrans District 3, for the acquisition of right-of-way for utility relocation in support of the Highway 149 widening project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
Agreements and Grants	3.21	* Rolls, Anderson & Rolls Civil Engineering - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Rolls, Anderson & Rolls Civil Engineering for the provision of engineering studies for areas south of the Lindo Channel and preparation of information to support the County's financial loan application for the Chico Urban Area Nitrate Compliance Plan. The amendment provides for the inclusion of the firm's new rate schedule (maximum amount payable remains the same), and extends the term of the agreement through June 31, 2003. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10803)

Time

Item No.

- 3.22 * NorthStar Engineering - Amendment - Board approval is requested by the Administrative Office for amendment to the agreement with NorthStar Engineering for the provision of engineering studies for areas north of the Lindo Channel and preparation of information to support the County's financial loan application for the Chico Urban Area Nitrate Compliance Plan. The amendment provides for the inclusion of the firm's new rate schedule (maximum amount payable remains the same), and extends the term of the agreement through June 31, 2003. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10804)

- 3.23 * State of California-Department of Alcohol and Drug Programs - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the revenue agreement with the State of California-Department of Alcohol and Drug Programs for funds to support the County's drug and alcohol programs. The amendment increases the maximum amount payable to the County for fiscal year 2001-2002 by \$202,826 as a result of a revised allocation. 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; AND ADOPT RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40320)

- 3.24 * State of California-Department of Mental Health - Performance Contract - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with the State Department of Mental Health for the provision of professional and inpatient services to the acutely mentally ill, including mentally ill persons who require health care services. The term of the agreement is July 1, 2002, through June 30, 2003. There is no cost to the County for this mandated performance contract - action requested - ADOPT RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

- 3.25 * Victor Community Support Services, Inc. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Victor Community Support Services, Inc., for the provision of therapeutic behavioral services to children with full-scope Medi-Cal benefits who meet the criteria of medical necessity. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$25,000 (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.

- 3.26 * Federal McKinney Projects for Assistance in Transition from Homelessness (PATH) Grant Application for State Fiscal Year 2002-2003 - Board approval is requested by the Butte County Department of Behavioral Health to apply to the State of California-Department of Mental Health for continued grant funding under the Federal McKinney Projects for Assistance in Transition from Homelessness (PATH) Grant. The grant will provide \$31,207 for the term of July 1, 2002, through June 30, 2003. The department's budget includes \$27,464 for this grant, and Board approval is also requested for a budget transfer to accept and appropriate the additional \$3,743 to be received - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-025 (4/5 vote required) ACCEPTING AND APPROPRIATING ADDITIONAL GRANT REVENUE.
- 3.27 * 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 Drug-Free Individual Counseling and short-term residential treatment services. The amendment revises the service summary to include nursery services for perinatal clients. 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. X13719)
- 3.28 * Mediation Center of the North Valley - Board approval is requested by County Counsel for an agreement with the Mediation Center of the North Valley for the provision of dispute resolution services. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$20,000. Funding for the agreement is provided by a \$3 portion of municipal and superior court filing fees designated as grant funds for dispute resolution programs. Board approval is also requested to appoint Andrea Nelson as Butte County's Dispute Resolution Coordinator - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF THE AUDITOR-CONTROLLER; AND APPOINT ANDREA NELSON AS THE COUNTY'S DISPUTE RESOLUTION COORDINATOR.
- 3.29 * Applied Testing Consultants, Inc. - Amendment - Board approval is requested by the General Services Director for an amendment to the agreement with Applied Testing Consultants, Inc., for the provision of inspection and testing services for the juvenile hall construction project. The amendment increases the maximum amount payable by \$20,326 (project contingency fund) as a result of work requiring greater on-site attendance by the inspectors. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X12061)

Time

Item No.

- 3.30 * William "Mike" Pyeatt - Amendment - Board approval is requested by the General Services Director for an amendment to the agreement with William "Mike" Pyeatt for the provision of construction project administration services for the Juvenile Hall project. The amendment extends the term of the agreement to January 30, 2003, which is the revised construction completion date, and increases the maximum amount payable by \$17,000 (project contingency fund). All other terms and provisions remain the same. Pursuant to County policy, the Board is notified that Mr. Pyeatt separated from County employment in December 2001 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13345)
- 3.31 * State of California-Board of Corrections - Amendment - Board approval is requested by the General Services Director for an amendment to the revenue agreement with the State of California-Board of Corrections for funds to construct the new Butte County Juvenile Hall. The amendment extends the term of the agreement to January 30, 2003. 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. (Contract No. R40313)
- 3.32 * Medispose - Board approval is requested by the Probation Department for three agreements with Medispose for the provision of disposal services for the biomedical wastes generated by substance abuse testing. Each agreement covers a specific location as follows: 1) 6555 Oleander Avenue, Chico - the term of the agreement is August 17, 2001, through August 16, 2006, with a maximum amount payable of \$4,409.60 (Contract No. X13192); 2) 51 County Center Drive, Oroville - term of the agreement is July 16, 2002, through July 15, 2007, with a maximum amount payable of \$2,070 (Contract No. X13747); and, 3) 2270 Del Oro Avenue, Oroville - term of the agreement is August 13, 2002, through August 12, 2007, with a maximum amount payable of \$4,409.60 (Contract No. X13789). Funding for the agreements is provided by the department's budget - action requested - APPROVE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN
- 3.33 * Health Management Systems, Inc. - Board approval is requested by the Public Health Department for an agreement with Health Management Systems, Inc., for the provision of computerized billing services for claims generated from the Medical Therapy Unit of the California Children's Services program. The term of the agreement is July 1, 2002, through June 30, 2004, with a maximum amount payable of \$30,000 per fiscal year (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13724)

Time

Item No.

3.34 * California State Association of Counties - Amendment - Board approval is requested by the Public Health Department, as host entity for the Medi-Cal Administration Activities/Targeted Case Management Consortium of Counties, for an amendment to the agreement with the California State Association of Counties for the provision of communication systems, support services, and meeting rooms for the consortium. The amendment increases the maximum amount payable for fiscal year 2002-2003 by \$1,000. Funding of the agreement is distributed to all counties in the consortium. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13123)

3.35 * A/C Industrial Services Corporation - Amendment - Board approval is requested by the Public Works Department for an amendment to the agreement with A/C Industrial Services Corporation for the pumping and transportation of liquids from the Neal Road Landfill leachate containment pond and septage containment pond number 2. The amendment provides for the pumping and transportation of an addition 2 million gallons of leachate. The maximum amount payable for the additional pumping is not to exceed \$42,690 (Neal Road Landfill Management Fund) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13283)

3.36 * Public Risk Database Project-Data Exchange - Data Supplier Agreement - Board approval is requested by the Risk Manager for an agreement with Public Risk Database Project (PRDR) to become a Data Exchange Data Supplier. Under the terms of the agreement the County will provide loss experience data to PRDR. That loss information will then be utilized by PRDR, the California Association of Joint Powers Authorities, and the Public Agency Risk Management Association to create an on-line database of comparative information. There term of the agreement is from date of signature until terminated by either party, and there are no costs associated with the agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

Miscellaneous

3.37 * Library Annual Report - the Director of Libraries submits a copy of the annual report to be submitted to the California State Library for fiscal year 2001-2002 - action requested - ACCEPT FOR INFORMATION.

Time

Item No.

3.38 * Appointed Department Heads Evaluation Procedures and Form - Board approval is requested by the Chief Administrative Officer for revised Annual Performance Review Procedures for Appointed Department Heads as part of the pay for performance compensation policy. The revised form provides a more detailed assessment of job performance and expectations, and ties the evaluations to specific performance criteria and goals - action requested - APPROVE CHANGE IN APPOINTED DEPARTMENT HEADS EVALUATION PROCEDURES AND FORM, EFFECTIVE IMMEDIATELY.

3.39 * AT&T Broadband - Notice of Pricing/Programming/Packaging Changes - notice has been received by AT&T Broadband of pricing, programming and package changes for customers in the County of Butte effective September 23, 2002 - action requested - ACCEPT FOR INFORMATION.

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)

* 1. State Budget Update.

4.03 Presentation of International City/County Management Association's Credentialed Manager Award to Paul McIntosh, Chief Administrative Officer.

4.04 * Habitat Conservation Plan/2018 Work Plan - the Butte County Association of Governments submits a Habitat Conservation Plan/2018 Work Plan for the County of Butte and the City of Oroville in support of the State Route (SR) 70 and SR 149 construction projects - action requested - RECEIVE HABITAT CONSERVATION PLAN/2018 WORK PLAN AND PLANNING AREA MAP; APPOINT A BOARD MEMBER OR MEMBERS TO PARTICIPATE IN THE HABITAT CONSERVATION PLAN-2018 WORK PLAN DEVELOPMENT, IN ADDITION TO APPROPRIATE STAFF; AND PROVIDE STAFF DIRECTION AS NEEDED. (BUTTE COUNTY ASSOCIATION OF GOVERNMENTS)

Time

Item No.

- 4.05 California Public Employees Retirement System (CalPERS) - Amendment to Retirement Benefits - adoption of an ordinance which will amend the County's agreement with CalPERS regarding retirement benefit calculations. The proposed amendment would provide to the Miscellaneous Coverage Group the following benefits: Government Code Section 21548 (Pre-Retirement Optional Settlement 2 Death Benefit for local member), and Government Code Section 21623.5 (\$2,000 Retired Death Benefit). On August 13, 2002, the Board adopted a Resolution of Intention to amend the contract, and pursuant to Government Code Section 7507, the Auditor-Controller's Office submitted a disclosure of costs report - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-13-02 [4.04]/HUMAN RESOURCES)
- 4.06 Supervisorial Redistricting - on August 27, 2002, the Board conducted a public hearing and adopted a redistricting plan. Proposed is enactment of an ordinance redistricting the Butte County supervisorial districts - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-27-02 [5.01])
- 4.07 * Butte County Fiscal Year 2002-2003 Final Budget - action requested - ADOPT RESOLUTION APPROVING FINAL BUDGET FOR FISCAL YEAR 2002-2003 AND AUTHORIZE THE CHAIR TO SIGN. (CHIEF ADMINISTRATIVE OFFICER AND AUDITOR-CONTROLLER [FROM 8-27-02/ 5.05])
- 4.08 * Draft Response to the 2001-2002 Grand Jury Final Report - pursuant to Penal Code Sections 933 and 933.5, the Administrative Office submits the Board of Supervisors' draft response to the findings and recommendations contained in the Butte County Grand Jury's Final Report for Fiscal Year 2001-2002 - REVIEW DRAFT RESPONSES AND PROVIDE STAFF WITH COMMENTS AND DIRECTIONS AS NEEDED. (CHIEF ADMINISTRATIVE OFFICER)
- 4.09 * County Service Area 82 (Stirling City Sewer) - Request for Loan - consideration of a loan from the County Service Area Revolving Loan Fund to County Service Area 82 (Stirling City Sewer) in the amount of \$19,000 to cover project related expenses associated with the replacement of the redwood septic tank in Stirling City. The loan will be repaid over a 10-year period - action requested - ADOPT RESOLUTION APPROVING LOAN AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-027 (4/5 vote required) ACCEPTING AND APPROPRIATING LOAN REVENUE. (PUBLIC WORKS)

Time

Item No.

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

5.00

Public Hearing and Timed Items

10:25 A.M. **5.01** *

Public Hearing - Grant Application - consideration of an application for funding under the Economic Development Allocation's California Community Economic Enterprise Fund Component and, if awarded, implementation of the following projects:

1. Microenterprise Incubation Program (\$120,000) - this program will allow qualifying microenterprises of 5 or fewer employees to receive in-depth business counseling, training, and mentoring in order to foster business start-ups, retention, and expansion within the unincorporated area of Butte County; and
2. Business Assistance Loan Program (\$125,000) - this program will provide low interest loans with flexible terms to qualifying businesses located within the unincorporated area of Butte County. The purpose of the loan program will be to assist with business start-ups, retention, and expansion.

The County may apply for up to a maximum of \$800,000 in Community Development Block Grant (CDBG) funds in fiscal year 2002-2003. The total amount of the grant application including the two project elements, administration and activity delivery is \$290,875. The project/projects will meet one of the three national objectives of the CDBG program: benefit low and moderate income persons, aid in the prevention or elimination of slums and blight, and meet other community development needs having a particular urgency - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZING GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN DOCUMENTS RELATED TO THE GRANT.

Time

Item No.

10:30 A.M. 5.02 *



Public Hearing - Use Permit Appeal - Jose Luis Vega - consideration of an appeal of the Planning Commission's denial of a Use Permit to allow the establishment and operation of a wood processing business. The business would involve the recycling of wood, producing wood surveyor's stakes, wood cut stock, and in the future, making honey bee boxes out of pine. The applicant anticipates three full-time employees. An equipment building is developed on the site, which is the only structural improvement. A portable toilet is used on-site currently and no water service is available, but the site will be improved with a septic system and well water service. A permit was issued on April 4, 2002, by the Butte County Environmental Health Department, to construct a well for water service on-site. The existing 2,800 square foot building would be used and no new structures are anticipated. A 100 kilowatt diesel generator would provide power. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located approximately 500 feet north of Cox Lane on the west side of Lone Tree Road, Palermo, and identified as APN 025-170-055 (RC [UP 02-11]) - STAFF RECOMMENDS THE BOARD TAKE ONE OF THE FOLLOWING TWO ACTIONS:

1. DENY APPEAL 02-10 AND DENY USE PERMIT 02-11; OR

2. CONTINUE APPEAL 02-10, TO A TIME UNCERTAIN, TO ALLOW THE TIME NECESSARY TO COMPLETE A NOISE STUDY AND REVISE AND REPUBLISH THE PROPOSED MITIGATED NEGATIVE DECLARATION. IN ADDITION, INCLUDE CONDITIONS ON THE USE PERMIT REQUIRING THE APPLICANT TO: 1) PROVIDE ELECTRICAL SERVICE TO THE WOOD SAWS; 2) ELIMINATE THE USE OF A DIESEL-POWERED GENERATOR; AND 3) REVISE THE HOURS OF OPERATION TO ALLOW FOR ONLY THREE HOURS OF OPERATING TIME PER WEEKDAY.

Time **Item No.**

10:45 A.M. 5.03 *

Public Hearing - Butte County Transit Fees - consideration of fare increases for Butte County Transit. The fares charged on Butte County Transit have not increased since 1986. The proposed increases are:

	<u>Current Rate</u>	<u>Proposed Rate</u>
<u>Intercity:</u>		
Commuter Time	\$ 0.90	\$ 1.00
Off-peak Time	\$ 0.70	\$ 1.00
<u>Intracity:</u>		
Regular Fare	\$ 0.60	\$ 0.75
Discount Fare	\$ 0.45	\$ 0.55
Monthly Pass	\$ 27.00	\$ 30.00
Discount Monthly Pass	\$ 15.00	\$ 18.00

The proposed fare increases would become effective October 1, 2002 - action requested - ADOPT NEW FARE STRUCTURE FOR BUTTE COUNTY TRANSIT. (FROM 8-13-02 [4.06])

11:00 A.M. 5.04 *



Public Hearing - Ellen V. Henn - General Plan Amendment and Rezone - consideration of a general plan amendment and rezone of the back portion of the subject property (3.97 acres in size), to match the general plan designation and zoning of the street side portion of the subject project (0.875 acres in size). The current zoning on the back portion of the property is Residential @-3) and the current general plan designation is Medium Density Residential. The proposed zoning is C-2 (General Commercial) and the proposed general plan designation is Commercial. These changes are being requested to accommodate development of a 67,500 square foot mini-storage facility, to include 503 individual storage units to be developed in 4 phases. The storage space would be leased on a daily, weekly, or monthly basis to individuals for storage of personal property. The proposed rezone would be specifically limited to the proposed mini-storage facility through a Conditional Zoning Agreement. This agreement would set-forth the conditions and mitigations imposed by the County to ensure that the property is developed in accordance with the proposal. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located at 1704 Oroville Dam Boulevard West, Oroville area, and identified as APN 030-200-026 (portion) (DB [GPA-RZ 02-02]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-D) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 10, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;

(Continued on Page 15)

Time

Item No.

5.04
(Cont.)

2. FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR 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 THE 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; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES; OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN;

3. FIND THAT THE PROPOSED GENERAL PLAN AMENDMENT IS IN THE PUBLIC INTEREST IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65358; AND

4. SUBJECT TO FINDINGS IV(A-H) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 10, 2002, ADOPT AN ORDINANCE AND A RESOLUTION WHICH WILL APPROVE A REZONE FROM R-3 (RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL), AND AMEND THE GENERAL PLAN DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL, THE SUBJECT PROPERTY, IDENTIFIED AS A 3.97 (+/-) ACRE PORTION OF APN 030-200-026, SUBJECT TO THE CONDITIONAL ZONING AGREEMENT ATTACHED TO THE ZONING ORDINANCE AS EXHIBIT "A", AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 10, 2002.

Time

Item No.

11:00 A.M. 5.05 *



Public Hearing - Department of Development Services (Neal Road Landfill) Rezone - consideration of a rezone of 69 ± acres from U (Unclassified) to P-Q (Public, Quasi-Public) in order to allow for the expansion of the Neal Road Landfill. The area to be rezoned is a portion of APN 040-600-082, which is 188.84 ± acres in size, and owned by Butte County. A 120± acre portion of this property is developed with the Neal Road Landfill and is zoned P-Q. Upon approval of this rezone project, all of APN 040-600-082 would be zoned P-Q. An Environmental Impact Report (EIR) was certified by the Board of Supervisors on February 12, 2002, to allow the expansion of the Neal Road Landfill. The expansion would allow the landfill to increase capacity and continue to accept waste until approximately 2034. The EIR identified potentially significant impacts to the environment and required mitigation measures to prevent or reduce these impacts to a less than significant level. The Certified EIR is available for review at the Butte County Public Works Department. All of the mitigation measures contained within the EIR would be implemented and monitored by the Butte County Public Works Department. The project site is located on the west side of the Neal Road Landfill (1023 Neal Road), south of Chico (SB [REZ 02-03]) - action requested - THE PLANNING COMMISSION RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 10, 2002, APPROVE A NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;

2. FIND THAT THE PROPOSED REZONE WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND/OR 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 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; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES; OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN; AND

3. SUBJECT TO FINDINGS III(A-F) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 10, 2002, ADOPT AN ORDINANCE REZONING FROM U (UNCLASSIFIED) TO P-Q (PUBLIC - QUASI-PUBLIC) THE PROPERTY OWNED BY BUTTE COUNTY AND IDENTIFIED AS A 64.3 (+/-) ACRE PORTION OF APN 040-600-082, AND AUTHORIZE THE CHAIR TO SIGN.

Time

Item No.

1:30 P.M. 5.06 *

Public Hearing - Webb Homes/Richard and Janice Fiore Trust - Mitigated Negative Declaration and Tentative Subdivision Map - consideration of an appeal of the Development Review Committee's approval of a Mitigated Negative Declaration and Tentative Subdivision Map to divide two parcels totaling 4.92 acres into 16 parcels ranging in size from 8,346 to 12,350 square feet (0.19 - 0.28 acres) with an average lot size of 10,106 square feet. The project will result in a gross density of 3.25 dwelling units per acre. An interior cul-de-sac road would provide access to West 12th Avenue. Parcel 1 would front on West 12th Avenue and Parcel 16 would front on West 11th Avenue. Sewage disposal for the future dwellings would be handled by the City of Chico's public sewer system (note: the applicant has a valid sewer connection agreement with the City of Chico and annexation into the City is not required in order to connect to the City's sewer system). Domestic water supply would be obtained from the California Water Service Company. Drainage is proposed to be handled by an underground storm sewer system. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is zoned S-R (Suburban Residential) and is located between West 11th Avenue and West 12th Avenue, approximately 200 feet east of Fern Avenue in Chico, and identified as APN 043-040-080 and 043-040-097 (DB [TSM 00-01]) - action requested - STAFF RECOMMENDS THE BOARD CONTINUE THE HEARING TO ALLOW FOR ADDITIONAL INFORMATION TO BE PROVIDED TO THE BOARD.

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 LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND WILLIAM AVERY;

EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT); DEPUTY SHERIFF'S ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION.

7.02 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER.

8.00 Adjournment

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WILL ADJOURN IN THE MEMORY OF ALL THOSE WHOSE LIVES WERE LOST IN THE TRAGIC TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

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.