

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

OCTOBER 14, 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 * 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 support the placing and servicing of traps for exotic insect pests. The term of the agreement is July 1, 2003, through June 30, 2004, with maximum amount payable to the County of \$28,591 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40573)

3.02 * State of California, Department of Pesticide Regulation - approval is requested for a revenue agreement with the State of California, Department of Pesticide Regulation, for funds to support the implementation and enforcement of pesticide permit regulations. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$27,316 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40574)

3.03 * 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 support the County's High-Risk Pest Exclusion Program. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$26,345 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40575)

**BEHAVIORAL
HEALTH**

3.04 * Tri-County Treatment - approval is requested for an agreement with Tri-County Treatment for the provision of short-term residential recovery services. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$165,145 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

- 3.05 * Skyway House - approval is requested for an agreement with Skyway House for the provision of day rehabilitation services and long-term residential recovery services. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$118,648.94 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14461)
- 3.06 * Cherokee Restoration Fellowship - approval is requested for an agreement with Cherokee Restoration Fellowship for the provision of residential treatment services. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$59,651.31 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14475)
- 3.07 * Oroville Recovery Center - approval is requested for an agreement with Oroville Recovery Center for the provision of long-term residential recovery services for Drug Court clients. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$34,724.14 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.08 * Rick Minniefield - submitted is an agreement with Rick Minniefield for the provision of services to support the department's Community Services Division, including activities in support of the Youth Development and Crime Prevention Grant. The term of the agreement is August 1, 2003, through June 30, 2004, with a maximum amount payable of \$19,620 (project budget). Pursuant to the requirements of the Butte County Purchasing Policy Manual, the agreement is submitted to notify the Board of the department's intent to contract with a former County employee. Mr. Minniefield left County service in November 2001 - action requested - ACCEPT FOR INFORMATION.

CHIEF
ADMINISTRATIVE
OFFICE

- 3.09 * Hawkins, Delafield & Wood - Amendment - approval is requested for an amendment to the agreement with Hawkins, Delafield & Wood for the provision of legal services in support of the Chico Urban Area Nitrate Compliance Program. The amendment extends the term of the agreement through June 27, 2004, and provides an update of addresses for correspondence. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11691)

CLERK OF
THE BOARD

3.10 Assessment Appeals Board - action requested - APPOINT RICHARD E. VERMILLION, TO A TERM TO END SEPTEMBER 4, 2006.

3.11 * Emergency Medical Care Committee - action requested - APPOINT AMANDA WATERS, PARAMEDIC REPRESENTATIVE, TO A TERM TO END JUNE 30, 2006.

DISTRICT
ATTORNEY

3.12 * Resolution Recognizing District Attorney Investigator Sue Webber-Brown as Investigator of the Year - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.13 * Budget Transfer for Facilities Alteration - approval is requested to transfer \$1,389 in department funds between budget line items to provide the appropriation needed to fund the installation of a customer service window in the Bad Check Unit office. Increased client traffic has necessitated the alteration - action requested - APPROVE BUDGET TRANSFER B-031.

EMPLOYMENT
AND SOCIAL
SERVICES

3.14 * Butte County Department of Behavioral Health/Butte County Department of Employment and Social Services - approval is requested for a Memorandum of Understanding with the Butte County Department of Behavioral Health for the provision of mental health, alcohol and drug treatment services for families with children at risk of child abuse. The term of the agreement is July 1, 2003, through June 30, 2006. Under the terms of agreement the Department of Behavioral Health will provide \$339,264 (department budget) for counseling programs and case management services, and the Department of Employment and Social Services will purchase up to \$600,000 (department budget) of Behavioral Health services - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

FIRE
DEPARTMENT

3.15 * El Medio Fire Protection District - approval is requested for a limited agreement to provide automatic aid to the El Medio Fire Protection District. The term of the agreement is July 7, 2003, through the end of the 2003 fire season, or until completion of the Local Area Formation Commission study. There is no money associated with this performance agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

GENERAL
SERVICES

- 3.16 * Federal Emergency Management Agency Funds - approval is requested to accept and appropriate \$7,980 in Federal Emergency Management Agency funds to reimburse Natural Resource Conservation funds expended earlier this year on a demolition project of a flood-damaged home owned by the County - action requested - APPROVE BUDGET TRANSFER B-025 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.17 * Fiscal Year 2003 Homeland Security Grant - on August 12, 2003, the Board accepted \$203,603 from the Fiscal Year 2003 Homeland Security Grant. The funds will be utilized to purchase equipment designated in the grant application. Board approval is requested to transfer \$74,750 to the Fire Department for equipment purchases that will be made by that department - action requested - APPROVE BUDGET TRANSFER B-024 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.18 * Juvenile Hall Construction Project - Contract Change Order (CCO) No. 28 - CCO No. 28, in the decreasing amount of \$92,970, provides for the extension of construction by 171 days, levies a contract assessment against the contractor for additional costs, authorizes payment of administrative overhead and bond fees, and provides for retention funds until October 13, 2003, to allow for additional project expenses - action requested - APPROVE CCO NO. 28 AND AUTHORIZE THE CHAIR TO SIGN.
- 3.19 * Butte Meadows Hillsliders Snowmobile Club - Amendment - approval is requested for an amendment to the agreement with the Butte Meadows Hillsliders Snowmobile Club for services in support of the Off-Highway Vehicle Recreation Grant. The amendment extends the term of the agreement through October 16, 2003. 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. X11024)

HUMANRESOURCES

3.20

Adoption of a Salary Ordinance Amendment - the Department of Human Resources has prepared a salary ordinance amendment which reflects changes contained in the fiscal year 2003-2004 final budget as follows: GENERAL ALLOCATIONS - identifies the number of positions and appropriate classifications authorized for each designated department or budget unit. Proposed changes by department: ASSESSOR - adds one flexibly staffed position of Information Systems Technician II/I. HUMAN RESOURCES - deletes one flexibly staffed position of Personnel Analyst III/II/I/Personnel Specialist. Adds one position of Personnel Specialist. DISTRICT ATTORNEY-CRIMINAL - deletes one flexibly staffed sunset position of Deputy District Attorney IV/III/II/I (sunset date 11-30-03), one flexibly staffed sunset position of Office Assistant III/II/I (sunset date 6-30-04), one half-time flexibly staffed sunset position of District Attorney Investigator II/I (sunset date 6-30-04), one position of Receptionist, one flexibly staffed position of Administrative Analyst II/I, and one position of Information Systems Analyst I. Adds one flexibly staffed sunset position of District Attorney Investigator II/I (sunset date 6-30-04), one sunset position of Investigative Assistant (sunset date 6-30-04), one flexibly staffed position of Receptionist/Office Assistant III/II/I, one flexibly staffed position of Administrative Analyst III/II/I, and one flexibly staffed position of Information Systems Analyst II/I. SHERIFF-CORONER-SERVICES - deletes one position of Public Safety Dispatcher. PROBATION - deletes two flexibly staffed positions of Probation Officer III/II/I and one flexibly staffed position of Office Assistant II/I. Adds one flexibly staffed position of Information Systems Technician III/II/I. PUBLIC HEALTH-RABIES CONTROL - adds one position of Animal Control Officer. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes one flexibly staffed position of Mental Health Clinician II/I, one flexibly staffed sunset position of Medical Records Technician II/I (sunset date 6-30-04), one flexibly staffed position of Medical Records Technician II/I, one position of Program Manager-Staff Services, one flexibly staffed sunset position of Accounting Specialist/Senior Account Clerk/Account Clerk (sunset date 6-30-04), one flexibly staffed position of Information Systems Technician II/I, one flexibly staffed position of Office Assistant III/II/I, two flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker.

(Continued on Page 6)

3.20 (Cont.) BEHAVIORAL HEALTH-GENERAL SERVICES - adds one position of Clinical Program Manager, one position of Principal Clerk, one position of Supervisor-Clerical Support Services, and one flexibly staffed position of Administrative Analyst III/II/I. BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - deletes one position of Principal Clerk. BEHAVIORAL HEALTH-DRUG TREATMENT - deletes one flexibly staffed position of Administrative Analyst III/II/I. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - deletes one position of Administrative Analyst III. FARM, HOME AND 4-H - deletes one flexibly staffed position of Office Assistant II/I. Adds one flexibly staffed position of Office Assistant III/II/I. DEVELOPMENT SERVICES - deletes one position of Senior Planner. Adds one flexibly staffed position of Information Systems Analyst III/II/I and one flexibly staffed position of Information Systems Technician III/II/I. PUBLIC WORKS-SUBDIVISION INSPECTION - adds one flexibly staffed position of Administrative Analyst III/II/I - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 9-30-03 [3.01])

3.21 * Advanced Step Hire - approval is requested to ratify the Advanced Step Hire of a Deputy Sheriff candidate at Step 2 of the salary range (retroactive to August 16, 2003) based on experience and skill as a helicopter pilot. Pursuant to Personnel Rule 11.5(b), the Director of Human Resources has recommended the Advanced Step Hire - action requested - RATIFY THE ADVANCED STEP HIRE OF A DEPUTY SHERIFF AT STEP 2 OF THE SALARY RANGE, RETROACTIVE TO AUGUST 16, 2003.

INFORMATION
SYSTEMS

3.22 * State of California, Department of Transportation - Amendment - approval is requested by the Communications Division for an amendment to the revenue agreement with the State of California, Department of Transportation, for funds to support the improvement project on the Platte Mountain radio site. The amendment provides an additional one-time \$30,000 allocation for the project. All other terms and provisions remain the same - action requested - APPROVE BUDGET TRANSFER B-027 ACCEPTING AND ALLOCATING THE UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40266)

LIBRARY

3.23 * City of Chico - approval is requested for a revenue agreement with the City of Chico for supplemental funding for the Chico Branch Library. The term of the agreement is October 1, 2003, through September 30, 2004, and provides the County with \$120,000 to maintain an open-hours schedule of 60 hours per week at the Chico branch - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PROBATION

3.24 *

Chico Unified School District - approval is requested for a revenue agreement with the Chico Unified School District for funds to support the assignment of a Probation Officer to work at various schools with delinquent and pre-delinquent youth and their families to improve school attendance and behavior. The term of the agreement is July 17, 2003, through June 30, 2004, and provides the County with \$29,000 for the term - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40571)

PUBLIC
HEALTH

3.25 *

Garian Partnership/Ridgewood Plaza - approval is requested for a lease agreement with Garian Partnership/Ridgewood Plaza for the property located at 1370 Ridgewood Drive, Suites 21 and 22, Chico. The location is utilized by the California Children's Services Program. The term of the agreement is November 1, 2003, through October 31, 2006, with a monthly lease amount of \$2,278 for years 1 and 2, and \$2,331.60 for year 3 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14430)

3.26 *

Supplemental Women, Infants and Children Allocation - approval is requested to accept and appropriate \$7,140 received from the State as a supplemental allocation to the current year's agreement for the Women, Infants and Children's program. The funds will be used for one-time purchases of computer hardware and equipment for the Information Dissemination Project - action requested - APPROVE BUDGET TRANSFER B-029 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC
WORKS

3.27 *

Butte County Fair Association - County Service Area No. 34 - Gridley Pool - approval is requested for an agreement with the Butte County Fair Association for the operation and maintenance of the Gridley Pool. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$46,345. The agreement provides for an advance of funds on a monthly basis, and in order to provide the necessary funding for the agreement, Board approval is also requested for a loan from the County Service Area Revolving Loan Fund in the amount of \$25,500. The loan will be repaid prior to the end of the fiscal year - action requested - ADOPT RESOLUTION AUTHORIZING A LOAN FROM THE COUNTY SERVICE AREA REVOLVING LOAN FUND IN THE AMOUNT OF \$25,500; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14293)

3.28 * Resolution Approving the Proposed Overall Annual Disadvantaged Business Enterprise (DBE) Goal of 9% for Federal Fiscal Year 2003-2004 - approval is requested for a resolution which would approve the proposed Overall Annual DBE Goal of 9% for federal fiscal year 2003-2004. Adoption and submission to the California Department of Transportation is a condition of federal financial assistance - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.29 * State of California, Department of Transportation - Cooperative Agreements - approval is requested for four (4) Cooperative Agreements with the State of California, Department of Transportation, for roadway relinquishments to the County and detours on Durham-Pentz Road. The agreements are in support of the State Route 149 Widening and Interchange Construction Project, District Agreement Nos. 03-240, 03-241, 03-242, and 03-252 - action requested - APPROVE AGREEMENTS (4) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.30 * Butte County Air Quality Management District - approval is requested for a grant agreement with the Butte County Air Quality Management District for funds to surface Schott Road to reduce fugitive dust emissions. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$25,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.31 * Gate Fees Chargeable at the Neal Road Landfill - Set Public Hearing - approval is requested to set a public hearing for Tuesday, October 28, 2003, at 10:45 a.m. for the purpose of considering an ordinance which will increase the tipping fee at the Neal Road Landfill from \$21.25 to \$24.00 per ton as recommended by staff and the Solid Waste Committee - action requested - SET PUBLIC HEARING FOR CONSIDERATION OF THE MATTER FOR TUESDAY, OCTOBER 28, 2003, AT 10:45 A.M.

SHERIFF'S
OFFICE

3.32 * Resolution Proclaiming October 2003 as Crime Prevention Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 * Video Capture Station Purchase - approval is requested to purchase a video capture station on behalf of the Chico Police Department to allow for initial booking of offenders subsequently transported to the Butte County Jail. Under the computer license agreement with the County's Jail Management System vendor, the County may purchase equipment under its license for use at remote booking sites. The City has provided the County with \$18,525 for the purchase, and Board approval is also requested to accept and appropriate the funds - action requested - APPROVE BUDGET TRANSFER B-026 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET SOLE SOURCE PURCHASE OF VIDEO CAPTURE STATION EQUIPMENT ON BEHALF OF THE CITY OF CHICO.

3.34 * Ray Morgan Company - approval is requested to ratify an agreement with the Ray Morgan Company for the rental of a scanning machine and laser fiche workgroup stations, and the provision of 20 hours of technical support for the equipment. The equipment is utilized to digitize inmate records. The department entered into the agreement in January 2001, however, the requirement of Board approval of the agreement was just recently discovered. The term of the agreement is January 18, 2001, through January 18, 2006, with a maximum amount payable of \$18,009 for the multi-year agreement (Inmate Welfare Fund). Board approval is also requested for a transfer of \$2,702 from the Inmate Welfare Fund to provide the incumbrance for the agreement for the remainder of the current fiscal year - action requested - APPROVE BUDGET TRANSFER B-034 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND RATIFY AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14451)

WATER AND
RESOURCE
CONSERVATION

3.35 * Streaminders-chapter of the Izaak Walton League - approval is requested for an agreement with the Streaminders-chapter of the Izaak Walton League for the provision of consulting services in support of the stream-bed rehabilitation project along Bidwell Avenue in Chico, pursuant to the terms of the grant received from the Department of Water Resources, Urban Streams Restoration Program. The term of the agreement is September 1, 2003, through May 1, 2005, with a maximum amount payable of \$167,695. The agreement will be funded by the grant funds and Board approval is also requested to accept and appropriate the unanticipated grant revenue - action requested - APPROVE BUDGET TRANSFER B-028 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND 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.

2. California State Association of Counties - action requested - APPOINT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE.

**BUDGET AND
LEGISLATIVE
UPDATE**

4.02

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

**PRESENTATION
AND DISCUSSION
ITEMS**

4.03 *

Report to the Board - First Chance Coalition - presentation of the purpose and programs of the First Chance Coalition, a program of community resources designed to offer women a "First Chance" at having a drug and alcohol-free baby - action requested - ACCEPT FOR INFORMATION. (PUBLIC HEALTH)

4.04 *

Presentation of a User Fee Study of Development Services and Public Works Land Development Fees - presentation of the user fee study prepared by MAXIMUS regarding proposed fees for the Development Services Department and the Land Development Division of the Public Works Department - action requested - ACCEPT FOR INFORMATION; PROVIDE STAFF DIRECTION ON FEE ADJUSTMENTS; AND SET A PUBLIC HEARING TO CONSIDER FEE ORDINANCE FOR TUESDAY, OCTOBER 28, 2003, AT 1:00 P.M. (CHIEF ADMINISTRATIVE OFFICER/DEVELOPMENT SERVICES/PUBLIC WORKS)

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
OCTOBER 14, 2003

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

2.00 Consent Agenda (NO ITEMS)

3.00 Regular Agenda (NO ITEMS)

4.00 Public Comment - comment on items not listed on
the agenda.

5.00 Closed Session

5.01 Conference with Labor Negotiators Pursuant to
Government Code Section 54957.6:

Agency Representatives: Jeanne Gravette and
Craig Jory.

Employee Organization: United Domestic Workers
of America.

ADJOURNMENT :

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

BUTTE COUNTY BOARD OF SUPERVISORS
CONTINUED AGENDA

5.00

PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. **5.01** *

Continued Public Hearing - Margaret Mills - Tentative Parcel Map - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map to divide a 10 +/- acre parcel into two 5 acre parcels on property zoned A-5 (Agricultural - 5 acre parcels). This is an item not subject to environmental review (only if the Board chooses to deny the appeal). The property is located on the east side of Dunstone Drive, approximately 3,400 feet south of Avocado Road, in the Bangor area, and identified as APN 028-200-041 (CS [TPM 03-11]) - action requested - THE APPLICANT HAS REQUESTED THE BOARD CONTINUE THE MATTER TO MAY 2004, TO ALLOW THE APPLICANT TO PARTICIPATE IN THE UPCOMING GENERAL PLAN HEARINGS PRIOR TO ACTION ON THIS MATER. (FROM 5-13-03 [5.01])

10:45 A.M. **5.02** *

Public Hearing - Resolution to Rename a Private Road in Butte County - approval is requested, on behalf of the property owners along Darlingwood Lane, to change the name of the street to Stonewall Drive. On September 9, 2003, the Board adopted a resolution of intention to rename the road - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (FROM 9-09-03 [3.37])

10:50 A.M. 5.03 * Continued Public Hearing - Douglass Perske - appeal of an approved Legal Lot Determination and Conditional Certificate of Compliance. The appeal is on a condition requiring a 60-foot access easement. This project has been determined to be exempt from the California Environmental Quality Act (CEQA) provisions under the General Rule Exemption Section 15061(b)(3). The property is zoned TM-5 (Timber Mountain - 5 acre parcels) and located on the south side of Bull Creek Lane, approximately 1,500 feet east of Cohasset Road, and approximately 10 miles northeast of Chico, and identified as APN 056-100-027 - action requested - STAFF RECOMMENDS THE BOARD TAKE ONE OF THE FOLLOWING OPTIONS:

1. DENY THE APPEAL OF CONDITION 3, FINDING THAT VEHICULAR ACCESS TO THE PARCEL IS NECESSARY FOR ORDERLY DEVELOPMENT OF PROPERTY AND REQUIRE APPROVED ACCESS TO THE PARCEL FROM A PUBLICLY MAINTAINED ROAD OR STATE HIGHWAY IN ACCORDANCE WITH THE BUTTE COUNTY CODE. THE MINIMUM EASEMENT WIDTH TO BE 60-FEET: **OR**

2. UPHOLD THE APPEAL AND REQUIRE THE APPLICANT TO PROVIDE A 30-FOOT NON-EXCLUSIVE EASEMENT TO COHASSET ROAD AND DIRECT A NOTE BE PLACED ON THE CERTIFICATE OF COMPLIANCE THAT NO FURTHER DIVISION OF THIS PARCEL WILL BE ALLOWED UNLESS ACCESS IS PROVIDED IN ACCORDANCE WITH BUTTE COUNTY CODE SECTION 20-134. (FROM 9-09-03 [5.01])

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 Counsel Regarding Actual
Litigation Pursuant to Government Code Section
54956.9(a):

1. Hoffman v. County of Butte
 Butte Superior Court Case No. 126697

2. Cleanup and Abatement Order No. R5-2003-0707
 Humboldt Road Burn Dump, Chico.

7.02 Public Employee Performance Evaluation, Including
Goals, Pursuant to Government Code Section 54957:
Director-Development Services.

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
25 County Center Drive, Oroville, CA 95965
530-538-7631
www.buttecounty.net/cob