

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 24, 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 - Pastor Steve Grandy, Jubilee on the Ridge, Paradise.
	2.02	Changes and/or corrections to the agenda.

3.00

Consent Agenda

Budget Transfers	3.01 *	Budget Transfers - action requested - APPROVE BUDGET TRANSFERS B-052 (COUNTY SERVICE AREA NO. 82); B-048 (COUNTY SERVICE AREA NO. 31); AND B-045 (INMATE WELFARE FUND). (All budget transfers listed above require a 4/5 vote.)
Donations	3.02	Library Donations - pursuant to Government Code Section 25355, donations of \$1,000 from the Paradise Friends of the Library, \$894.60 from the Oroville Friends of the Library, \$100 from Maxine and Hubert Davis of Paradise, and \$100 from the Chico Mothers Club have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
Appoint-ments	3.03	Durham Irrigation District - action requested - APPOINT GARY WOLF, DIRECTOR-DIVISION 1, TO A VACATED TERM TO END DECEMBER 6, 2002.

Time

Item No.

3.04 *

Special Districts - Appointments in Lieu of Elections - the County Clerk-Recorder-Registrar of Voters submits notice of those districts wherein the number of persons filing a declaration of candidacy for the November 5, 2002, election did not exceed the number of offices to be filled. Pursuant to California Elections Code Section 10515, the Board is to make appointments for these agencies - action requested - APPOINT AND DECLARE ELECTED BRUCE F. LEWIS AND JAMES PATRICK POOL, DIRECTORS, EL MEDIO FIRE PROTECTION DISTRICT; DEE HUNTER, DIRECTOR-DIVISION 1, JEAN BROWN, DIRECTOR-DIVISION 3, AND LOU CECCHI, DIRECTOR-DIVISION 5, OROVILLE WYANDOTTE IRRIGATION DISTRICT; KENNETH E. MEDFORD, DIRECTOR-DIVISION 1 (2 YEAR TERM), AND ERNIE REYNOLDS, DIRECTOR-DIVISION 5, THERMALITO IRRIGATION DISTRICT; JACK J. BALL, JOHN J. "JACK" KIELY, AND ROBERT "BOB" SIMPSON, DIRECTORS, LAKE OROVILLE AREA PUBLIC UTILITIES DISTRICT; ANDREW T. HOLCOMBE, JEFF R. SMITH, AND JAN SNEED, DIRECTORS, CHICO AREA RECREATION AND PARK DISTRICT; ROY FARRELL, DIRECTOR, DURHAM RECREATION AND PARK DISTRICT (2 YEAR TERM); VERNON CARTER AND VENE THOMPSON, DIRECTORS, FEATHER RIVER RECREATION AND PARK DISTRICT; DIANNE HARMACEK, LES JOHNSON, AND ALBERT "AL" MCGREEHAN, DIRECTORS, PARADISE RECREATION AND PARK DISTRICT; AND ONOFRE FARFAN, ERIC LUNDBERG, AND GERALD MATTSON, DIRECTORS, RICHVALE RECREATION AND PARK DISTRICT. UNLESS NOTED, ALL APPOINTMENTS ARE FOR 4 YEAR TERMS.

3.05 *

California State Association of Counties-Excess Insurance Authority Board of Directors - action requested - APPOINT BILL CURRY, GENERAL SERVICES DIRECTOR, ALTERNATE REPRESENTATIVE.

Land Use

3.06 *

Twin Palms Subdivision - Final Map - Twin Palms Subdivision, APN 040-040-005 and 006, is a conditionally approved 24-lot public street subdivision located on the north side of Entler Avenue, approximately 2,000 feet east of the Midway, in the south Chico area. The developer has complied with the conditions of approval, completed construction of the required improvements or has provided a surety bond or letter of credit to guarantee the construction of the required improvements not yet complete, and has provided a surety bond or letter of credit to guarantee the maintenance of the improvements for one year - action requested - APPROVE FINAL MAP; ACCEPT, ON BEHALF OF BUTTE COUNTY, SEGA DRIVE, PHENDX DRIVE, RHAPIS DRIVE, ENTLER AVENUE, AND THE ACCESS RELINQUISHMENT ALONG THE ENTLER AVENUE FRONTAGES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT, ON BEHALF OF THE PUBLIC, THE PUBLIC SERVICE EASEMENTS AND FIRE PROTECTION FACILITIES EASEMENT AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

Time **Item No.**

Fixed
Assets and
Facilities

3.07 *

Ratify Emergency Purchase - Board approval is requested by Facilities Services and the District Attorney to ratify the emergency purchase of air conditioning equipment for the District Attorney's computer room in the amount of \$7,934. The emergency purchase was needed to replace equipment which failed and was beyond economic repair. Board approval is also requested to transfer the funding needed for the purchase from the Appropriation for Contingencies to the District Attorney's budget - action requested - RATIFY EMERGENCY PURCHASE OF AIR CONDITIONING EQUIPMENT IN THE AMOUNT OF \$7,934; AND APPROVE BUDGET TRANSFER B-047 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.

3.08 *

Evidence Tracking Software Upgrade - Board approval is requested by the Sheriff's Office to purchase a software upgrade for the evidence tracking system in the amount of \$25,055. The upgrade will allow outside agencies to access the status of property in the evidence facility. The Sheriff is proposing to utilize Local Law Enforcement Block Grant Funds to purchase the system, and Board approval is requested for a budget transfer to provide the necessary funding. The existing system was designed by QueTel, and Board approval is also requested for a sole source justification to provide consistency and integration with the current system. Annual software maintenance support costs are estimated at \$2,500 per year - action requested - APPROVE SOLE SOURCE PURCHASE OF SOFTWARE UPGRADE; APPROVE BUDGET TRANSFER B-053 (4/5 vote required); AND APPROVE UPGRADE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF THE AUDITOR-CONTROLLER.

3.09 *

Award of Bid No. 06-03 - Vehicle Lease - Board approval is requested by the Sheriff's Office to award Bid No. 06-03 for the lease/purchase of a 2002 Ford F350 XLT to New Jackson Ford/Mercury in Martell, California, in the amount of \$700.69 per month for 48 months. The vehicle will be used by the Sheriff's Office Marine Unit in support of the State of California-Department of Boating and Waterways Grant program - action requested - AWARD BID TO LOWEST BIDDER, NEW JACKSON FORD/MERCURY IN MARTELL, CALIFORNIA; AUTHORIZE PURCHASING SERVICES TO ISSUE AWARD LETTER; AND AUTHORIZE THE SHERIFF'S OFFICE TO ENTER INTO A LEASE-PURCHASE AGREEMENT SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Audit
and
Finance

3.10 *

Monthly Investment Report - the Treasurer-Tax Collector submits the August 30, 2002, report in accordance with the Butte County Statement of Investment Policy dated July 1, 2002 - action requested - ACCEPT FOR INFORMATION.

Time

Item No.

3.11 *

Development Services Department - Budget Unit Revisions - Board approval is requested by the Development Services Department to delete budget unit divisions 440-002-Development Services-Building Inspection, and 480-001-Development Services-Planning Division, and to transfer those budget units to the 440-001-Development Services-General budget unit. Combining the budget units is part of the reorganization of the Development Services Department and will provide more cohesion throughout the department and greater flexibility with staffing and funding resources. Under this financial reorganization Fund 90-Building Inspections will be eliminated with all revenue to be transferred to Fund 10-General Fund - action requested - APPROVE BUDGET TRANSFER B-051 TRANSFERRING ALL APPROPRIATIONS FROM BUDGET UNITS 440-002 AND 480-001 INTO BUDGET UNIT 440-001, EFFECTIVE OCTOBER 12, 2002.

3.12 *

Tax Exchange Agreement - Lake Oroville Area Public Utility District and the County of Butte (File No. 03-06) - the Local Agency Formation Commission has received an application for annexation to the Lake Oroville Area Public Utility District. Pursuant to Revenue and Taxation Code Section 99-99.2, a property tax exchange agreement between the District and the County is submitted for Board approval. The Lake Oroville Area Public Utility District's Board of Directors has certified that the change in organization will be revenue neutral to each affected agency - action requested - APPROVE TAX EXCHANGE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.13 *

Domestic Preparedness Equipment Grant Funds Transfer - Board approval is requested by the Fire Department to re-appropriate fiscal year 2001-2002 Domestic Preparedness Equipment Grant funds in the amount of \$46,426 into the fiscal year 2002-2003 budget, and to re-allocate \$40,231.32 into the department's expenditure account 541 for fiscal year 2002-2003 - action requested - APPROVE BUDGET TRANSFER B-050 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR GRANT FUNDS.

3.14 *

Equipment Replacement Fund-Fire Protection - Corrections - Board approval is requested by the Auditor-Controller to appropriate fire truck acquisition loan proceeds to the appropriate accounts to provide the funding needed to purchase the remaining fire engines approved for purchase in fiscal year 2001-2002 - action requested - APPROVE BUDGET TRANSFER B-056 (4/5 vote required) APPROPRIATING FIRE TRUCK ACQUISITION LOAN PROCEEDS IN THE AMOUNT OF \$1,133,830 FROM THE EQUIPMENT REPLACEMENT FUND DESIGNATED FUND BALANCE-FIRE TRUCKS TO 175002, ACCOUNT 563; AND APPROPRIATING AN ADDITIONAL \$7,737 FROM DESIGNATED FUND BALANCE-FIRE TRUCKS AND TRANSFERRING \$310,000 FROM 175002, ACCOUNT 563 TO ACCOUNT 553100-DEBT SERVICE-PRINCIPAL (\$263,875) AND ACCOUNT 553200-DEBT SERVICE-INTEREST (53,862).

Time

Item No.

Ordinances
and
Resolutions

3.15 *

Resolution to Amend the Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the salary ordinance as follows: DEVELOPMENT SERVICES DEPARTMENT - transfers all positions within the budget units 440-002-Development Services-Building Inspection and 480-001-Development Services-Planning to the budget unit 440-001-Development Services, effective October 12, 2002, in support of the department's reorganization. PUBLIC HEALTH-GENERAL SERVICES - deletes one sunset position of Administrative Services Assistant (end date 6-30-03) and adds one flexibly staffed sunset position of Administrative Analyst III/II/I (end date of 6-30-03). The positions being added and deleted are funded by the Butte County Children and Families Commission. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - reclassifies one position of Paralegal to Deputy Public Guardian/Public Administrator I, and transfers the position to the Public Guardian Division (570-008) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.16 *

Resolution Changing Selection Criteria for the Butte County Resource Conservation District Directors - consideration of a resolution which will change the selection criteria for appointment of Directors to the Butte County Resource Conservation District from "one from each supervisory district" to "one director being nominated by each member of the Board", and requesting the Local Agency Formation Commission change its selection criteria to match the County's - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.17 *

Resolution Changing Name of Farm and Home Advisor Department to Farm, Home and 4-H Department - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.18 *

Resolution to Promote the Reading of *The Grapes of Wrath* - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.19 *

Resolution Proclaiming September National 5-A-Day Month, and September 22-28, 2002, National 5-A-Day Week - consideration of a resolution promoting the consumption of five or more servings of fruits and vegetables per day - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.20 *

Resolution in Support of Dedicating the Conference Room of the Gridley Library in Memory of Nora Wiley - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.21 *

Resolution in Recognition of the Greater Oroville Homeless Coalition - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

<u>Time</u>	<u>Item No.</u>	
Roads and Landfill	3.22 *	Resolution Declaring a Stop Sign Intersection on Zink Road at Bald Rock Road - Board approval is requested by the Public Works Department for a resolution which would create a stop sign intersection at Zink Road and Bald Rock Road - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT THE DIRECTOR OF PUBLIC WORKS TO INSTALL LEGAL STOP SIGNS AT THE APPROPRIATE ENTRANCES THERETO.
	3.23 *	Cathode Ray Tube Disposal - the Public Works Department submits a report to update the Board on issues at the Butte Regional Household Hazardous Waste Facility, in particular the management of items containing Cathode Ray Tubes - action requested - ACCEPT FOR INFORMATION.
	3.24 *	Speedway Avenue Extension - NorthStar Engineering, Inc. - Board approval is requested by the Public Works Department for an agreement with NorthStar Engineering, Inc., for engineering consulting services for the preliminary design of the Speedway Avenue Extension (County Project No. 50255-C99-1) with a maximum amount payable of \$52,660 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
Agreements and Grants	3.25 *	Paul McIntosh - Employment Agreement - Amendment - submitted for Board consideration is an amendment to the employment agreement with Paul McIntosh to serve as the Chief Administrative Officer. The amendment increases the reimbursement amount for relocation expenses by \$3,400 (Administrative Office budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
	3.26 *	State of California-Department of Food and Agriculture - Board approval is requested by the Agricultural Commissioner for a revenue agreement with the State of California-Department of Food and Agriculture for funds to place and service traps for the detection of the Olive Fruit Fly. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$20,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40485)

Time

Item No.

3.27 *

State of California-Department of Mental Health - Substance Abuse and Mental Health Administration Program - Board approval is requested by the Butte County Department of Behavioral Health for a renewal grant application to the State of California-Department of Mental Health for \$440,733 in grant funds from the Substance Abuse and Mental Health Services Administration Block Grant. The funds will be utilized to provide integrated services to adults and children who are emotionally disturbed. The term of the grant is July 1, 2002, through June 30, 2003 - action requested - APPROVE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS AND PARTICIPATION IN GRANT PROGRAM AND AUTHORIZE THE CHAIR TO SIGN.

3.28 *

Community Living Centers-JOBS PLUS - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Community Living Centers-JOBS PLUS for the provision of vocational training services for individuals from the Oroville area who have mental illness. The amendment increases the maximum amount payable by \$5,299 (department budget) for fiscal year 2002-2003, adds a provision for the leasing of space in the Oroville area and installation of a phone, and revises the program budget to include fiscal year 2002-2003. 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 AND THE AUDITOR-CONTROLLER. (Contract No. X13609)

3.29 *

Sunbridge Healthcare Corporation d.b.a. Chico Creek Care & Rehabilitation - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Sunbridge Healthcare Corporation d.b.a Chico Creek Care & Rehabilitation for the provision of meals for patients in the Psychiatric Health Facility. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$48,272 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13806)

Time

Item No.

3.30 *

Prevention Education Program - Board approval is requested by the Butte County Department of Behavioral Health for a revenue agreement with Prevention Education Program for funds to evaluate the Drinking Driver Program, Prevention Education Program. The evaluations of the program will be done by Lifestyle Management & Associates. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$1,250. Board approval is also requested for a budget transfer to accept and appropriate the unanticipated revenue - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-057 (4/5 vote required).

3.31 *

Solutions - Board approval is requested by the Butte County Department of Behavioral Health for a revenue agreement with Solutions for funds to evaluate the Drinking Driver Program, Solutions. The evaluations of the program will be done by Lifestyle Management & Associates. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$1,250. Board approval is also requested for a budget transfer to accept and appropriate the unanticipated revenue - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-046 (4/5 vote required).

3.32 *

Saint Helena Hospital d.b.a. California Speciality Hospital - Amendment - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for an amendment to the agreement with Saint Helena Hospital d.b.a. California Speciality Hospital for the provision of inpatient hospitalization services for adolescents referred by BCDBH. The amendment extends the term of the agreement through June 30, 2003, adds an inclusive rate schedule, and provides language to allow projected rate increases as accepted by the California Department of Mental Health. 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. X13531)

3.33 *

Accularm Security Systems - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Accularm Security Systems for the provision of alarm equipment and monthly monitoring services for various Youth Services Division locations. The proposed amendment will extend alarm services to an additional site located at 2430 Bird Street, Oroville, and increases the maximum amount payable by \$685 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11674)

Time

Item No.

3.34 *

7th Avenue Center - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for an agreement with 7th Avenue Center for the provision of 24-hour skilled nursing services to BCDBH clients. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$93,885 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13796)

3.35 *

T. W. DuFour and Associates - Board approval is requested by the Butte County Department of Behavioral Health for a lease agreement with T. W. DuFour and Associates for the property located at 500 Cohasset Road, Suites 15, 16, 17 and 20, Chico. The property is utilized by the Youth Services Division. The term of the agreement is November 1, 2002, through April 30, 2012, with a maximum amount payable of \$1,297,865.66 for the multi-year term. The maximum amount payable for fiscal year 2002-2003 is \$95,777 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13808)

3.36 *

Butte County Department of Employment and Social Services/Butte County Probation Department/Butte County Department of Behavioral Health - Memorandum of Understanding - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for a Memorandum of Understanding with the Department of Employment and Social Services and the Probation Department for the provision of BCDBH staff and services to detainees in the Butte County Juvenile Hall. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to BCDBH of \$79,796 (\$55,848-Department of Employment and Social Services and \$23,948-Probation Department) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13795)

3.37 *

Loumark Associates - Board approval is requested by the Butte County Department of Behavioral Health for a lease agreement with Loumark Associates for the property located at 564 Rio Lindo Avenue, Suites 206, 207 and 208, Chico. The property is utilized by the Youth Services Chico Community Counseling Center and will be utilized by the Adult Treatment Court beginning November 1, 2002. The term of the agreement is September 1, 2002, through August 31, 2007, with a maximum amount payable of \$241,801.68 (department budget) for the multi-year term - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13715)

Time

Item No.

3.38 *

Butte County Probation Department/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 Probation Department for case management and supervision services for Substance Abuse and Crime Prevention Act clients. The amendment extends the term of the agreement through June 30, 2003, increases the maximum amount payable by \$389,938 (department budget), and includes revised budgets for fiscal year 2002-2003. 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 AND THE AUDITOR-CONTROLLER. (Contract No. X13481)

3.39 *

Field Tower Systems - Board approval is requested by the Communications Division to ratify an agreement with Field Tower Systems for the installation of new guy wires on the radio tower located at the Chico Substation (479 E. Park Avenue, Chico). The work was completed in June to repair the tower which was condemned as unsafe. The Communications Division had expected to pay for the repairs in fiscal year 2001-2002, but the invoice was not received in time, so ratification of the agreement is needed. The repairs were completed at a cost of \$6,430.50 (department budget) - action requested - RATIFY AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13732)

3.40 *

Abandoned Vehicle Abatement Service Authority - Revised Joint Powers Authority Agreement - Board approval is requested by County Counsel for a revised Joint Powers Authority Agreement. The Board approved the original agreement on August 27, 2002. Subsequent to that approval the City of Chico requested a revision to Paragraph 6 to provide consistency with the provision that allows each jurisdiction to select its own representative to the Joint Powers Authority. County Counsel concurs with this revision and requests the Board approve the revised agreement - action requested - APPROVE REVISED AGREEMENT AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN; AND DIRECT THE CLERK OF THE BOARD TO SUBSTITUTE THE REVISED AGREEMENT AS THE CORRECT ATTACHMENT TO THE RESOLUTION APPROVED AUGUST 27, 2002.

3.41 *

Williamson Properties, Inc. - Board approval is requested by the Fire Department for a lease agreement with Williamson Properties, Inc., for the property located at 2334 Fair Street, Chico. The property is utilized by Station 44. The term of the agreement is October 1, 2002, through June 30, 2003, with a monthly lease amount of \$1,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13785)

Time

Item No.

3.42 *

City of Chico - Board approval is requested by the Library for a revenue agreement with the City of Chico for supplemental funding for the Chico Branch Library. The term of the agreement is October 1, 2002, through September 30, 2003, and provides the County with \$120,000 to maintain an open-hours schedule of 60 hours per week at the Chico Branch - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.43 *

Medispose - Board approval is requested by the Probation Department for agreements with Medispose for the removal of biomedical waste resulting from substance abuse testing. The department is proposing three agreements which cover the following three testing facilities: 1) 51 County Center Drive, Oroville. The term of agreement is July 16, 2002, through July 15, 2007, with a maximum amount payable of \$2,070; 2) 2279 Del Oro Avenue, Oroville. The term of the agreement is August 13, 2002, through August 12, 2007, with a maximum amount payable of \$4,409.60; and 3) 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. Funding for the agreements is available within the department's budget - action requested - APPROVE THREE (3) AGREEMENTS AND AUTHORIZE THE CHAIR TO SIGN. (Contract Nos. X13747, X13789, and X13192)

Miscellaneous

3.44 *

Military Leave Policy - Board approval is requested by the Department of Human Resources for a resolution which will extend the military leave benefit policy that coordinates County pay with military pay for employees called to active duty to fight the War on Terrorism. The proposed resolution will extend the benefit for as long as the Board deems appropriate, or until preempted or disallowed by law - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.45 *

Request to Extend Temporary Assignment to a Higher Level Classification - Board approval is requested by the Department of Employment and Social Services to extend the assignment of an employee in a higher level classification for up to 90 days. Currently the department has assigned an Office Assistant II to fill the higher level position of Senior Account Clerk as a result of the long-term medical leave of the incumbent. The temporary assignment was extended by the Director of Human Resources to October 2, 2002, as allowed by Personnel Rule 11.16. Further extension requires Board approval - action requested - APPROVE EXTENSION OF TEMPORARY ASSIGNMENT TO A HIGHER LEVEL CLASSIFICATION FOR AN ADDITIONAL 90 DAYS OR UNTIL INCUMBENT RETURNS FROM MEDICAL LEAVE, WHICHEVER OCCURS FIRST.

Time

Item No.

3.46 *

Personnel Rules - Revisions - Board approval is requested by the Department of Human Resources for revisions to the Personnel Rules resulting from contract negotiations with the Butte County Management Employees Association - action requested - ADOPT AMENDED BUTTE COUNTY PERSONNEL RULES.

3.47 *

Butte County Response to the 2001-2002 Grand Jury Final Report - pursuant to Penal Code Sections 933 and 933.5, the Administrative Office submits the County's response to the findings and recommendations contained in the Butte County Grand Jury's Final Report for Fiscal Year 2001-2002 - action requested - APPROVE COUNTY AGENCY RESPONSE TO THE GRAND JURY'S FINAL REPORT FOR FISCAL YEAR 2001-2002 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT THE ADMINISTRATIVE OFFICE TO SUBMIT THE RESPONSE TO THE PRESIDING JUDGE OF THE SUPERIOR COURT. (FROM 9-10-02 [4.08])

4.00 Regular Agenda

4.01 Appointments - Boards, Commissions, and Committees.

* 1. Appointments to listed vacancies.

(*) 2. Service Authority for the Abandoned Vehicle Abatement Program - action requested - APPOINT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE. (FROM 8-27-02 [3.17])

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

4.03 *

Implementation of the Community Healthcare Ordinance - consideration of actions and directions to implement the County Healthcare Ordinance - action requested - DIRECT THAT THE HEALTH DEPARTMENT IS THE APPROPRIATE DEPARTMENT TO ADMINISTER THE ORDINANCE; DIRECT THE PUBLIC HEALTH DIRECTOR TO PROVIDE THE CHIEF ADMINISTRATIVE OFFICER WITH REALISTIC ESTIMATES OF THE RESOURCES NECESSARY TO FULLY IMPLEMENT THE ORDINANCE; DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO RETURN TO A SUBSEQUENT AGENDA RECOMMENDATIONS ON THE PROVISION OF SUFFICIENT RESOURCES TO IMPLEMENT THE ORDINANCE; AND APPOINT TWO BOARD MEMBERS TO SERVE ON THE TOBACCO MONIES ADVISORY COMMISSION. (CHIEF ADMINISTRATIVE OFFICER)

Time

Item No.

4.04 *

A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Butte County Department of Development Services - Rezone - consideration of a Rezone to conform the zoning of the subject properties to the General Plan, rezoning from A-5 (Agriculture - 5 acre parcels) and A-R (Agricultural Residential) to C-2 (General Commercial) three parcels totaling 4.9 acres that are developed with a 10-unit motel on 2.95 acres, a home on 1 acre, and three homes on 0.95 acres. The property is located south of, and adjacent to, State Route 32, approximately 1/4 mile southeast of Muir Avenue, at 3207 State Route 32. On June 25, 2002, the Board concluded the public hearing and adopted a motion of intent to deny the rezone - action requested - SUBJECT TO FINDINGS B(1-12) AS DETAILED IN THE STAFF MEMORANDUM DATED SEPTEMBER 24, 2002, DENY REZ 01-02.

4.05

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 - Citizens' Option for Public Safety (COPS) Program Funds - Proposed Spending Plan for Fiscal Year 2002-2003 State COPS Funds - consideration of the proposed spending plan for State COPS funds for fiscal year 2002-2003 as submitted by the District Attorney and Sheriff-Coroner, and as required by California Government Code Sections 30061-30065 - action requested - ACCEPT AND APPROVE STATE COPS SPENDING PLAN SUBMITTED BY THE DISTRICT ATTORNEY AND SHERIFF-CORONER; AND RATIFY THAT THE FUNDS ARE ALREADY APPROPRIATED WITHIN THE FISCAL YEAR 2002-2003 FINAL BUDGET TO IMPLEMENT THE SPENDING PLANS.

10:30 A.M.

5.02 *

Public Hearing - Annual County Service Area Per Parcel Service Charges - consideration of the adoption of the per parcel service charges for the various County Service Areas for fiscal year 2002-2003 - action requested - OPEN PUBLIC HEARING TO ACCEPT ALL OBJECTIONS OR PROTESTS; CLOSE HEARING; AND ADOPT A RESOLUTION CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE FOR FISCAL YEAR 2002-2003 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-27-02 [3.07])

Time

Item No.

5.04
(Cont.)

2. FIND THAT THE DESIGN OF THE 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 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. SUBJECT TO FINDINGS III(A-D) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002, ADOPT AN ORDINANCE REZONING APN 011-100-013 FROM SR-1 (SUBURBAN RESIDENTIAL - 1 ACRE PARCELS) TO PUD (PLANNED UNIT DEVELOPMENT); AND

4. SUBJECT TO FINDINGS IV(A-F) AND THE CONDITIONS OF APPROVAL AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 24, 2002, APPROVE TENTATIVE PARCEL MAP 02-28 FOR FLOYD DAMSCHEN AND GARY STOKES.

11:00 A.M. 5.05 *

Public Hearing - Abandonment of a portion of a Public Utility Easement - Viacom Outdoor has requested abandonment of the northerly seven feet of an existing twelve foot public utility easement on property located at the southwest corner of Glennwood Avenue and State Highway 32 (Nord Avenue), Chico. The Planning Commission has recommended approval, and on August 27, 2002, the Board adopted a resolution of intent to abandon a public service easement - action requested - FIND THAT THE PUBLIC UTILITY EASEMENT DESCRIBED IN THE PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; AND ADOPT A RESOLUTION ABANDONING THE DESCRIBED PORTION OF THE PUBLIC UTILITY EASEMENT AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-27-02 [3.06])

Time **Item No.**

11:05 A.M. 5.06

Continued Public Hearing - Raymond Teesdale - Tentative Parcel Map and Lot Line Adjustment - Appeal - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map and Lot Line Adjustment to divide a 46.28 acre parcel into four 10 acre lots and a 6.28 acre remainder on property zoned A-5 (Agricultural - 5 acre parcels). The property is located approximately 1,300 feet north of Central House Road on the west side of the Western Pacific Railroad tracks, near the intersection of Central House Road and Lone Tree Road, Oroville, and identified as APN 028-020-054 and 046 (CS [TPM 02-19]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I (A AND B) AS DETAILED IN THE STAFF REPORT DATED AUGUST 27, 2002, FIND THAT THE A-5 ZONE AND THE PROPOSED PROJECT IS NOT CONSISTENT WITH THE BUTTE COUNTY GENERAL PLAN; AND

2. DENY THE APPEAL FOR TENTATIVE SUBDIVISION MAP 02-19 FOR RAYMOND TEESDALE. (FROM 8-27-02 [5.02])

1:30 P.M. 5.07

Timed Item - Butte County General Plan Update Workshop - on August 27, 2002, the Board authorized County staff and consultants to begin a technical update of the Butte County General Plan. The technical update is limited in scope and designed to update background information for the General Plan, to consolidate all General Plan elements into a single document or set of documents, and to ensure the plan's legal adequacy. The technical update, which is projected to take up to 21 months, will be followed by a policy update which will look at more substantive land use and development issues. Proposed is a presentation covering: 1) basic requirements for general plans and the role of the general plan in local planning and land use regulation; 2) elements and structure of the current Butte County General Plan; and 3) the work program for the technical update of the Butte County General Plan - action requested - ACCEPT FOR INFORMATION.

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 LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (c) : ONE POTENTIAL CASE.

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.