

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

AUGUST 12, 2003



County Supervisors

R.J. "Bob" Beeler, District 1

Jane Dolan, District 2

Mary Anne Houx, District 3

Curt Josiassen, District 4

Kim Yamaguchi, District 5

**Paul McIntosh, Chief Administrative
Officer and Clerk of the Board**

Bruce Alpert, County Counsel

- 9:00 A.M. 1.00 CALL TO ORDER
- 1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
- 1.02 Pledge of Allegiance to the Flag of the United States of America.
- 1.03 Observation of a Moment of Silence.
- 2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA

3.00 CONSENT AGENDA

- AGRICULTURE 3.01 * United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services - approval is requested for a cooperative agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for the assignment of a Wildlife Services Specialist to the County to reduce, terminate and prevent predation and damage to livestock, crops, and other property caused by damaging birds and animals. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$40,350 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14240)
- 3.02 * State of California, Department of Food and Agriculture - approval is requested for a revenue agreement with the State of California, Department of Food and Agriculture, for funds to implement an intergovernmental coordinated State and community-wide plan to provide detection and elimination of the glassy-winged sharpshooter. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$113,728 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40555)
- AUDITOR-CONTROLLER 3.03 * Fiscal Year 2002-2003 Final Budget Transfer - the department has prepared the final budget transfer for fiscal year 2002-2003. The transfer clears deficit appropriations and makes transfers needed to close the 2003-2003 fiscal year - action requested - APPROVE BUDGET TRANSFER B-625 (4/5 vote required).

BEHAVIORAL
HEALTH

- 3.04 * State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Alcohol and Drug Programs, for funds to support the Drug Court Partnership Program. The amendment extends the period of time in which the department can expend Project Year 4 funds from July 1, 2003, to June 30, 2004. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40153)
- 3.05 * Crestwood Behavioral Health, Inc. - approval is requested for an agreement with Crestwood Behavioral Health, Inc., for the provision of Institutions for Mental Disease and Enhancement Services. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$553,791 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06 * Samuel A. Brown, M.D. - Amendment - approval is requested for an amendment to the agreement with Samuel A. Brown, M.D., for the provision of services in the specialized field of Psychiatry. The amendment increases the maximum amount payable for fiscal year 2002-2003 by \$2,070 (department budget) for additional services rendered. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11615)
- 3.07 * Samuel A. Brown, M.D. - approval is requested for an agreement with Samuel A. Brown, M.D., for the provision of services in the specialized field of Psychiatry. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$72,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.08 * Thomas Lancaster, M.D. - Amendment - approval is requested for an amendment to the agreement with Thomas Lancaster, M.D., for the provision of services in the specialized field of Psychiatry. The amendment increases the maximum amount payable for fiscal year 2002-2003 by \$45.00 (department budget) for additional services rendered. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11300)
- 3.09 * Accularm Security Systems - Amendment - approval is requested for an amendment to the agreement with Accularm Security Systems for the provision of monthly monitoring of the security systems at the Oroville Adult Treatment Court Services office and the Oroville Community Counseling Center. The amendment extends the term of the agreement through June 30, 2006, and sets the annual maximum amount payable at \$1,320 (department budget) for fiscal years 2003-2004 through 2005-2006. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11674)
- 3.10 * Select Janitorial Services - Amendment - approval is requested for an amendment to the agreement with Select Janitorial Services for the provision of janitorial services to County-leased facilities. The amendment adds the location of 500 Cohasset Road, Suite 27, Chico, effective July 1, 2003, and increases the maximum amount payable by \$2,100 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11588)
- 3.11 * MCPP Healthcare Consulting - Amendment - approval is requested for an amendment to the agreement with MCPP Healthcare Consulting for the preparation of a Strategic Plan and Capital Acquisition Plan for the department's information technologies. The amendment adds the Butte County BIZ Plan Budget to the Scope of Services, extends the term of the agreement through December 31, 2003, and increases the maximum amount payable by \$6,600 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11628)

- 3.12 * Merced Manor - approval is requested for an agreement with Merced Manor for the provision of community mental health services to chronic mentally disordered patients. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$102,301.93 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.13 * Edith Lopez, Ph.D. - pursuant to Section 13.3 of the Butte County Purchasing Policy Manual, the Board is hereby notified of the department's intent to enter into a service agreement with Edith Lopez, Ph.D., for the provision of consultation services to clinical staff treating children ages 0-5 as part of the Butte County Children and Families Commission's grant. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$19,200 (department budget). Dr. Lopez is a prior County employee who separated from County service in February 2002 - action requested - ACCEPT FOR INFORMATION.
- 3.14 * Department of Employment and Social Services - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Department of Employment and Social Services for the assignment of one full-time Social Worker to the Inter-Agency Services Placement Unit. The amendment extends the term of the agreement through June 30, 2004, and increases the maximum amount payable by \$20,000 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13410)
- 3.15 * Butte County Probation Department - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Butte County Probation Department for the provision of drug testing services. The amendment extends the term of the agreement through June 30, 2004, and sets the maximum amount payable at \$20,154 (Drug Court Partnership Grant funds) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X10941)

BOARD OF SUPERVISORS

3.16 *

Resolution in Appreciation of Sandra Acebo upon Her Retirement as Superintendent/President of Butte-Glenn Community College - Supervisor Josiassen submits the proposed resolution - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHIEF ADMINISTRATIVE OFFICE

3.17 *

Early Learning Opportunity Discretionary Grant - approval is requested, on behalf of the Butte County Local Child Care Planning Council, to ratify a Letter of Designation required by the United States Department of Health and Human Services as part of a grant application for funds under the Early Learning Opportunities Act. The Council has applied for approximately \$700,000 to address local child care planning needs and priorities. The submission date for the grant was August 6, 2003, and in order to provide the needed documentation, the Administrative Office submitted a letter on the Board's behalf and is now seeking Board concurrence and ratification - action requested - RATIFY LETTER OF DESIGNATION SUBMITTED BY THE ADMINISTRATIVE OFFICE.

CHILD SUPPORT SERVICES

3.18 *

Department of Employment and Social Services - approval is requested for a Plan of Cooperation with the Department of Employment and Social Services. The agreement provides for the Department of Employment and Social Services to reimburse Child Support Services for employee time spent issuing disregard payments to clients of Employment and Social Services. The automated KIDZ Child Support program has made it more efficient for the Child Support Department to issue the notices on behalf of the Employment and Social Services Department. The term of the agreement begins July 1, 2003, and continues until terminated by either party. The maximum amount payable is \$26,000 (department budget) per fiscal year - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14255)

CLERK OF THE BOARD

3.19 *

Approval of Minutes - action requested - APPROVE MINUTES OF MAY 13, 2003; MAY 27, 2003; JUNE 10, 2003; AND JUNE 24, 2003.

3.20

Appointment of County Fire Chief - pursuant to Butte County Code Section 2-171, appoint Butte County Fire Warden/Fire Chief - action requested - APPOINT HENRI BRACHAIS, BUTTE COUNTY FIRE CHIEF.

3.21 *

Private Industry Council - action requested - APPOINT DEVONA PACE, GRIDLEY-BIGGS BUSINESS REPRESENTATIVE, TO A TERM TO END JUNE 2005.

3.22 * Board Meeting Calendar Modification - approval is requested to set a special meeting of the Board for Thursday, September 18, 2003, at 9:00 a.m. for the purpose of commencing Fiscal Year 2003-2004 Final Budget hearings - action requested - APPROVE AMENDMENT TO MEETING CALENDAR AND SET A SPECIAL MEETING FOR THURSDAY, SEPTEMBER 18, 2003, AT 9:00 A.M.

3.23 * Approval to Purchase County Records - the San Bernardino Public Library is requesting Board permission to purchase the California Death Index Microfilm (1905-1939) from the Genealogical Society of Utah. The Index contains Butte County death records prior to 1920 which were microfilmed under an agreement with the Genealogical Society of Utah. The terms of the agreement prohibit the Genealogical Society of Utah from selling the County's records without prior approval. The San Bernardino Public Library is proposing to purchase the records and maintain them in their library. The records will not be available for checkout, but will be available for review during business hours - action requested - APPROVE SAN BERNARDINO PUBLIC LIBRARY'S REQUEST TO PURCHASE BUTTE COUNTY RECORDS FROM THE GENEALOGICAL SOCIETY OF UTAH.

GENERAL
SERVICES

3.24 * Federal Emergency Management Agency Fiscal Year 2002 Supplemental Appropriation for Emergency Operations Planning - approval is requested to accept and appropriate \$96,450 in grant funds from the Federal Emergency Management Agency to fund Emergency Operations Planning activities. The funds will be divided between the incorporated areas and the County as follows: Butte County \$58,219; City of Biggs \$3,567; City of Chico \$15,787; City of Gridley \$4,277; City of Oroville \$5,951; and Town of Paradise \$8,649 - action requested - APPROVE BUDGET TRANSFER B-002 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE STAFF REPORT; AND APPROVE DISTRIBUTION OF GRANT FUNDS.

3.25 * Office of Homeland Security Fiscal Year 2002 State Domestic Preparedness Grant Program - approval is requested to accept and appropriate \$199,492 in grant funds from the Office of Homeland Security to fund domestic preparedness activities. Approval is also requested for the fixed asset purchase of equipment for the grant program - action requested - APPROVE BUDGET TRANSFER B-005 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE STAFF REPORT; AND APPROVE PURCHASE OF FIXED ASSET EQUIPMENT AS LISTED IN AGENDA REPORT.

3.26 * Governor's Office of Emergency Services Fiscal Year 2003 State Homeland Security Grant Program - approval is requested to accept and appropriate \$204,956 in grant funds from the Governor's Office of Emergency Services to fund homeland security activities. Approval is also requested for the fixed asset purchase of equipment for the grant program - action requested - APPROVE BUDGET TRANSFER B-004 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE PURCHASE OF FIXED ASSET EQUIPMENT AS LISTED IN AGENDA REPORT.

3.27 * Federal Emergency Management Agency Fiscal Year 2002 Supplemental Appropriation for Citizens Corps/CERT Program - approval is requested to accept and appropriate \$10,899 in grant funds from the Federal Emergency Management Agency (FEMA) to fund programs designed to prepare citizens to handle small emergencies and local disasters. \$10,380 will be appropriated to the Three River Chapter of the American Red Cross to meet grant requirements. The State of California, Office of Planning and Research/Governor's Office on Service and Volunteerism, will administer the funds for FEMA and Board approval is also requested for a grant agreement with the State - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE EMERGENCY SERVICES OFFICER TO SIGN; AND APPROVE BUDGET TRANSFER B-003 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

3.28 Adoption of a Salary Ordinance Amendment - the department has prepared a salary ordinance amendment which incorporates the salary recommendations for Elected Officials (effective July 5, 2003). The salary ordinance is not being amended by resolution as a result of the effective date requirements contained in Government Code Section 25123(f) - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 7-22-03 [3.18])

3.29 * Sideletter Agreement between the County of Butte and the Butte County Management Employees Association - approval is requested for a sideletter agreement which will allow for the continuation of benefits received and/or accrued by Vickie Newlin, Manager-Program Resources and Development, during the two-year period in which she will be working as the Regional Coordinator for the Sacramento Valley Region of the CALFED Bay-Delta Program - action requested - APPROVE SIDELETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Related Agenda Item 3.51)

3.30 * Advanced Step Hires - approval is requested for the Advanced Step Hire of a District Attorney Investigator I candidate to step 4 of the salary range, and the Advanced Step Hire of a District Attorney Investigator II candidate to step 3 of the salary range, based on experience and education. The Director of Human Resources recommends the advanced step hires - action requested - APPROVE APPOINTMENT OF DISTRICT ATTORNEY INVESTIGATOR I CANDIDATE TO STEP 4 OF THE SALARY RANGE; AND APPROVE APPOINTMENT OF DISTRICT ATTORNEY INVESTIGATOR II CANDIDATE TO STEP 3 OF THE SALARY RANGE.

3.31 * Out of Sequence Merit Advances - approval is requested for out of sequence merit advances for three Supervising Probation Officers (Employee Nos. 33968, 34462, 35157) to step 4 of the salary range, retroactive to May 10, 2003. The Director of Human Resources is recommending the out of sequence merit advances to provide equal advancement within the department - action requested - APPROVE OUT OF SEQUENCE MERIT ADVANCES TO STEP 4 OF THE SALARY RANGE FOR SUPERVISING PROBATION OFFICERS (EMPLOYEE NOS. 33968, 34462, AND 35157).

3.32 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: PROBATION - adds one flexibly staffed sunset position of Probation Officer III/II/I, and one half-time sunset position of Probation Technician (positions end 9-30-05). PUBLIC HEALTH-GENERAL SERVICES - adds one flexibly staffed sunset position of Administrative Analyst III/II/I for the Butte County Children and Families Commission (position ends 6-30-04). SALARY PLAN FOR CLASSIFIED POSITIONS (REFERENCE F) MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT - revises the salary ranges for the assistant department heads for the Assessor, Auditor-Controller, Treasurer-Cash Management, and Treasurer/Tax Collector-Taxes & Revenue, as a result of the revised salary ordinance for Elected Officials. OTHER REVISIONS - the job specifications for the position of Supervisor-Mental Health Nurse have been revised and the position re-titled to Supervisor-Nurse - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 * William Avery and Associates, Inc. - approval is requested for an agreement with William Avery and Associates, Inc., for the provision of professional services involving labor relations, negotiations, and instruction and training of management personnel in the implementation of labor relations agreements. The term of the agreement is July 1, 2003, through June 30, 2006, with a maximum amount payable of \$55,200 (department budget) per fiscal year - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13870)

LIBRARY

3.34 * Library Donations - pursuant to Government Code Section 25355, donations of \$873.48 from the Chico Friends of the Library, \$870.50 from the Oroville Friends of the Library, and \$250 from the Paradise Pines Women's Club, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PROBATION

3.35 * Victim Witness Assistance Program - Board approval is requested for a resolution to accept the fiscal year 2003-2004 allocation in the amount of \$40,000 from the State of California Victim Compensation and Government Claims Board. The funds are utilized to pay for verified funeral/burial services when the service provider is unwilling to wait for reimbursement from the State, and to pay for verified domestic violence relocation expenses and emergency awards - action requested - ADOPT RESOLUTION ACCEPTING FUNDING AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN RELATED GRANT DOCUMENTS AND AGREEMENTS.

PUBLIC
HEALTH

3.36 * California Department of Health Services - approval is requested for a grant agreement with the California Department of Health Services for funds to implement the Public Health Preparedness and Response to Bioterrorism Program Plan. The term of the agreement is July 1, 2002, through August 30, 2004, with a maximum amount payable to the County of \$263,218 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.37 * State Department of Health Services - approval is requested for an allocation agreement with the State Department of Health Services for funds to support tobacco education programs. The term of the agreement is July 1, 2003, through June 30, 2004, with an allocation to the County of \$150,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.38 * Northwest Society for the Prevention of Cruelty to Animals - approval is requested for an agreement with the Northwest Society for the Prevention of Cruelty to Animals for the provision of sheltering services for animals impounded by Butte County Animal Control. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$150,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
WORKS

3.39 * Durham Villas Subdivision - Final Map - Durham Villas Subdivision (APN 040-280-106 and 107) is a conditionally approved 8-lot, private street subdivision located on the east side of Goodspeed Road, approximately ½ mile south of Durham-Dayton Highway, Durham. The developer has complied with the Conditions of Approval, has completed construction of the required improvements, has entered into a Subdivision Agreement, and has provided a surety bond to guarantee maintenance of the improvements for one year - action requested - APPROVE FINAL MAP FOR DURHAM VILLAS SUBDIVISION; ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENT AND ACCESS RELINQUISHMENT TO GOODSPEED ROAD AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

- 3.40 * Introduction of an Ordinance Establishing Speed Limits on Certain Roads within the County of Butte, State of California - consideration of an ordinance which will declare the speed limit on Butte County highways as follows: 1.) Thirty-five miles-per-hour on Bald Rock Road, from Oroville Quincy Highway (MP 0.00) to 500 feet north of Zink Road (MP 9.00); 2.) Thirty-five miles-per-hour on Bald Rock Road, from 500 feet south of Milsap Bar Road (MP 10.50) to Forest Highway 119 (MP 11.18); 3.) Forty miles-per-hour on Centerville Road, from Honey Run Road (MP 0.00) to Helltown Road (MP 5.47); 4.) Forty miles-per-hour on Meridian Road, from 500 feet south of Kennedy Avenue (MP 0.90) to State Route 32 (MP 1.69); and 5.) Forty-five miles-per-hour on Bald Rock Road, from 500 feet north to Zink Road (MP 9.00) to 500 feet south of Milsap Bar Road (MP 10.50) - action requested - WAIVE READING OF THE ORDINANCE.
- 3.41 * Lake Madrone Water District - approval is requested for a supplemental agreement and grant of additional non-exclusive easements with the Lake Madrone Water District for rights-of-way and easements in support of the Oroville-Quincy Federal Highway 119 Project. The supplemental agreement provides for the easements needed for the project and the maintenance responsibilities for the improvements resulting from the project. All other terms and provisions remain the same - action requested - APPROVE SUPPLEMENTAL AGREEMENT AND GRANT OF ADDITIONAL NON-EXCLUSIVE EASEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.
- 3.42 * County Service Area No. 165 (Justin Manor Subdivision) - Request for Annexation and Expansion of Powers - on June 10, 2003, the Board approved a resolution of application to the Local Agency Formation Commission for Philip and Roberta Roberts for annexation to County Service Area No. 165 (Justin Manor Subdivision) to provide storm drainage maintenance, street lighting and fire protection services to their proposed contiguous Martin Subdivision. Subsequent to that approval, the Roberts requested an expansion of the powers of the County Service Area to include maintenance of the pedestrian and bicycle path. Proposed is a revised resolution of application to the Local Agency Formation Commission for annexation and expansion of powers. The Roberts have agreed to payment of the existing maximum per parcel service charge, which will allow the process to proceed without a ballot proceeding - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.43 * Solid Waste Committee Joint Meeting - approval is requested for a letter to the City of Chico requesting the scheduling of a joint meeting of the County and City's respective Solid Waste Committees for the purpose of adopting a flow control ordinance for the City of Chico's Municipal Solid Waste to go to the Neal Road Landfill - action requested - AUTHORIZE LETTER REQUESTING SCHEDULING OF JOINT MEETING AND AUTHORIZE THE CHAIR TO SIGN.
- 3.44 * Introduction of an Ordinance - consideration of an ordinance reinserting amendments to Section 31-35 of Chapter 31 of the Butte County Code entitled "Solid Waste Collection Management and Recycling". The proposed ordinance reinserts amendments introduced at the meeting of January 28, 2003, but inadvertently omitted from the version approved by the Board on February 11, 2003 - action requested - WAIVE READING OF THE ORDINANCE.
- 3.45 * Partial Final Closure, Modules 1, 2, and 3 at the Neal Road Sanitary Landfill - County Project No. 757-5803 - Award of Contract - the project consists of grading the designated closure area, importing a moisture conditioning and compacting low-permeable soil liner, installation of a flexible geomembrane, placement of a vegetative layer, installation of drainage structures, and construction and installation of methane gas extraction wells, piping and a methane gas flare station. The lowest responsible bidder was Anderson Dragline, Inc., of Gridley, in the amount of \$3,960,795 (Neal Road Management Fund) - action requested - AWARD CONTRACT TO ANDERSON DRAGLINE, INC., OF GRIDLEY, IN THE AMOUNT OF \$3,960,795 AND AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN CONTRACT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.46 * Excavation of Module 4, Phase A, at the Neal Road Sanitary Landfill - County Project No. 757-02-1 - Notice of Completion - the project consisted of clearing and grubbing, excavating native materials, hauling the materials to a designated spoil area, and grading and preparing the subgrade for construction of a lined landfill waste containment module. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

3.47 * Northstar Engineering - Amendment - approval is requested for an amendment to the agreement with Northstar Engineering for the design of the West 8th Avenue Road Improvement Project. The amendment increases the maximum amount payable by \$15,837 for required work not covered by the original scope of work, revises the name and contact information of the County Project Manager, and extends the term of the agreement to May 30, 2004. The additional cost will be shared with the City of Chico - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE AUGMENTATION TO PROFESSIONAL SERVICES ACCOUNT IN THE AMOUNT OF \$9,766.50

3.48 * Ecology Action - Amendment - approval is requested for an amendment to the agreement with Ecology Action for services in support of the Used Oil Recycling Outreach Program. The amendment extends the term of the agreement through June 30, 2004, and increases the maximum amount payable by \$74,060 (grant funds) for the extended term - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11584)

3.49 * Resolution of Intention to Unname a Private Road in Butte County - the property owners served by Jessmindan Court, a private road, have submitted a petition to remove the name of Jessmindan Court from the road. The private road serves as a driveway for the one home along the road and the owners request the Board remove the name to avoid mistaking the private drive for a public road. The Resolution of Intention sets a public hearing for consideration of the matter for August 26, 2003, at 10:25 a.m. - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER-

TAX COLLECTOR

3.50 * Monthly Investment Report - submitted is the Monthly Investment Report dated June 30, 2003, in accordance with the Statement of Investment Policy dated July 1, 2002 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE
CONSERVATION

3.51 *

State of California, California Bay-Delta Authority - approval is requested for an inter-jurisdictional Personnel Exchange Agreement with the State of California, California Bay-Delta Authority. The agreement provides the salary and benefit costs for Butte County employee Vickie Newlin, Manager-Program Resources and Development, Department of Water and Resource Conservation, to serve as the Regional Coordinator for the Sacramento Valley Region of the CALFED solution area. The term of the agreement is July 1, 2003, through June 30, 2005, and provides \$216,266 to the County - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Related Agenda Item 3.29)

3.52 *

United States Department of the Interior, Bureau of Reclamation - approval is requested for a grant agreement with the United States Department of the Interior, Bureau of Reclamation, for funds to support a Butte County Groundwater Study. The term of the agreement is from the date of approval through December 31, 2003, with a maximum amount payable to the County of \$190,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

4.00

REGULAR AGENDA

APPOINTMENTS

4.01 *

Appointments to Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

BUDGET AND
LEGISLATIVE
UPDATE

4.02

Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

PRESENTATION
AND DISCUSSION
ITEMS

4.03 *

West East Avenue from State Route 32 to the Chico City Limits - County Project No. 56171-96-1 - Award of Contract - the project consists of roadway rehabilitation, to include the rehabilitation of the at-grade railroad crossing, and major sections of the existing pavement, widening of the pavement section, and installation of curb, gutter, sidewalk and storm drain improvements. Bids were opened on August 5, 2003 - action requested - AWARD CONTRACT TO LOWEST RESPONSIBLE BIDDER AS PRESENTED AND RECOMMENDED BY STAFF. (PUBLIC WORKS)

4.04 Items Removed from the Consent Agenda for Board Consideration and Action.

4.05 Recess as the Butte County Board of Supervisors and Convene as the Thompson Flat Cemetery District Board of Directors

THOMPSON FLAT CEMETERY DISTRICT

BOARD OF DIRECTORS

AGENDA

AUGUST 12, 2003

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

2.00 Agenda Items

2.01 * Fiscal Year 2003-2004 District Budget - approval is
requested for the Fiscal Year 2003-2004 Cemetery
District Budget in the amount of \$7,595 - action
requested - ADOPT BUDGET.

2.02 * Gridley-Biggs Cemetery District - approval is requested
for an agreement with the Gridley-Biggs Cemetery
District for operation and maintenance of the Thompson
Flat Cemetery. The term of the agreement is
July 1, 2003, through June 30, 2004, with a maximum
amount payable of \$1,200 - action requested - APPROVE
AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO
REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.00 Public Comment

Adjournment

Adjourn as the Thompson Flat Cemetery District Board of
Directors and Convene as the In-Home Supportive
Services Public Authority Board.

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

AUGUST 12, 2003

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

2.00 Agenda Items

2.01 * Resolution to Approve a Referendum to Include or
Exclude Services Performed by Employees in the State
Social Security Agreement of March 9, 1951 -
consideration of a resolution which will initiate the
referendum processes necessary to add Social Security
coverage to the Public Employees Retirement System
retirement benefits for Public Authority staff - action
requested - ADOPT RESOLUTION 2003-04 AND AUTHORIZE THE
CHAIR TO SIGN.

3.00 Public Comment

Adjournment

Adjourn as the In-Home Supportive Services Public
Authority Board and Reconvene as the Butte County Board
of Supervisors

BUTTE COUNTY BOARD OF SUPERVISORS - CONTINUED AGENDA5.00PUBLIC HEARINGS AND TIMED ITEMS10:30 A.M. 5.01 *

Public Hearing - Protest Hearing - County Service Area (CSA) No. 135-Zone 4 (Keefer Creek Estates-Zone 4) and County Service Area (CSA) No. 141 (Mountain Oaks Subdivision) - proposed is a resolution which will establish increased maximum services charges in CSA No. 135-Zone 4 (proposed maximum per parcel service charge of \$300.00 (an increase of \$97.20) and CSA No. 141 (proposed maximum per parcel service charge of \$72.88 (an increase of \$27.88)). The current maximum per parcel service charges are insufficient to cover the increased waste water permit fees charged by the State and maintain current service levels - action requested - OPEN HEARING; ACCEPT PROTESTS TO PROPOSED INCREASED CHARGES FROM PROPERTY OWNERS WITHIN THE CSAs; CLOSE PUBLIC HEARING; IF NO MAJORITY PROTEST EXISTS, ADOPT RESOLUTION ESTABLISHING NEW AND/OR INCREASED MAXIMUM SERVICE CHARGES AND AUTHORIZE THE CHAIR TO SIGN. (FROM 6-10-03 [3.60])

10:35 A.M. 5.02 *

Continued Public Hearing - Abandonment of a Portion of Crown Point Road - the County has received a request to abandon the northerly portion of Crown Point Road, northeast of State Highway 32, in the Forest Ranch area. On January 9, 2003, the Planning Commission recommended approval of the abandonment and on January 28, 2003, the Board adopted Resolution 03-020, giving notice of the hearing on the petition to abandon the public right-of-way - action requested - FIND THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE AND ADOPT A RESOLUTION ABANDONING THE DESCRIBED PORTION OF THE CROWN POINT ROAD RIGHT-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN. (FROM 6-10-03 [5.02])

- 11:15 A.M. 5.03 * Public Hearing - Appeal - Edward Berger Tentative Parcel Map - consideration of an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 26 +/- acre parcel into one parcel of 10 +/- acres and one parcel of 11.248 +/- acres. The project also includes a Lot Line Adjustment with APN 040-110-030, which is surrounded by APN 040-110-068, to increase it in size from 1.61 acres to 6.61 acres. This is an item on which environmental documentation has not been prepared because staff is recommending denial. Sewage disposal would be handled by individual on-site septic systems and domestic water obtained from wells. Both of the proposed parcels would have frontage on Esquon Road, which is a public road. The lot line adjustment with APN 040-110-030 would result in that parcel having frontage on Esquon Road. The property is zoned A-10 (Agricultural - 10 acre parcels) and is located on the east side of Esquon Road, approximately 1,500 feet south of Mesa Road, northeast of Durham, and identified as APN 040-110-068 (SB [TPM 03-05]) - action requested - STAFF RECOMMENDS THE BOARD CONTINUE THE HEARING OPEN TO AUGUST 26, 2003.

- 11:30 A.M. 5.04 * Timed Item - Resolution of Necessity to Acquire Certain Real Property - Keith and Melody Kwong (APN 061-330-008) - consideration of a Resolution of Necessity to acquire property as part of the right-of-way and easement in support of the Oroville-Quincy Federal Highway 119 project. A Resolution of Necessity is a necessary step to acquire the property by Eminent Domain - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

1:00 P.M. 5.05 *

Public Hearing - Steve Schuster - Tentative Subdivision Map (Sierra Moon Subdivision) - Appeal - consideration of appeals of the Development Review Committee's approval of a Tentative Subdivision Map to create 119 single family residential parcels in accordance with a previously approved Planned Development and Development Agreement. The property is 300 acres total in size. The 119 residential parcels would be clustered in the southwest and northwest portion of the 229 acre area that is the subject of the Development Agreement and Planned Development. An 89-acre Remainder Parcel is also proposed. The proposed single-family residential lots would range in size from one-third of an acre to over one acre in size, with half-acre lots being the predominant size. In accordance with the Development Agreement, traffic circulation would be accomplished by subdivision road connections to Hicks Lane at two locations on the east side of the property, and Spyglass Road and Guntren Road on the west side of the property. In accordance with the Development Agreement, a total of 103 acres of open space shall be retained along Hicks Road and Mud Creek, and a total of approximately 32 acres of open space shall be retained along Keefer Slough and north of Mud Creek. Drainage and storm water run-off would be directed into three on-site retention basins. Sewage disposal would be accomplished by a community sewage disposal system to be located on the 103-acre open space parcel. Domestic and fire flow water supplies would be accomplished through a community water system. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is zoned SR-1/PD (Suburban Residential-1 acre parcels/Planned Development); OS/PD (Open Space/Planned Development) and is located north of Chico and west of the Chico Airport, on the west side of Hicks Lane, approximately 3,000 feet south of Keefer Road in the North Chico Specific Plan area, and identified as APN 047-710-001. (DB [TSM 03-01]) - action requested - STAFF IS REQUESTING THE BOARD CONTINUE THE HEARING OPEN TO AUGUST 26, 2003. (FROM 7-8-03 [5.02])

6.00 PUBLIC COMMENT

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, 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 COUNCIL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(C): TWO POTENTIAL CASES.

Information and Procedures Concerning the Agenda and Conduct of the Board of Supervisors Meetings

Meeting Information: Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or at the Clerk of the Board website at www.buttecounty.net/cob.

Agenda Information: The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials 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) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials 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 signifies that material has been provided to the Board of Supervisors members to explain that item.

**Agenda Format and
Meeting Order:**

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. **Consent Agenda:** these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. **Regular Agenda:** this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. **Public Hearing and Timed Items:** this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. **Public Comment:** this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. **Closed Session:** the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation: It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the: Clerk of the Board of Supervisors
County Administrative Office
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