

# AGENDA



## BOARD OF SUPERVISORS

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

October 8, 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 Michael T., Jordan Crossing Ministries, Palermo.
	2.02	Changes and/or corrections to the agenda.

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### **3.00**

#### **Consent Agenda**

Budget Transfers	<b>3.01</b> *	Budget Transfers - action requested - APPROVE BUDGET TRANSFER B-068 (SHERIFF/BEHAVIORAL HEALTH).
Donations	3.02	Library Donations - pursuant to Government Code Section 25355, a donation of \$815 from the Gridley Friends of the Library has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
Setting of Public Hearings	<b>3.03</b> *	Resolution of Intent to Abandon a Portion of Crown Point Road - Board approval is requested by the Public Works Department, on behalf of Hollis R. Elliott, for a resolution of intent to abandon the northerly portion of Crown Point Road, northeast of State Highway 32, in the Forest Ranch Area, and setting a public hearing for consideration of the matter for Tuesday, November 12, 2002, at 10:25 a.m. The Butte County Planning Commission has recommended approval of the request - action requested - ADOPT RESOLUTION SETTING A PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR TUESDAY, NOVEMBER 12, 2002, AT 10:25 A.M., AND AUTHORIZE THE CHAIR TO SIGN.

**Time**                      **Item No.**

Audit and Finance      3.04 \*

Rural County Supplemental Funding - Board approval is requested by the Sheriff's Office to transfer \$114,743 in fiscal year 2001-2002 Rural County Supplemental Funding into the Sheriff's Office fiscal year 2002-2003 budget. The funds will be utilized to purchase anti-terrorism equipment and training (\$30,000), a new radio system of the Chico Substation (\$12,000), protective breathing apparatus (\$25,000), and to fund recruiting efforts (\$25,000) - action requested - APPROVE BUDGET TRANSFER B-069 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS; AND APPROVE FIXED ASSET PURCHASE OF RADIO SYSTEM EQUIPMENT FOR CHICO SUBSTATION IN THE ESTIMATED AMOUNT OF \$12,000.

3.05 \*

Local Groundwater Management Assistance Act of 2002 Funds - Board approval is requested by the Department of Water and Resource Conservation to accept and appropriate \$249,000 in grant funds received under the Local Groundwater Management Assistance Act of 2002 for the installation of two dedicated monitoring wells equipped with extensometers. The Board approved submission of the grant on October 23, 2001, and adopted a resolution to accept the funds on July 9, 2002 - action requested - APPROVE BUDGET TRANSFER B-071 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE.

Ordinances and Resolutions      3.06 \*

Resolution to Amend the Salary Ordinance - Board approval is requested by the Department of Human Resources for a resolution which amends the salary ordinance as follows: ASSESSOR - deletes one position of Supervisor-Appraiser and adds one flexibly staffed position of Supervisor-Appraiser/Senior Appraiser. PROBATION-JUVENILE HALL - adds nineteen flexibly staffed positions of Juvenile Hall Counselor II/I, one half-time position of Senior Cook, two flexibly staffed positions of Office Assistant III/II/I, and reallocates a current position of Principal Clerk to a flexibly staffed position of Administrative Services Assistant/Principal Clerk. The positions are being added in preparation of the opening of the new Juvenile Hall. PUBLIC HEALTH-GENERAL SERVICES - deletes one position of Social Worker II and adds one position of Senior Employment and Eligibility Technician. ADMINISTRATIVE-FACILITIES SERVICES - deletes two positions of Janitor and adds one position of Facilities Project Specialist - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**Time**

**Item No.**

3.07 \*

Resolution Approving Adoption of Canines to be Utilized as Canine Officers - Board approval is requested by the Sheriff's Office for a resolution which adopts and recognizes two German Shepard dogs which will be utilized by the Sheriff's Canine Unit - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.08 \*

Resolution Recognizing National 4-H Week - Board approval is requested by the Butte County 4-H Youth Development Program to adopt a resolution recognizing October 6-12, 2002, as National 4-H Week - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Roads

3.09 \*

Construction of a Bicycle Path and Roadway Rehabilitation on Palermo Road - County Project No. 18451-95-1 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the increasing amount of \$13,850, provides for raising the existing drainage inlet and furnishing and installing a new drainage inlet to eliminate roadside safety hazards, and the furnishing and placement of 6" minus cobble in a roadside gutter and grading the ditch to the drain. The project is funded with 1998 State Transportation Improvement Program (STIP) funds and the Contract Change Order is 100% reimbursable through STIP - action requested - APPROVE CCO. NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.

3.10 \*

Construction of West Sacramento Avenue Bridge Across Kusal Slough - Federal Project No. BRLO-5912(015); County Project No. 54123-95-2 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the decreasing amount of \$426.59, provides for the deletion of contract item no. 3 (removal and salvage of existing 15" concrete pipe at a lump sum), and adjusts the compensation for furnishing and installing an alternative tube post sleeve for the metal beam guard rail terminal system not originally specified in the contract special provisions - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.

3.11 \*

Notice of Completion - Construction of West Sacramento Avenue Bridge Across Kusal Slough - Federal Project No. BRLO-5912(015); County Project No. 54123-95-2 - the project consisted of the placement of a 32' x 85' three span flat slab bridge. All contract work has been completed according to plans and specifications - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE RECORDING OF THE NOTICE OF COMPLETION.

**Time**

**Item No.**

3.12 \*

Notice of Completion - Stirling City Community Septic Management System Rehabilitation - County Project No. CSA82-99-1 - the project consisted of installation of septic tanks and connecting sanitary sewer lines to the existing sewer main. All contract work has been completed according to plans and specifications - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE RECORDING OF THE NOTICE OF COMPLETION.

3.13 \*

Resolution Declaring Multi-way Stop Intersection - Humboldt Road at El Monte Avenue and at Notre Dame Boulevard (Future) - Board approval is requested by the Public Works Department for a resolution which would declare the intersection of Humboldt Road at El Monte Avenue and at Notre Dame Boulevard (future) a multi-way stop intersection. Traffic control considerations deem it advisable to declare the intersection a multi-way stop intersection - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO INSTALL LEGAL STOP SIGNS AT THE APPROPRIATE ENTRANCES THERETO.

Agreements and Grants 3.14 \*

Public Financial Management, Inc. - Amendment - Board approval is requested by the Administrative Office for an amendment to the agreement with Public Financial Management, Inc., for the preparation of financial planning documents for State loan and grant applications in support of the Chico Urban Area Nitrate Compliance Program. The amendment revises the Scope of Work to include general consulting regarding program development and increases the maximum amount payable by \$40,000 (County Service Area No. 114 budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11441)

3.15 \*

Sungard Pentamation, Inc. - Board approval is requested by the Auditor-Controller for an agreement with Sungard Pentamation, Inc., for the provisions of software maintenance and support for the Auditor's computerized financial system. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$39,353.67 (Auditor, Treasurer, Employment and Social Services and Child Support Services budgets) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10555)

3.16 \*

Glenn County Health Services - Board approval is requested by the Butte County Department of Behavioral Health (BCDBH) for a revenue agreement with Glenn County Health Services for the provision of acute psychiatric inpatient care in the Butte County Psychiatric Health Facility to residents of Glenn County. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable to the County of \$80,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40488)

**Time**

**Item No.**

3.17 \*

George R. Heitzman, M.D. - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with George R. Heitzman, M.D., for the provision of services in the specialized field of psychiatry. The term of the agreement is October 11, 2002, through June 30, 2003, with a maximum amount payable of \$78,840 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.18 \*

Lisa Jellison, LCSW - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Lisa Jellison, LCSW, for the provision of speciality mental health services in support of Phase II Medi-Cal Mental Health Consolidation. The term of the agreement begins October 1, 2002, and remains in effect until terminated by either party. Payments under the agreement will be made based on services provided to clients. Funding for the agreement is included in the department's fiscal year 2002-2003 budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.19 \*

Resource Design Technology/KRC Holdings, Inc. - M&T Ranch Mine Project - Amendment - Board approval is requested by the Development Services Department for an amendment to the agreement with Resource Design Technology for the preparation of an Environmental Impact Report for the proposed M&T Ranch Mine project. The amendment revises the scope of the work to provide for recirculation of the Environmental Impact Report for the project, and increases the maximum amount payable by \$51,967.93. All other terms and provisions remain the same. Funding for the agreement is provided by the applicant and Board approval is also requested for a budget transfer to accept and appropriate the funds deposited with the County by the applicant - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-070 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.

3.20 \*

Archive Record Systems - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Archive Record Systems for the collection and destruction of confidential waste from offices utilized by the department. The amendment extends the agreement through June 30, 2004, and increases the maximum amount payable to \$60,000 (department budget) per fiscal year (an increase of \$10,000). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10065)

**Time**

**Item No.**

3.21 \*

Butte-Glenn Community College District - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Butte-Glenn Community College District for the provision of CalWORKs job search services for Welfare To Work participants. The amendment extends the term of the agreement through June 30, 2003, revises the scope of work, and reduces the maximum amount payable by \$334,528 to \$160,000 (department budget) for fiscal year 2002-2003. The agreement amount is reduced as a result of staff reductions to the program. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13358)

3.22 \*

Private Industry Council - Board approval is requested by the Department of Employment and Social Services for a prior year agreement with the Private Industry Council for the installation of electrical and voice/data wiring in the facility located at 2491 Carmichael Drive, Chico. The term of the agreement was March 1, 2002, through June 30, 2002, with a maximum amount payable of \$1,500 (department budget). Additional Americans with Disabilities Act requirements were added during review of the agreement which created delays in processing - action requested - APPROVE PRIOR YEAR AGREEMENT AND PAYMENT OF SERVICES AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13533)

3.23 \*

Private Industry Council - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with the Private Industry Council for the provision of employment services activities for CalWORKs participants. The amendment revises the scope of work and reduces the maximum amount payable by \$854,846 to a new maximum amount payable of \$600,000 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13305)

3.24 \*

Private Industry Council - Board approval is requested by the Department of Employment and Social Services for a sublease agreement with the Private Industry Council for office space in the building located at 2491 Carmichael Drive, Suite 300, Chico. The term of the agreement is May 1, 2002, though June 30, 2015, with a maximum amount payable of \$287,357.52 for the multi-year term (\$3,306 for fiscal year 2001-2002, and \$19,836 for fiscal year 2002-2003 [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.**

- 3.25 \* Private Industry Council - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the sublease agreement with the Private Industry Council for office space in the building located at 78 Table Mountain Boulevard, Oroville. The amendment revises the agreement starting date to reflect the actual date of occupancy (February 19, 2001) and extends the term through June 30, 2016. The amendment also includes a revised lease payment schedule for the new period. 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. X11404)
- 3.26 \* Private Industry Council - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the sublease agreement with the Private Industry Council for office space in the building located at 2445 Carmichael Drive, Chico. The amendment provides for further clarification of services that are charged to the tenants of the building according to percentages of space occupied. 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. X10523)
- 3.27 \* Glenn County Human Resource Agency - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with the Glenn County Human Resource Agency for the provision of Child Welfare Services/Case Management System (CWS/CMS) training. The agreement provides for Butte County's share of the cost to operate the computer training center. The amendment extends the term of the agreement through June 30, 2003, and includes language to authorize Glenn County to bill the department for the County's share of the CWS/CMS Training Allocation once it is received. All other terms and provisions remain the same. Funding for the agreement is provided by a State allocation to the County for the training - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE AUDITOR-CONTROLLER TO ENCUMBER THE STATE ALLOCATION, WHEN RECEIVED, FOR PAYMENT OF THE AGREEMENT. (Contract No. X11414)
- 3.28 \* Women's Foundation Community Action Fund - Grant Application - Board approval is requested by the Director of Libraries to apply to the Women's Foundation Community Action Fund for a grant in the amount of \$5,000 to acquire health related materials for the various branches and bookmobile, and to offer computer training in library branches - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR OF LIBRARIES TO SIGN.

**Time**

**Item No.**

3.29 \*

Private Industry Council - Amendment - Board approval is requested by the Public Health Department for an amendment to the lease agreement with the Private Industry Council for office space in the building located at 2445 Carmichael Drive, Chico. The space is utilized as a satellite clinic. The amendment extends the term of the lease through June 30, 2017, includes a new rate schedule, sets the monthly lease rate for fiscal year 2002-2003 at \$631.80 (an increase of \$136.50 per month), and includes language that deletes the department's responsibility to pay for items listed under the Utilities and Services section of the agreement. All other terms and provisions remain the same. The department currently has \$5,943.60 encumbered for this agreement for fiscal year 2002-2003. The additional encumbrance of \$1,638 needed for fiscal year 2002-2003 is available within the department's budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE ADDITIONAL ENCUMBRANCE FOR AGREEMENT OF \$1,638. (Contract No. X10770)

3.30 \*

Private Industry Council - Amendment - Board approval is requested by the Public Health Department for an amendment to the sublease agreement with the Private Industry Council for office space in the building located at 78 Table Mountain Boulevard, Oroville. The amendment revises the agreement starting date to reflect the actual date of occupancy (February 19, 2001) and extends the term through June 30, 2016. The amendment also includes a revised lease payment schedule for the new period. 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. X11406)

3.31 \*

Lincoln Partners - Board approval is requested by the Public Health Department for a lease agreement with Lincoln Partners for the space located at 2358 Lincoln Avenue, Oroville. The location is utilized by the Women, Infants and Children program. The term of the agreement is September 1, 2002, through August 31, 2005, with a maximum amount payable of \$51,840 (department budget) for the multi-year term (\$1,440 per month) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13835)

Time

Item No.

3.32 \*

California Department of Health Services - Master Agreement Amendment - Board approval is requested by the Public Health Department for an amendment to the Master Agreement with the California Department of Health Services for AIDS related services. The amendment provides for an increased allocation of \$1,500 for fiscal years 2002-2003 and 2003-2004 for the HIV Counseling and Testing Memorandum, and \$1,534 for the period of July 1, 2002, through December 31, 2002, for the Evaluating Local Interventions Program. The amendment increases the total maximum amount payable to the County under the Master Agreement a total of \$4,534 for the period of July 1, 2001, through June 30, 2004. 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; AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING FOR HIV COUNSELING AND TESTING TO REFLECT THE INCREASED ALLOCATION SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING FOR THE EVALUATING LOCAL INTERVENTIONS PROGRAM TO REFLECT THE INCREASED ALLOCATION SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.33 \*

Pacific Municipal Consultants - Board approval is requested by the Public Works Department for an agreement with Pacific Municipal Consultants for the preparation of environmental documentation in support of the Speedway Avenue Extension project. Under the terms of the agreement the environmental documentation is to be completed by the end of April 2003. The amount payable for the agreement is \$114,778 (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.

Miscellaneous

3.34 \*

Advanced Step Hire - Board approval is requested by the Department of Human Resources, on behalf of the Probation Department, and pursuant to Personnel Rule 11.5(b), for the Advanced Step Hire of an Information Systems Technician I candidate to step three of the salary range based on experience - action requested - APPROVE ADVANCED STEP HIRE OF INFORMATION SYSTEMS TECHNICIAN I CANDIDATE TO STEP THREE OF THE SALARY RANGE.

3.35

Review of the Existence of a Local Emergency - on September 24, 2002, the Board of Supervisors confirmed the existence of an agricultural state of disaster in Butte County as a result of drought conditions and the effects of those conditions on local livestock. Pursuant to Government Code 8630, the Board must review the need for continuing the state of local emergency at its regularly scheduled meetings until the local emergency is terminated. The Agricultural Commissioner informs the Board that the drought conditions have not changed and the need for a continued state of local emergency is needed - action requested - CONTINUE STATE OF LOCAL EMERGENCY.

**Time**

**Item No.**

**4.00            Regular Agenda**

4.01            Appointments - Boards, Commissions, and Committees.

- (\*) 1.     Appointments to listed vacancies.
- (\*) 2.     Butte County Planning Commission - action requested - APPOINT MICHAEL G. EVANS, DISTRICT 1 REPRESENTATIVE, TO A VACATED TERM TO END JANUARY 10, 2005.
- (\*) 3.     California State Association of Counties - action requested - APPOINT DIRECTOR AND ALTERNATE DIRECTOR TO TERMS TO END SEPTEMBER 2003.

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

(4.03) \*        Butte County Behavioral Health Board - Annual Report - report to the Board by the Chair of the Butte County Behavioral Health Board - action requested - ACCEPT FOR INFORMATION. (JEFF ZELSDORF, CHAIR, BUTTE COUNTY BEHAVIORAL HEALTH BOARD)

4.04            Effect of Thermalito Afterbay Water Temperatures on Agricultural Production - Report to the Board - presentation to the Board by Randall "Cass" Mutters, Ph.D., University of California Cooperative Extension, Butte County, on the effects of the water temperature of the water released from the Thermalito Afterbay on rice production yields - action requested - ACCEPT FOR INFORMATION. (COUNTY COUNSEL)

(4.05) \*        Sacramento River Conservation Area and Proposed Regulations - Report to the Board - presentation of additional information resulting from the presentation of the County Counsel staff report on the Sacramento River Conservation Area and proposed regulations regarding property acquisition for wildlife conservation purposes. The original report was presented to the Board on August 27, 2002 - action requested - PROVIDE STAFF DIRECTION AS REQUIRED. (COUNTY COUNSEL/FROM 8-27-02 [4.11])

**Time**

**Item No.**

4.06 \*

Pavement Undulations Policy and Procedures - Board approval is requested by the Public Works Department for Policy and Procedures for the consideration and installation of pavement undulations. On August 27, 2002, the Board was presented with a draft version for review and comment, with the direction that a final revision be returned to the Board for approval - action requested - APPROVE BUTTE COUNTY PAVEMENT UNDULATIONS POLICY AND PROCEDURES. (PUBLIC WORKS [FROM 8-27-02/4.06])

4.07 \*

Proposition 50, the Water Security, Clean Drinking Water and Coastal and Beach Protection Act of 2002 - Report to the Board - report on the contents and benefits of Proposition 50, the 2002 water bond authored by The Nature Conservancy and qualified as an initiative for the November 2002 ballot - action requested - THE DEPARTMENT OF WATER AND RESOURCE CONSERVATION RECOMMENDS THE BOARD TAKE ONE OF THE FOLLOWING ACTIONS:

1. ADOPT A RESOLUTION OF SUPPORT FOR PROPOSITION 50 AND AUTHORIZE THE CHAIR TO SIGN; AND
  - A. DIRECT STAFF TO PRIORITIZE PROJECTS SUBMITTED BY THE COUNTY TO THE NORTHERN AND COASTAL CALIFORNIA WATER BOND COALITION; OR
  - B. DIRECT STAFF TO WORK WITH A SUBCOMMITTEE OF THE BOARD TO PRIORITIZE PROJECTS SUBMITTED BY THE COUNTY TO THE NORTHERN AND COASTAL CALIFORNIA WATER BOND COALITION; OR
  
2. DO NOT APPROVE A RESOLUTION OF SUPPORT FOR PROPOSITION 50; AND
  - A. TAKE A NEUTRAL POSITION ON THE MEASURE AND DIRECT STAFF TO CONTINUE TO MONITOR THE NORTHERN AND COASTAL CALIFORNIA WATER BOND COALITION WITH REGARD TO THE MEASURE; OR
  - B. APPROVE A LETTER OF OPPOSITION TO THE MEASURE. (WATER AND RESOURCE CONSERVATION)

**Time**

**Item No.**

4.08 \*

Health Insurance Portability and Accountability Act (HIPAA) Implementation - submission of a program plan and report on the County's implementation of the Health Insurance Portability and Accountability Act. The act was designed to protect the security of health care information systems and improve patients' rights to privacy - action requested - ADOPT AND AUTHORIZE THE CHAIR TO SIGN A RESOLUTION SUPPORTING THE PRIVACY AND SECURITY OF HEALTH INFORMATION AND AUTHORIZING DEVELOPMENT OF ADMINISTRATIVE POLICIES AND PROCEDURES TO COMPLY WITH HIPAA; DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO DEVELOP POLICIES AND IMPLEMENTATION PLANS AND BUDGETS, SUBJECT TO BOARD APPROVAL, TO IMPLEMENT THE REQUIREMENTS OF HIPAA IN A TIMELY MANNER; AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO DESIGNATE BUTTE COUNTY'S HIPAA PRIMARY POINT OF CONTACT, PRIVACY OFFICER, AND INFORMATION SECURITY OFFICER; RECEIVE AND FILE THE BUTTE COUNTY HIPAA COMPLIANCE PROGRAM PLAN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SUBMIT THE HIPAA REQUEST FOR EXTENSION TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES ON BEHALF OF THE COUNTY OF BUTTE. (CHIEF ADMINISTRATIVE OFFICER)

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

4.10 Recess as the Butte County Board of Supervisors and Convene as the Butte County In-Home Supportive Services Public Authority.

Time

Item No.

**BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY  
AGENDA  
OCTOBER 8, 2002**

1.00 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.

2.00 Consent Agenda

2.01 \* Resolution Amending Resolution to Provide Public Employees' Retirement System Health Insurance Coverage - on August 13, 2002, the Authority Board adopted Resolution 2002-02 giving approval for the Authority to be subject to the Public Employees' Medical and Hospital Care Act for the purpose of providing Public Employees' Retirement System (PERS) health insurance coverage to Authority employees. Subsequent to the adoption of that resolution PERS notified the Authority that the Authority would be defined as a Special District for PERS purposes, and the coverage definition as detailed in the resolution needed to be corrected to indicate that classification. The proposed resolution rescinds and supercedes Resolution 2002-02 and corrects the definition of Public Authority employees as Special District employees for health insurance coverage purposes - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.00 Regular Agenda (NO ITEMS)

4.00 Public Comment

5.00 Adjournment

ADJOURN AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENE AS THE BUTTE COUNTY BOARD OF SUPERVISORS

Time

Item No.

**Butte County Board of Supervisors**  
**Continued Agenda**

**5.00**

**Public Hearing and Timed Items**

10:30 A.M. 5.01 \*

Public Hearing - Larry Bradley - Tentative Parcel Map - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map to divide a 34.6 acre parcel into three parcels of 10.3, 10.6 and 13.6 +/- acres on property zoned A-10 (Agricultural - 10 acre parcels). 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 on the northwest corner of Durham-Dayton Highway and Esquon Road, Durham, and identified as APN 040-150-112 (CS [TPM 02-23]) - action requested - STAFF RECOMMENDS THE BOARD TAKE ONE OF THE FOLLOWING TWO ACTIONS:

1. SHOULD THE BOARD, AFTER CONSIDERING ALL EVIDENCE AND TESTIMONY, DECIDE TO DENY THE APPEAL AND THE PROJECT, THE FOLLOWING ACTION SHOULD BE TAKEN:
  - A. SUBJECT TO FINDING I(A) AS DETAILED IN THE STAFF REPORT DATED OCTOBER 8, 2002, DENY THE REQUEST FOR A TENTATIVE PARCEL MAP FOR LARRY BRADLEY, APPLICATION TPM 02-23; OR
  
2. SHOULD THE BOARD FIND THAT THE PROJECT IS CONSISTENT WITH THE BUTTE COUNTY GENERAL PLAN, THE FOLLOWING ACTIONS SHOULD BE TAKEN:
  - A. SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED OCTOBER 8, 2002, ADOPT A MITIGATED NEGATIVE DECLARATION;

**(Continued on Page 15)**

**Time**

**Item No.**

5.01            2.  
(Cont.)

- B. 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) AND 14 CCR 753.5, AS THE PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS 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 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; AND
  
- C. SUBJECT TO FINDINGS III(A-F) AS DETAILED IN THE STAFF REPORT DATED OCTOBER 8, 2002, AND THE CONDITIONS OF APPROVAL IDENTIFIED AS EXHIBIT "A" IN THE STAFF REPORT DATED OCTOBER 8, 2002, APPROVE TENTATIVE SUBDIVISION MAP 02-23 FOR LARRY BRADLEY.



**Time**

**Item No.**

5.02  
(Cont.)

3. SUBJECT TO FINDINGS III (A-K) AS DETAILED IN THE STAFF REPORT DATED OCTOBER 8, 2002, AND THE CONDITIONS OF APPROVAL IDENTIFIED AS EXHIBIT "A" OF THE STAFF REPORT DATED OCTOBER 8, 2002, DENY THE APPEAL AND APPROVE TENTATIVE SUBDIVISION MAP 00-01 FOR WEBB HOMES (APNs 043-040-080 AND 097). (FROM 9-10-02 [5.06])

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**6.00**

**Public Comment**

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

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**7.00**

**Closed Session**

7.01

CONFERENCE WITH LEGAL COUNSEL REGARDING 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.