

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

December 10, 2002

Happy Holidays!



<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 Philip Gilmore, Foothill Community Church, Oroville.
	2.02	Changes and/or corrections to the agenda.

3.00

Consent Agenda

Minutes	3.01 *	Approval of Minutes - action requested - APPROVE MINUTES OF JULY 9, 2002; JULY 23, 2002; AUGUST 27, 2002; SEPTEMBER 10, 2002, AND SEPTEMBER 24, 2002.
Donations	3.02 *	Library Donations - pursuant to Government Code Section 25355, donations of \$1,636 from the Oroville Friends of the Library, \$1,000 from the Paradise Friends of the Library and \$280 from the Chico Friends of the Library have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
	3.03 *	Library Computer Donation - InfoPeople, a project of the California State Library, has provided a wireless computer lab to the Butte County Library for staff training. InfoPeople has notified the Library that they wish to award ownership of the lab to the Library. The value of the equipment and supplies is \$36,142.66. Pursuant to Government Code Section 25355, Board approval is requested to accept the donation and authorize a letter of appreciation - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.

Time

Item No.

Appoint-
ments

3.04 *

Appointment of Sheriff-Elect as Sheriff-Coroner - Sheriff Scott Mackenzie has announced his retirement effective December 30, 2002. Sheriff-Elect Perry Reniff is scheduled to be sworn into office on January 6, 2003, in accordance with State Law. To provide for the continuation of a Sheriff in the interim period, pursuant to Government Code Section 25304, the Sheriff is requesting and recommending the Board appoint Sheriff-Elect Perry Reniff to the office of Sheriff-Coroner effective December 31, 2002, and continuing until his duly elected term begins on January 6, 2003 - action requested - ACCEPT RESIGNATION OF SHERIFF SCOTT MACKENZIE EFFECTIVE DECEMBER 30, 2002, AND APPOINT SHERIFF-ELECT PERRY RENIFF AS BUTTE COUNTY SHERIFF-CORONER, EFFECTIVE DECEMBER 31, 2002, AND CONTINUING UNTIL HIS DULY ELECTED TERM BEGINS JANUARY 6, 2003.

3.05 *

Local Child Care Planning Council - Board approval is requested by the Butte County Office of Education for approval of the 2002-2003 membership list. Consumer Category: Nancy Fort to a term to end 11-03 and Helene Ginter to a term to end 4-05. Child Care Providers Category: Diana Becerra to a term to end 11-03, Dorothy Cooper to a term to end 11-05, Marcia Dicus to a term to end 11-03 and Sue McGuire to a term to end 11-05. Public Agency Representative Category: Jeff Fontana, Butte County Department of Employment and Social Services, to a term to end 11-05, Insu Hyams, Butte County Health Department, to a term to end 11-04 and Pamela Weaver, Butte County Housing Authority, to a term to end 11-05. Community Representative Category: Julie Field, Parent Education Network, to a term to end 11-03, Melissa Groves, California State University, Chico, to a term to end 11-05 and Patti Thomas, ARC of Butte County, to a term to end 11-05. Discretionary Appointees: Gloria Balch to a term to end 11-05, Cheri Longaker to a term to end 11-04, Kathie MacAffee to a term to end 11-03 and Deanna Manganiello to a term to end 11-03 - action requested - ACCEPT AND APPROVE THE 2002-2003 MEMBERSHIP AS THE UPDATED REQUIRED PARTICIPATION LIST.

3.06 *

Durham Mosquito Abatement District - action requested - APPOINT JOHN L. AZEVEDO, JR., TO A VACATED TERM TO END DECEMBER 31, 2003, AND REAPPOINT WILLIAM DEMPSEY AND ALBERT AMATOR TO TERMS TO END DECEMBER 31, 2006.

3.07

Durham Irrigation District - action requested - REAPPOINT GARY WOLF, DIRECTOR, DIVISION 1, TO A TERM TO END DECEMBER 1, 2006.

3.08

Butte County Mosquito and Vector Control District - action requested - REAPPOINT DAN HUTFLESS, DISTRICT 2 REPRESENTATIVE, CHARLES W. BIRD, DISTRICT 3 REPRESENTATIVE, AND JACK BEQUETTE, DISTRICT 4 REPRESENTATIVE, TO TERMS TO END DECEMBER 1, 2006.

Time

Item No.

3.09 *

Third Supervisorial District Appointments - Supervisor Mary Anne Houx submits the following District 3 Representative appointments - action requested - APPOINT/REAPPOINT KENT AHLWEDE, BUTTE COUNTY FAIR BOARD/GRIDLEY SWIMMING POOL DISTRICT BOARD; JOHN NOCK, AGRICULTURAL ADVISORY COMMISSION; LANCE TENNIS, BUTTE COUNTY WATER COMMISSION; JIM MORGAN, ECONOMIC DEVELOPMENT CORPORATION OF BUTTE COUNTY/INDUSTRIAL DEVELOPMENT AUTHORITY; RON COLEMAN, BUTTE COUNTY FISH AND GAME COMMISSION; AND CHUCK NELSON, BUTTE COUNTY PLANNING COMMISSION. ALL APPOINTMENTS ARE TO TERMS TO END JANUARY 8, 2007.

3.10 *

Long Term Care Council - action requested - APPOINT GORDON WEINS, LYNN DORENZO, AND TOM BAUGHMAN, OVER 55 YEARS OF AGE CATEGORY REPRESENTATIVES; BRIAN FRINK, AT LARGE MEMBER; VICKI PAXTON, AREA AGENCY ON AGING REPRESENTATIVE; MARK MURGIA, SENIOR TRANSPORTATION SERVICES REPRESENTATIVE; AND JAN MICHL, COUNTY SOCIAL SERVICES REPRESENTATIVE.

3.11

Emergency Medical Care Committee - action requested - REAPPOINT KARA DAVIS, MOBILE INTENSIVE CARE NURSE, TO A TERM TO END JUNE 30, 2005.

3.12 *

Butte County Behavioral Health Board - action requested - APPOINT TODD REINHARDT, PROFESSIONAL MEMBER CATEGORY, TO A TERM TO END DECEMBER 31, 2005.

Land Use

3.13 *

Fourteen Mile House Unit 3 - Subdivision Map - Fourteen Mile House Unit 3, APN 063-360-018, is a conditionally approved 4-lot private street Planned Unit Development located on the east side of State Highway 32 across from Woodland Park, south of Forest Ranch. The developer has complied with the Conditions of Approval and has completed the construction of the required improvements. The completed improvements are to be maintained by the property owners through a Declaration of Covenants, Conditions, and Restrictions - action requested - APPROVE FINAL MAP FOR FOURTEEN MILE HOUSE UNIT 3; ACCEPT ON BEHALF OF BUTTE COUNTY THE ONE-FOOT ACCESS STRIP OFFERED FOR DEDICATION AS ITEM "A" IN THE OWNER'S STATEMENT; AND ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENT OFFERED FOR DEDICATION AS ITEM "B" IN THE OWNER'S STATEMENT.

Fixed
Asset and
Facilities

3.14 *

Conveyance of County Property - Board approval is requested by the Administrative Office, on behalf of the Butte County Fish and Game Commission, to convey a 1966 12-foot Starcraft Boat to the Paradise Irrigation District. The boat is no longer utilized by the Commission. The conveyance is being conducted pursuant to Government Code Section 25365 and 6061 - action requested - DECLARE EQUIPMENT SURPLUS TO THE NEEDS OF THE COUNTY AND APPROVE CONVEYANCE TO THE PARADISE IRRIGATION DISTRICT.

Time

Item No.

3.15 *

Probation Department Vehicles Enhancements - Board approval is requested by the Probation Department to purchase vehicle cages and radios for two Probation Department vehicles in the estimated amount of \$2,400 (\$1,200 per vehicle). The vehicles were purchased for use by the Family Bridges and Juvenile Drug Court programs and the Department is proposing to utilize funds from those respective programs to purchase the equipment - action requested - APPROVE BUDGET TRANSFER B-149; AND APPROVE PURCHASE OF EQUIPMENT FOR ENHANCEMENT OF FIXED ASSET VEHICLES.

3.16 *

Expansion of Compressed Natural Gas Fueling Facilities - Board approval is requested by the Public Works Department for the fixed asset purchase of equipment in the amount of \$49,700 to expand the capacity of the Compressed Natural Gas fueling facility in Chico. The County received a Congestion Mitigation and Air Quality Improvement Program Grant in the amount of \$44,000 to fund the expansion and the Butte County Air Quality Management District will provide the required match of \$5,700 - action requested - APPROVE BUDGET TRANSFER B-151 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE; AND AUTHORIZE THE FIXED ASSET PURCHASE OF EQUIPMENT IN THE AMOUNT OF \$49,700 TO EXPAND THE MIDWAY COMPRESSED NATURAL GAS FACILITY IN CHICO.

3.17 *

Sheriff's Office - Helicopter Exchange - on June 25, 2002, the Board approved the exchange of the County's Bell 206BIII Helicopter for three Hughes OH-6 Helicopters from the California Department of Justice Aviation. The provisions of the exchange required the County's helicopter to be repaired prior to the exchange. In order to complete this process, one of the Hughes OH-6 Helicopters will need to be sold to provide the necessary funds for the repair. Negotiations with the California Department of Justice Aviation for the exchange are complete and final actions by the Board are required to complete the transaction - action requested - APPROVE SURPLUS OF THE COUNTY-OWNED 1979 BELL 206BIII HELICOPTER IN EXCHANGE FOR THREE HUGHES OH-6 HELICOPTERS; APPROVE THE PROPERTY TRANSFER AND EXCHANGE AGREEMENT AND AUTHORIZE THE CHAIR AND THE SHERIFF TO SIGN SUBJECT TO APPROVAL OF THE AUDITOR-CONTROLLER; APPROVE THE SURPLUS AND SALE OF ONE OF THE OH-6 HELICOPTERS AND AUTHORIZE DEPOSITING \$102,500 FROM THE SALE INTO THE SHERIFF'S SPECIAL ENFORCEMENT UNIT BUDGET (360008-530) FOR THE REPAIR OF THE BELL 206BIII HELICOPTER, WITH THE BALANCE OF THE PROCEEDS FROM THE SALE TO BE PLACED INTO THE SHERIFF'S HELICOPTER TRUST FUND FOR FUTURE HELICOPTER EXPENSES.

Time

Item No.

Audit and Finance

3.18 *

Health Insurance Portability and Accountability Act Funding - Board approval is requested by the Administrative Office for a budget transfer from the Appropriation for Contingency in the amount of \$43,937. The funds will be utilized to fund the Compliance Officer position through June 2003 (\$36,937) and to purchase office furniture, equipment and software (\$7,000) - action requested - APPROVE BUDGET TRANSFER B-146 (4/5 vote required) TRANSFERRING \$43,937 FROM THE APPROPRIATION FOR CONTINGENCIES AND ALLOCATING THE FUNDS AS DETAILED IN THE AGENDA REPORT.

3.19 *

Monthly Investment Report - the Treasurer-Tax Collector submits the Monthly Investment Report for October 31, 2002, in accordance with the Statement of Investment Policy dated July 1, 2002 - action requested - ACCEPT FOR INFORMATION.

3.20 *

Central Communications Division Budget Adjustment - Board approval is requested by the General Services Director to increase the Central Communications Division budget by \$30,586 to provide the necessary funding for an agreement for the installation of data and telephone wiring in the new Juvenile Hall. Funding for the wiring project is available in the Juvenile Hall project budget and will be utilized by the Central Communications Division budget to provide for payment of the agreement - action requested - AUTHORIZE AN INCREASE TO THE CENTRAL COMMUNICATIONS DIVISION BUDGET (4/5 vote required) BY \$30,586 FOR PROJECT 877 AND DIRECT THE AUDITOR-CONTROLLER TO UTILIZE APPROPRIATIONS AVAILABLE IN THE JUVENILE HALL BUDGET 170.018, ACCOUNT R562 FOR THE INCREASE.

3.21 *

Resolution Amending the Rate of General Assistance Payments - Board approval is requested by the Department of Employment and Social Services to set the rate for General Assistance payments at \$277 per month effective January 1, 2003, to adopt a resolution establishing the local standard of aid for General Assistance pursuant to Welfare and Institutions Code Section 17000.5 (Option A), and to adopt revised General Assistance regulations reflecting the approved rate change. Butte County was granted mandate relief under SB1033 in 1997 and reduced the General Assistance standard of aid. The mandate relief expires on December 31, 2002, and the County must establish a standard of aid for General Assistance in accordance with the Welfare and Institutions Code. The Department estimates the increased cost for the new rate amount for fiscal year 2002-2003 to be \$111,888. Currently there are sufficient appropriations within the General Assistance budget to cover the cost of the increase - action requested - ADOPT THE RESOLUTION PRESENTED AS OPTION A, SETTING THE MAXIMUM RATE FOR GENERAL ASSISTANCE AT \$277 EFFECTIVE JANUARY 1, 2003, AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT REGULATIONS REFLECTING THE APPROVED RATE CHANGE EFFECTIVE JANUARY 1, 2003.

Time

Item No.

3.22 *

Dissolution of Existing Revolving Fund and Establishment of New Revolving Fund - Board approval is requested by the Department of Child Support Services for a resolution which will dissolve the revolving fund utilized to cover Family Support activities involving Internal Revenue Service tax return interceptions and establish a new revolving fund to cover Child Support activities involving Internal Revenue Service tax return interceptions. The \$10,000 appropriation from the original fund will be returned to the General Fund, and the new fund of \$10,000 will be established with current Child Support Services appropriations - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.23 *

Department of Employment and Social Services/District Attorney Budget Transfer - Board approval is requested by the District Attorney and the Department of Employment and Social Services to transfer \$37,000 from the Department of Employment and Social Services Fraud Incentive Funds to the District Attorney Welfare Fraud Investigation budget unit to fund an extended sunset position of District Attorney Investigator position to June 30, 2003. The position extension is required to continue to address a staff shortage created by the long-term medical leave of the incumbent - action requested - APPROVE BUDGET TRANSFER B-155 (4/5 vote required) ACCEPTING AND APPROPRIATING THE UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.24 *

Drug Endangered Children (DEC) Funding - Board approval is requested by the District Attorney to accept and appropriate \$11,438 in unspent closeout funds from the Office of Criminal Justice Planning to continue support of the DEC Program. State funding for the program was eliminated from the State budget, however, the Office of Criminal Justice Planning has allowed DEC projects an extension period to expend any unspent closeout funds. These funds will support the Butte County DEC Program through February 14, 2003. In an effort to seek alternate sources of program funding, the District Attorney is also requesting the Board approve a joint letter by the District Attorney and the Board of Supervisors to the Butte County Children and Families Commission requesting an emergency funding allocation of \$45,500 to continue the DEC Program through the end of the fiscal year. The letter also requests the Commission commit ongoing funds for future years to replace lost State revenue for the full annual cost of the program - action requested - APPROVE BUDGET TRANSFER B-154 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED CLOSEOUT FUNDS; AND APPROVE JOINT LETTER TO THE BUTTE COUNTY CHILDREN AND FAMILIES COMMISSION AND AUTHORIZE THE CHAIR TO SIGN.

Time

Item No.

3.25 *

District Attorney - Transfer of Asset Seizure Funds and Extension of Paralegal Position - Board approval is requested by the District Attorney to transfer \$4,745 from the District Attorney's Asset Forfeiture Fund to the Department's 320.001 budget unit to provide funding for the extension of a sunset Paralegal position from December 31, 2002, to June 30, 2003. The extension of the position is requested to continue addressing the backlog of Asset Forfeiture cases. The position is primarily funded by salary savings created by a vacant Investigative Assistant position. The proposed transfer will provide the remaining needed funding - action requested - APPROVE BUDGET TRANSFER B-150 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE EXTENSION OF SUNSET PARALEGAL POSITION TO JUNE 30, 2003.

3.26 *

Local Agency Improvement Fees - the Auditor-Controller submits the Combined Report of Impact Fees or Local Agency Improvement Fees for Fiscal Year 2001-2002. Pursuant to Government Code Section 66006, this item will return to the agenda on January 14, 2003, for final review and action, and notice is hereby given that the information is on file and available for public inspection in the Administrative Office, 25 County Center Drive, Oroville, Monday through Friday, 8:00 a.m. to 5:00 p.m. - action requested - ACCEPT FOR INFORMATION AND AS PUBLIC NOTICE; AND DIRECT THIS ITEM TO RETURN TO THE AGENDA OF JANUARY 14, 2003, FOR FINAL REVIEW AND ACTION.

3.27 *

Public Works Diesel Fuel Tanks - Budget Appropriation - Board approval is requested by the Public Works Department for a transfer of \$18,485 from the Public Works Department Fund 0030, Revenue Account 4712531, to cover the cost of Contract Change Orders necessary for the purchase and installation of a diesel fuel tank and dispenser. The project was approved by the Board in the fiscal year 2001-2002 budget, but changes to the project scope necessitated change orders which will need to be funded through current year appropriations - action requested - APPROVE BUDGET TRANSFER B-153 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE.

Ordinances 3.28
and
Resolutions

Adoption of an Ordinance Amending Butte County Code Chapter 19 - consideration of an ordinance amending sections 19-5, 19-9 and 19-13 of the Butte County Code pertaining to sewage disposal system permits, septic tanks and development of lots and parcels within the Chico Urban Area, and providing for the implementation of the "Chico Urban Area Nitrate Compliance Plan" - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-12-02 [4.04])

Time

Item No.

- 3.29 Adoption of Two Ordinances - Consideration of adoption of the following two ordinances: 1) an Ordinance Amending Section 10-30, 10-31 and 10-33.5 of Article IV, Entitled "Chico Urban Area Street Facility Improvement Fees" of Chapter 10 of the Butte County Code and Adding Section 10-30.1 to Said Article IV; and 2) an Ordinance Adding Article XVI to Chapter 3 of the Butte County Code Regarding Development Impact Fees in the North Chico Specific Plan Area. The Board will take comments on, and consider adopting both fee ordinances. One ordinance increases existing street facility improvement fees for the Chico Urban Area. The other ordinance establishes development impact fees for the North Chico Specific Plan Area - action requested - ADOPT ORDINANCES AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-12-02 [5.04])
- 3.30 * Resolution Accepting Grant Award - Board approval is requested by the Department of Water and Resource Conservation for a resolution accepting grant funding totaling \$197,449 under the 2002 Urban Streams Restoration Program from the State Department of Water Resources in cooperation with Streaminders-Chapter of the Izaak Walton League. On March 12, 2002, the Board of Supervisors approved the submission of the grant application. The Department has been notified that the grant has been awarded in the amount of \$197,449 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.31 * Resolution in Recognition of Sheriff Scott A. Mackenzie upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.32 * Resolution in Recognition of Undersheriff Terry Korton upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.33 * Resolution in Recognition of Sergeant Charles Langel upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.34 * Resolution in Recognition of Robert Lee Townsend, Supervising Road Maintenance Worker, upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.35 * Resolution in Recognition of LeRoy E. Smith, Supervising Road Maintenance Worker, upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Time

Item No.

3.36 *

Resolution to Amend the Salary Ordinance - the Department of Human Resources has prepared a resolution to amend the salary ordinance as follows: ADMINISTRATIVE - adds one position of Compliance Officer. COUNTY CLERK-ELECTIONS AND REGISTRATION - adds one half-time flexibly staffed position of Administrative Analyst II/I. COUNTY CLERK-RECORDER - deletes one position of Senior Account Clerk and adds one half-time flexibly staffed position of Administrative Analyst II/I. DISTRICT ATTORNEY CRIMINAL - deletes one flexibly staffed sunset position of Legal Secretary II/I (with an end date of June 30, 2005), and adds one flexibly staffed sunset position of Office Assistant III/II/I (with an end date of June 30, 2005). Extends the end date of one sunset position of Paralegal and one flexibly staffed sunset position of District Attorney Investigator II/I from December 31, 2002, to June 30, 2003. DISTRICT ATTORNEY-WELFARE FRAUD - extends the end date of one flexibly staffed sunset position of District Attorney II/I from December 31, 2002, to June 30, 2003. DEVELOPMENT SERVICES - deletes one position of Principal Planner and adds one position of Manager-Planning. PUBLIC HEALTH-GENERAL SERVICES - adds one sunset position of Administrative Services Assistant, one flexibly staffed sunset position of Staff Nurse III/II/I/Licensed Vocational Nurse, and one flexibly staffed sunset position of Office Assistant III/II/I (all three positions have a sunset date of June 30, 2003). Adds one half-time flexibly staffed position of Health Education Specialist III/II/I. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes two flexibly staffed positions of Administrative Analyst II/I and adds two flexibly staffed positions of Administrative Analyst III/II/I. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - deletes two flexibly staffed positions of Social Worker III/II, one position of Office Assistant III, three flexibly staffed positions of Account Clerk/Office Assistant II/I and eleven flexibly staffed positions of Office Assistant II/I. Adds two flexibly staffed positions of Social Worker IV/III and fifteen flexibly staffed positions of Office Assistant III/II/I. EMPLOYMENT AND SOCIAL SERVICES-SERVICES - deletes two positions of Social Worker IV, three flexibly staffed positions of Social Worker III/II and two flexibly staffed positions of Social Worker III/II/I. Adds five flexibly staffed positions of Social Worker IV/III. LIBRARY-LITERACY GRANT - adds one flexibly staffed sunset position of Library Assistant II/I with an end date of September 30, 2003. ADMINISTRATIVE-FACILITIES SERVICES - adds one position of Facilities Project Specialist - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Time

Item No.

Roads

3.37

Adoption of a Speed Zone Ordinance for Various County Roads - based on citizen concerns and staff studies, Board approval is requested by the Public Works Department for an ordinance which sets prima facie speed limits on various segments of County maintained roads as follows: 25 MPH - Arroyo Drive (from Kelly Ridge Road to Bidwell Canyon Road), Royal Oaks Drive (from Kelly Ridge Road to Arroyo Drive), Lodgeview Drive (from Kelly Ridge Road to Arroyo Drive), Lodgeview Drive (from Hillcrest Avenue to Kelly Ridge Drive), Lodgeview Drive (from Hillcrest Avenue to Riverview Drive), Silver Leaf Drive (from Chaparral Drive to Lodgeview Drive), Silver Leaf Drive (from Lodgeview Drive to Lodgeview Drive), Apache Circle (from Lodgeview Drive to Lodgeview Drive), Montrose Drive (from Royal Oaks Drive to Arroyo Drive), Jack Hill Drive (from Royal Oaks Drive to Royal Oaks Drive), Chaparral Drive (from Royal Oaks Drive to Kelly Ridge Drive), Greenbrier Drive (from Royal Oaks Drive to Silver Leaf Drive), Oak Hill Drive (from Royal Oaks Drive to LaForet Drive), LaForet Drive (from Oak Hill Drive to Greenbrier), and Decatur Drive (from Creston Road to Skyway [Paradise Pines area]). 35 MPH - Mt. Ida Road (from Oroville Bangor Highway to Old Olive Highway) - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-12-02 [3.37])

3.38 *

Rehabilitation of 12th Street from Grand Avenue to Nelson Avenue; County Project No. 26451-99-1 - Contract Change Order (CCO) No. 3 - CCO No. 3, in the decreasing amount of \$2,125.77, provides for the balancing of contract items for the completed contract - action requested - APPROVE CONTRACT CHANGE ORDER NO. 3 AND AUTHORIZE THE CHAIR TO SIGN.

3.39 *

Rehabilitation of 12th Street from Grand Avenue to Nelson Avenue; County Project No. 26451-99-1 - Notice of Completion - the project consisted of the reconstruction of a two-lane roadway with aggregate base and surfacing with asphalt concrete. Drainage facilities were installed as well as asphalt concrete dikes. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

Time

Item No.

3.40 *

Bender Rosenthal, Inc. - Board approval is requested by the Public Works Department for an agreement with Bender Rosenthal, Inc., for the provision of right-of-way appraisal and acquisition services in support of the Oroville-Quincy Forest Highway Project. The term of the agreement is for the duration of the project, with a maximum amount payable of \$202,250. The department initially budgeted \$100,000 for the agreement, but increased costs for right-of-way services have resulted in a higher than anticipated agreement. Appropriations for the additional funding needed are available in the Public Works Contingency Budget and Board approval is also requested for a budget transfer to provide the needed funds - action requested - APPROVE BUDGET TRANSFER B-152 (4/5 vote required) AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.41 *

Paragon Partners Ltd. - Board approval is requested by the Public Works Department for an agreement with Paragon Partners Ltd., for the provision of right-of-way appraisal and acquisition services in support of the West 8th Avenue Road Improvements Project. The term of the agreement is for one year from the County's written Notice to Proceed, with a maximum amount payable of \$101,675. Funding for the agreement was available in last fiscal year's budget, but delays to the project have resulted in the agreement being unfunded in the current budget year. Appropriations are available in the Public Works Contingency Budget to cover the cost of the agreement and Board approval is also requested for a budget transfer to provide the needed funds - action requested - APPROVE BUDGET TRANSFER B-159 (4/5 vote required) AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Agreements and Grants 3.42 *

Paradise Recreation and Park District - Board approval is requested by the Administrative Office for a lease agreement with the Paradise Recreation and Park District for a portion of County-owned land for park purposes. The term of the lease is 50 years and provides for the Paradise Recreation and Park District to pay the County \$5,000 per year, with an increase every 10 years equal to the Consumer Price Index or 3%, whichever is less. The District will also provide grounds maintenance for the County-owned buildings at Skyway and Elliott Road with an estimated value of \$10,500 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Time

Item No.

- 3.43 * MAXIMUS - Board approval is requested by the Administrative Office for an agreement with MAXIMUS for the provision of a Countywide Cost of Services/User Fee Study. The department issued a Request For Proposal for the project and is recommending MAXIMUS as the best respondent. The term of the agreement is December 16, 2002, through August 31, 2003, with a maximum amount payable of \$100,400 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.44 * Sacramento Valley Family Services, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Sacramento Valley Family Services, Inc., for the provision of mental health services to children and adolescents and their families with full-scope Medi-Cal benefits who meet the criteria of medical necessity. The amendment decreases the maximum amount payable by \$50,000. 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. X13704)
- 3.45 * Tulare County Superintendent of Schools d.b.a. California Friday Night Live Partnership - Board approval is requested by the Butte County Department of Behavioral Health for a grant agreement with the Tulare County Superintendent of Schools d.b.a. the California Friday Night Live Partnership for funds, oversight and technical assistance in support of the County's Friday Night Live Mentoring Program. The term of the agreement is July 1, 2002, through June 30, 2003, and provides \$27,500 to the County for the program - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40504)
- 3.46 * Victor Community Support Services, Inc. - Amendment - Board approval is requested by the Butte County Department of Behavioral Health for an amendment to the agreement with Victor Community Support Services, Inc., for the provision of mental health services to adult clients referred by the department's ROOF team. The amendment reduces the term of the agreement to the six-month period of July 1, 2002, through December 31, 2002, decreases the maximum amount payable by \$276,563, and revises the maximum allowable rates as a result of State budget uncertainties. The agreement will be reevaluated at a later date. 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. X13711)

Time

Item No.

3.47 *

Leslie Heavrin, LCSW - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Leslie Heavrin, LCSW, for the provision of mental health services in support of the Phase II Medi-Cal Speciality Mental Health Consolidation. The term of the agreement begins December 10, 2002, and continues until terminated by either party. Payment will be based on services rendered to each referred client (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13932)

3.48 *

Victoria Tullius, LCSW - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Victoria Tullius, LCSW, for the provision of mental health services in support of the Phase II Medi-Cal Speciality Mental Health Consolidation. The term of the agreement begins December 10, 2002, and continues until terminated by either party. Payment will be based on services rendered to each referred client (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13930)

3.49 *

Oroville Hospital - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Oroville Hospital for emergency room and ambulance services for clients of the County's Psychiatric Health Facility. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$89,200 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13910)

3.50 *

Enloe Medical Center's Touchstone Perinatal Program - Board approval is requested by the Butte County Department of Behavioral Health for an agreement with Enloe Medical Center for services under the Touchstone Perinatal Program. The program provides day treatment, outpatient drug-free and case management services to perinatal clients who are Medi-Cal beneficiaries with substance abuse impairments. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$513,564 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13918)

Time

Item No.

- 3.51 * 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 in support of the Adult System of Care Grant. The amendment decreases the maximum amount payable by \$3,809.20. 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. X13606)
- 3.52 * J. Laurence Mintier & Associates - Board approval is requested by the Development Services Department for an agreement with J. Laurence Mintier & Associates for the provision of technical update work on the Butte County General Plan. The term of the agreement is October 1, 2002, through September 30, 2005, with a maximum amount payable of \$221,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13925)
- 3.53 * Butte Creek Watershed Conservancy - Grant Steering Group Agreement - Board approval is requested by the Emergency Services Officer for a Grant Steering Group Agreement with the Butte Creek Watershed Conservancy as a requirement of the Watershed Floodplain Management Plan Grant. The purpose of the steering group is to provide for administration of the grant. The term of the agreement is from the date of execution by all parties through one year past the successful completion of the Watershed Floodplain Management Plan Grant. There is no monetary compensation associated with the agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL.
- 3.54 * Wood Rodgers, Inc. - Board approval is requested by the Emergency Services Officer for an agreement with Wood Rodgers, Inc., for the provision of consulting services for the preparation of a Butte Creek Watershed Floodplain Management Plan. The term of the agreement is November 12, 2002, through June 30, 2005, with a maximum amount payable of \$526,220. The department issued a Request For Proposal for the project and has selected Wood Rodgers, Inc., as the best respondent. Funding for the project is provided by a grant from the Department of Water Resources and Board approval is also requested to accept and appropriate the grant funds - action requested - APPROVE BUDGET TRANSFER B-130 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

Time

Item No.

3.55 *

Youth For Change - Board approval is requested by the Department of Employment and Social Services for two agreements with Youth For Change for services in support of the Promoting Safe and Stable Families Program. Proposed is a Blended Services Agreement with a term of October 1, 2002, through September 30, 2005, with a maximum amount payable of \$139,350 (\$35,100 for fiscal year 2002-2003), and an Adoptions Support and Promotion Agreement with a term of October 1, 2002, through September 30, 2005, with a maximum amount payable of \$140,400 (\$34,837.47 for fiscal year 2002-2003). Funding is available from an allocation from the State and is included in the department budget - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Contract Nos. X13830 and X13831)

3.56 *

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 Avenue, Suite 300, Chico. The term of the agreement is May 1, 2002, through 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. (Contract No. X13881)

3.57 *

Jean Wilcox, Ph.D., Psy.D. - Amendment - Board approval is requested by the Department of Employment and Social Services for an amendment to the agreement with Jean Wilcox, Ph.D., Psy.D., for the provision of psychological evaluation services to clients in the Children's Services Division. The amendment increases the maximum amount payable for services in fiscal year 2001-2002 by \$5,000 due to an increased utilization of services. Claims for the additional services were not received in time to process prior to the end of the fiscal year and Board approval is requested for payment of prior year services. Sufficient funds are available within the fiscal year 2002-2003 budget to provide for the amendment - action requested - APPROVE PRIOR YEAR AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE AUDITOR TO PAY FOR SERVICES RENDERED IN FULL. (Contract No. X13118)

3.58 *

In-Home Supportive Services Contract Bid Process - Board approval is requested by the Department of Employment and Social Services to release an Invitation For Bid for a two-year contract for In-Home Supportive Services provider services to begin July 1, 2003 - action requested - AUTHORIZE THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES TO RELEASE AN INVITATION FOR BID FOR A CONTRACT FOR IN-HOME SUPPORTIVE SERVICES TO BEGIN JULY 1, 2003.

Time**Item No.**

- 3.59 * Butte County Fair Association/County of Butte - Board approval is requested by the Butte County Fair Association for an agreement with the County of Butte for the operation of the fairgrounds on behalf of the County. The term of the agreement is January 1, 2003, through December 31, 2007 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.60 * KMD Justice - Board approval is requested by the General Services Director for an agreement with KMD Justice for the preparation of a Facilities Master Plan. A Request For Proposal was issued and the selection committee has selected KMD Justice as the best respondent. The term of the agreement is December 10, 2002, through July 10, 2003, with a maximum amount payable of \$129,260 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.61 * William Avery and Associates, Inc. - Board approval is requested by the Department of Human Resources for a revised agreement with William Avery and Associates, Inc., for the provision of negotiation and consulting services in employer-employee relations. The agreement has been revised to add the Butte County Professional Employees Association and the Butte County Probation Peace Officers Association to the listed bargaining units. The term of the agreement is July 1, 2002, through June 30, 2003, with a maximum amount payable of \$55,200 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13870)
- 3.62 * The Library Corporation - Amendment - Board approval is requested by the Library for an amendment to the agreement with The Library Corporation for the provision of the Library Solutions computer system. The amendment extends the term of the agreement through October 31, 2005, and provides a maximum amount payable of \$15,833.34 (department budget) through October 31, 2003. The cost of the agreement for the remaining two years of the amendment is subject to negotiations - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11415)
- 3.63 * Rapidtext, Inc. - Board approval is requested by the Probation Department for an agreement with Rapidtext, Inc., for the provision of transcription services. On September 3, 2002, the department issued a Request For Proposal and has selected Rapidtext, Inc., as the best respondent. The term of the agreement is January 1, 2003, through June 30, 2003, with an option for renewal for up to three years. The maximum amount payable for the current term is \$37,500 (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.

3.64 *

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 202 Mira Loma Drive, Oroville. The amendment provides an additional \$30,000 for fiscal year 2002-2003 change orders, modifications and design changes not included in tenant improvements, and clarifies that 100% of the cost of the department's monthly security monitoring fees are attributed to the department. All other terms and provisions remain the same. Funds for the amendment are available in the department's General Services-Rents and Leases budget item and Board approval is also requested to direct the Auditor-Controller to encumber the additional amount from the unencumbered funds within that account - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND DIRECT THE AUDITOR-CONTROLLER TO ENCUMBER AN ADDITIONAL \$30,000 FOR THE AGREEMENT FROM THE UNENCUMBERED FUNDS IN THE DEPARTMENT'S GENERAL SERVICES-RENTS AND LEASES ACCOUNT. (Contract No. X13127)

3.65 *

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 2445 Carmichael Drive, Chico. The amendment provides an additional \$10,000 for fiscal year 2002-2003 change orders, modifications, infill or additions not included in tenant improvements. All other terms and provisions remain the same. Funds for the amendment are available in the department's General Services-Rents and Leases budget item and Board approval is also requested to direct the Auditor-Controller to encumber the additional amount from the unencumbered funds within that account - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO APPROVAL OF COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND DIRECT THE AUDITOR-CONTROLLER TO ENCUMBER AN ADDITIONAL \$10,000 FOR THE AGREEMENT FROM THE UNENCUMBERED FUNDS IN THE DEPARTMENT'S GENERAL SERVICES-RENTS AND LEASES ACCOUNT. (Contract No. X10770)

3.66 *

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 clarifies that 100% of the cost of the department's monthly security monitoring fees are attributed to the department. 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)

Time

Item No.

3.67 *

State of California-Department of Transportation - Board approval is requested by the Public Works Department for an amendment to the Contribution Agreement with the State of California-Department of Transportation for funding for a Feasibility Study in support of the Rock Creek-Keefer Slough Flood Control Project. The amendment extends the term of the agreement to December 31, 2005. 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. R40124)

3.68 *

KW Smith Mortuary Transport - Vendor Selection Notification - the Sheriff's Office provides notice to the Board, pursuant to the Butte County Purchasing Manual, of the award of a contract to KW Smith Mortuary Transport for the provision of mortuary transportation services for coroner cases. Subsequent to contracting with KW Smith Mortuary Transport it was discovered that K. W. Smith is married to a dispatcher currently working in the Sheriff's Office. County Counsel reviewed the matter and determined that a conflict of interest did not exist, but provisions within the Purchasing Manual require notification to the Board of any contract awarded to a current County employee or member of his/her immediate family - action requested - ACCEPT FOR INFORMATION.

Miscellaneous

3.69 *

Resolution Terminating the Existence of a Local Emergency - on September 19, 2002, the Chief Administrative Officer declared a state of emergency in the County of Butte as a result of drought conditions and the effect of those conditions on the County's livestock industry. On November 22, 2002, the United States Department of Agriculture granted a Secretarial disaster designation for Butte County allowing farmers and ranchers to receive emergency assistance directly from the United States Department of Agriculture. With this action the Emergency Services Officer and the Agricultural Commissioner are requesting the Board adopt a resolution terminating the state of local emergency - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.70 *

Certification of Statement of Votes Cast - the County Clerk-Recorder-Registrar of Voters submits the Certification of Statement of Votes Cast for the Consolidated General Election held within the County of Butte on November 5, 2002 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.

3.71 *

Butte County Public Law Library Annual Report - pursuant to Business and Professions Code Sections 6349 and 6350, the Butte County Board of Law Library Trustees submits the Butte County Public Law Library Annual Report for the fiscal year ending June 30, 2002 - action requested - ACCEPT FOR INFORMATION.

Time

Item No.

3.72 *

Request for Approval to Lease Historic Building - Board approval is requested by the Golden Feather School District to approve the lease of the historic Messilla Valley Schoolhouse to the Yankee Hill Historical Society. The Historical Society will renovate, restore and maintain the site. Pursuant to Education Code Section 17482, the lease requires approval by the Board of Supervisors. The attorney for the Golden Feather School District has supplied a letter providing the necessary information for the Board to make the required findings to approve the lease - action requested - SUBJECT TO THE FOLLOWING FINDINGS, APPROVE THE LEASE OF THE BUILDING: 1) THAT THE LEASE IS TO BE MADE TO AN INCORPORATED NONPROFIT TAX-EXEMPT COMMUNITY OR CIVIC ORGANIZATION WITH A MEMBERSHIP COMPRISED PREDOMINANTLY OF PERSONS RESIDING IN THE COMMUNITY IN WHICH THE BUILDING AND SITE ARE SITUATED (THE YANKEE HILL HISTORICAL SOCIETY); 2) THAT THE BUILDING IS NOT SUITABLE FOR SCHOOL PURPOSES; 3) THAT THE BUILDING HAS AN HISTORIC VALUE AND ITS PRESERVATION AND UTILIZATION FOR THE BENEFIT OF THE COMMUNITY WILL BEST BE ENSURED BY THE LEASE TO THE YANKEE HILL HISTORICAL SOCIETY; 4) THAT THE LEASE IS TO BE EXECUTED AT A FAIR MARKET VALUE; AND 5) THAT ADEQUATE PROVISIONS HAVE BEEN MADE IN CONNECTION WITH THE LEASE TRANSACTION TO PROTECT THE DISTRICT AGAINST ALL CIVIL LIABILITIES WHICH MIGHT ARISE IN CONNECTION WITH ANY USE OF THE BUILDING AND SITE.

3.73 *

Skills Differential Pay - Board approval is requested by the Department of Human Resources to authorize payment of a 5% pay differential for a Clinical Program Manager (Employee Number 36174) in the Department of Behavioral Health performing organizational and managerial responsibilities beyond the current classification. The differential pay will apply to the period of March 31, 2001, through such time as the classification representing the duties performed by the position is established through the current Countywide classification and compensation study. The action is recommended as a resolution to a grievance filed - action requested - PURSUANT TO PERSONNEL RULES SECTION 11.13, APPROVE A 5% SKILLS DIFFERENTIAL PAY, RETROACTIVE TO MARCH 31, 2001, FOR A CLINICAL PROGRAM MANAGER IN THE DEPARTMENT OF BEHAVIORAL HEALTH PERFORMING DUTIES BEYOND THE CURRENT CLASSIFICATION.

3.74 *

Out of Sequence Merit Advance - Board approval is requested by the Department of Human Resources, at the request of the Probation Department, and pursuant to Personnel Rule 11.5(c), for an Out of Sequence Merit Advance for a Probation Officer III (Employee Number 34446) to Step 3 of the salary range retroactive to August 17, 2002. The Director of Human Resources recommends the Out of Sequence Merit Advance based on experience - action requested - APPROVE OUT OF SEQUENCE MERIT ADVANCE FOR A PROBATION OFFICER III TO STEP 3 OF THE SALARY RANGE, RETROACTIVE TO AUGUST 17, 2002.

Time

Item No.

4.00

Regular Agenda

4.01

Appointments - Boards, Commissions, and Committees.

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1. Appointments to listed vacancies.

4.02

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

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1. 2003 Legislative/Regulatory Platform - presentation of the County 2003 Legislative/Regulatory Platform which describes the County's legislative and regulatory priorities and goals for the upcoming legislative session - action requested - ADOPT PLATFORM. (CHIEF ADMINISTRATIVE OFFICE AND DALE WAGERMAN, WAGERMAN ASSOCIATES, INC.)

4.03

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Elder Services Coordinating Council Strategic Plan - Presentation to the Board - presentation of the Elder Services Coordinating Council's Strategic Plan which describes the structure of current efforts and sets goals for future collaboration among local elder services providers - action requested - ACCEPT FOR INFORMATION. (BRIAN FRINK, ELDER SERVICES COORDINATING COUNCIL)

Time

Item No.

4.04 *

A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - 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 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. On October 8, 2002, the Board adopted a motion of intent to deny the appeal and approve the Subdivision Map pending revisions - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

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

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) 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 PROJECTED 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-K) AS DETAILED IN THE STAFF REPORT DATED DECEMBER 10, 2002, AND THE CONDITIONS OF APPROVAL AS DESCRIBED IN EXHIBIT "A" OF THE STAFF REPORT DATED DECEMBER 10, 2002, DENY THE APPEAL AND APPROVE TENTATIVE SUBDIVISION MAP 00-01 FOR WEBB HOMES, ASSESSOR PARCEL NUMBERS 043-040-080, 043-040-097; AND

(CONTINUED ON PAGE 22)

Time

Item No.

- 4.04 (Cont.) 4. CONSIDER OPTIONS 1 AND 2 AS DETAILED IN THE STAFF REPORT DATED DECEMBER 10, 2002, WITH REGARD TO TREE RETENTION WITHIN THE SUBDIVISION AND, IF APPROPRIATE, DIRECT THE INCORPORATION OF THE OPTION SELECTED INTO THE CONDITIONS OF APPROVAL AS CONDITION 4 (b). (FROM 10-8-02 [5.02])
- 4.05 Items removed from the Consent Agenda for Board consideration and action.
- 4.06 Recess as the Butte County Board of Supervisors and Convene as the Butte County In-Home Supportive Services Public Authority Board.

**BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
AGENDA
DECEMBER 10, 2002**

- 1.00 **Call to Order** - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
- 2.00 **Consent Agenda** (NO ITEMS)
- 3.00 **Regular Agenda** (NO ITEMS)
- 4.00 **Closed Session**
- 4.01 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6:

Agency Representative: Jeanne Gravette;

Employee Organization: United Domestic Workers of America.
- 5.00 **Public Comment**
- 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

10:00 A.M.

5.01

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Public Hearing - New Juvenile Hall Project - Substitution of Subcontractor - pursuant to Public Contract Code Section 4107, consideration of a request by Flintco, Inc., the prime general contractor on the new Juvenile Hall project, to replace Hudson Mechanical, Inc., as the plumbing and heating, ventilation and air conditioning (HVAC) subcontractor. The request is made to substitute J.W. McClenahan Co., as the plumbing contractor and Frank M. Booth, Inc., as the HVAC subcontractor. The substitution of subcontractors is being objected to by Hudson Mechanical, Inc. - action requested - STAFF RECOMMENDS THE BOARD AGREE TO THE SUBSTITUTION OF SUBCONTRACTORS AS REQUESTED.

10:25 A.M.

5.02

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Public Hearing - Rename Autumn Park Drive - consideration of a name change for Autumn Park Drive to conform to the North Chico Specific Plan Area Development Regulations and Design Guidelines, Section 7.6-5. The Public Works Department conducted a survey of property owners along and near the existing segments of Autumn Park Drive. Based on the result of the returned surveys, Autumn Park Drive is proposed to be renamed Kittyhawk Drive - action requested - ADOPT A RESOLUTION RENAMING AUTUMN PARK DRIVE TO KITTYHAWK DRIVE. (FROM 11-12-02 [4.03])

Time **Item No.**

10:30 A.M. 5.03

Continued 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;

 - 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

(CONTINUED ON PAGE 25)

Time

Item No.

6.00 Public Comment

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

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.

7.02 CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1) : ONE POTENTIAL CASE.

7.03 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND DIRECTOR-CHILD SUPPORT SERVICES.

7.04 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.

8.00 Public Notices and Announcements

8.01 AT&T Broadband notifies the County of Butte that price changes to the analog and digital package tiers will take effect January 1, 2003, in the following communities: Chico, Corning, Durham, Hamilton City, Orland and Willows.

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.