

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

JANUARY 13, 2004



### 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.
- 1.04            Corrections and/or Changes to the Agenda.

2.00            BOARD OF SUPERVISORS ORGANIZATION - 2004

- 2.01            Comments by Chair Beeler
- 2.02            Election of Board Chair
- 2.03            Election of Board Vice Chair
- 2.04            Comments by Supervisors:
1.     New Chair
2.     Board Members

3.00            CONSENT AGENDA

AUDITOR-  
CONTROLLER

- 3.01            Local Agency Improvement Fees - submitted is the Combined Report of Impact Fees or Local Agency Improvement Fees for Fiscal Year 2002-2003. Pursuant to Government Code Section 66006, this was introduced at the meeting of December 16, 2003, and has been on file and available for public inspection in the Chief Administrative Office. Final action on the report is now required - action requested - ACCEPT REPORT AND MAKE FINDINGS AS DETAILED IN THE AGENDA REPORT DATED DECEMBER 1, 2003, AND THE SUPPLEMENTAL REPORTS SUBMITTED DECEMBER 16, 2003, FOR EACH OF THE ACCOUNTS WITH REGARD TO PURPOSE, RELATIONSHIP, SOURCE AND AMOUNTS, AND TIMING.
- 3.02 \*            Annual Audit Report for Fiscal Year 2002-2003 - submitted is the annual Audit Report and Management Letter for the Fiscal Year Ended June 30, 2003. The report was prepared by the audit firm of Gilbert Associates, Inc., Certified Public Accountants - action requested - ACCEPT FOR INFORMATION.

BEHAVIORAL  
HEALTH

- 3.03 \* Thomas Lancaster M.D. - Amendment - approval is requested for an amendment to the agreement with Thomas Lancaster, M.D., for the provision of professional medical services in the specialized field of psychiatry. The amendment sets the total annual hours to be worked at 1,550, and increases the maximum amount payable by \$21,600 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14206)
- 3.04 \* Albert Raitt, M.D. - Amendment - approval is requested for an amendment to the agreement with Albert Raitt, M.D., for the provision of professional medical services in the specialized field of psychiatry. The amendment sets the total annual hours to be worked at 825, and increases the maximum amount payable by \$20,240 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14264)
- 3.05 \* Butte County Probation/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Probation Department for the provision of case management services in support of the Substance Abuse Crime Prevention Act program. The amendment extends the term of the agreement through June 30, 2004, sets the maximum amount payable for fiscal year 2003-2004 at \$292,453 (department budget, includes language regarding inspections and audits, revises the notification provision, and amends the budget exhibits to reflect the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13481)
- 3.06 \* North Valley Parent Education Network - Amendment - approval is requested for an amendment to the agreement with North Valley Parent Education Network for the provision of targeted case management/brokerage and mental health services for Medi-Cal beneficiaries. The amendment increases the maximum amount payable by \$120,639.24 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14569)

- 3.07 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 107 Parmac Road, Suite 1, Chico. The location is utilized by the Adult Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11606)
- 3.08 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 107 Parmac Road, Suites 2 and 3, Chico. The locations are utilized by the Adult Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11471)
- 3.09 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 500 Cohasset Road, Suite 28, Chico. The location is utilized for psychiatric services. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11472)
- 3.10 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 500 Cohasset Road, Suite 34, Chico. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11967)
- 3.11 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 500 Cohasset Road, Suites 15, 16, 17 and 20, Chico. The locations are utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13808)

- 3.12 \* T.W. DuFour and Associates - Amendment - approval is requested for an amendment to the lease agreement with T.W. DuFour and Associates for the property located at 500 Cohasset Road, Suite 27, Chico. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11607)
- 3.13 \* Ed Becker - Amendment - approval is requested for an amendment to the lease agreement with Ed Becker for the properties located at 965, 975, 985 and 995 Spruce Street, Gridley. The locations are utilized by the Youth and Adult Services Divisions. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10518)
- 3.14 \* Youth For Change - Amendment - approval is requested for an amendment to the sublease agreement with Youth For Change for office space in the Paradise Ridge Family Resource Center, 6249 Skyway, Paradise. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11907)
- 3.15 \* QRP Partners - Amendment - approval is requested for an amendment to the lease agreement with QRP Partners for the property located at 5910 Clark Road, Suites H and I, Paradise. The locations are utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11806)
- 3.16 \* QRP Partners - Amendment - approval is requested for an amendment to the lease agreement with QRP Partners for the property located at 5910 Clark Road, Suite W, Paradise. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10919)

- 3.17 \* QRP Partners - Amendment - approval is requested for an amendment to the lease agreement with QRP Partners for the property located at 5910 Clark Road, Suite T, Paradise. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13202)
- 3.18 \* M.C. Horning, Jr. - Amendment - approval is requested for an amendment to the lease agreement with M.C. Horning, Jr., for the property located at 805 Cedar, Suites A and B, Paradise. The locations are utilized by the Adult Services Division. The amendment extends the term of the lease to December 31, 2008, increases the maximum amount payable by \$253,204.28 (department budget) for the multi-year term, and revises agreement language with regard to use of premises, utilities and option to renew. 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. X14365)
- 3.19 \* Q Street, LTD - Amendment - approval is requested for an amendment to the lease agreement with Q Street, LTD for the property located at 865 Mitchell, Oroville. The location is utilized by the Youth Services Division. The amendment adds language to the agreement regarding confidentiality of records and information. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13174)
- 3.20 \* Northern Valley Catholic Social Services - Amendment - approval is requested for an amendment to the agreement with Northern Valley Catholic Social Services for the provision of counseling and assessment services for Children's Services clients. The amendment increases the maximum amount payable by \$75,000 (CalWORKs Incentive Funds) and revises the agreement exhibits to reflect the increase. 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. X14312)
- 3.21 \* Enloe Medical Center - approval is requested for an agreement with Enloe Medical Center for the provision of the Touchstone Perinatal Program for fiscal year 2003-2004. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$513,564 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14675)

- 3.22 \* Butte County Office of Education - approval is requested for an agreement with the Butte County Office of Education for the provision of curriculum development, training, and meeting coordination for pilot programs to address violence related issues and foster safe drug-free learning environments. The term of the agreement is January 1, 2004, through December 1, 2004, with a maximum amount payable of \$30,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.23 \* 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 buildings. The amendment increases the maximum amount payable by \$544 (department budget) to reflect a monthly rate increase, effective November 1, 2003, for the site located at 592 Rio Lindo Avenue, Chico. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11588)
- 3.24 \* Denise M. Koenes - Amendment - approval is requested for an amendment to the agreement with Denise M. Koenes for the provision of consulting services regarding Medicaid compliance and Managed Care Plans. The amendment extends the term of the agreement through February 29, 2004, and increases the maximum amount payable by \$9,590 (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. X14499)
- 3.25 \* Comprehensive Drug Court Implementation Carryover Funds - approval is requested to accept and appropriate \$43,560 of fiscal year 2002-2003 Comprehensive Drug Court Implementation Grant carryover funds. The funds will be used to provide increased residential and outpatient services, emergency housing services, and clerical support - action requested - APPROVE BUDGET TRANSFER B-158 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.26 \* Drug Court Partnership Funds - approval is requested to accept and appropriate \$26,668 of Project Year Four carryover funds and Project Year Five supplemental allocation funds from the Drug Court Partnership Grant program. The funds will be used for additional professional services, transportation expenses, and office expenses - action requested - APPROVE BUDGET TRANSFER B-157 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

BOARD OF SUPERVISORS

3.27 \* Resolution in Support of Western Canal Water District's Groundwater Monitoring Project Funding Application - Supervisor Josiassen is requesting the Board adopt a resolution of support for Western Canal Water District's application for funding from the California Department of Water Resources under AB 303 for funds to support their Groundwater Monitoring Project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHIEF ADMINISTRATIVE OFFICE

3.28 \* Resolution Creating the Butte County Audit Committee - approval is requested for a resolution which would create the Butte County Audit Committee. Pursuant to Grand Jury recommendation, the committee is being created to assist in selection of the independent audit firm which will conduct the annual County audit, and to act as a liaison between the County and the firm - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.29 \* Introduction of an Ordinance Approving the Amendment of Certain Time Limitations with Respect to the Redevelopment Plan for the Greater Chico Urban Area Redevelopment Project - approval is requested for an ordinance which will amend the Redevelopment Plan for the Greater Chico Urban Area Redevelopment Project Area to implement a one-year extension. The Chico Redevelopment Agency and Chico City Council adopted ordinances which provide for the extension on December 16, 2003, and have requested the County also approve the extension - action requested - WAIVE READING OF THE ORDINANCE.

CLERK OF THE BOARD

3.30 \* Approval of Minutes - action requested - APPROVE MINUTES OF AUGUST 26, 2003; SEPTEMBER 9, 2003; AND SEPTEMBER 18, 2003.

3.31 Assessment Appeals Board - action requested - REAPPOINT JOHN B. PAYNE, HEARING OFFICER, TO A TERM TO END SEPTEMBER 4, 2006.

DEVELOPMENT  
SERVICES

- 3.32 \* Abandoned Vehicle Abatement Service Authority - Unanticipated Revenue - approval is requested to accept and appropriate \$62,500 received from the California Department of Motor Vehicles for implementation of the Abandoned Vehicle Abatement program - action requested - APPROVE BUDGET TRANSFER B-159 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

DISTRICT  
ATTORNEY

- 3.33 \* National Children's Alliance Grant - approval is requested to accept and appropriate \$3,495 of Member Training Grant funds received from the National Children's Alliance - action requested - APPROVE BUDGET TRANSFER B-150 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE INCREASE IN APPROPRIATIONS ACCOUNT AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT  
AND SOCIAL  
SERVICES

- 3.34 \* Northern Valley Catholic Social Services - Amendment - approval is requested for an amendment to the agreement with Northern Valley Catholic Social Services for the provision of counseling and assessment services to Children's Services clients. The amendment extends the term of the agreement through June 30, 2004, increases the maximum amount payable by \$50,100 (department budget) for the extended term, and revises the payment exhibits to reflect the increase. 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. X14312)

- 3.35 \* Family Tree Services - Amendment - approval is requested for an amendment to the agreement with Family Tree Services for the provision of supervised visitation and parenting services to Children's Services clients and their families. The amendment increases the maximum amount payable by \$20,000 (Child Welfare Funds). 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. X14245)

FIRE

- 3.36 \* Fire Department Donations - pursuant to Government Code Section 25355, a donation of \$4,500 has been received from Cleanrite-Buildrite as a result of the Fire on the Fareway Charity Golf Tournament. The funds will be used to purchase handie-talkies - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-147 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

GENERAL  
SERVICES

3.37 \*

Homeland Security Equipment Grant - Budget Transfer and Fixed Asset Revision - approval is requested by the Emergency Services Division for a budget transfer of \$21,564 of fiscal year 2002 Homeland Security Equipment Grant funds to the Emergency Services budget to provide the appropriation necessary for the purchase of a portable x-ray unit for the Sheriff's Office bomb unit. The Sheriff's Office included the purchase of a \$7,000 unit in the initial grant equipment list. Subsequent to that list, additional research on the equipment resulted in the Sheriff's Office determination that a machine with different capabilities would better suit their needs. A revised fixed asset list has been prepared and Board approval is also requested for the revision to the fixed asset equipment purchase - action requested - APPROVE BUDGET TRANSFER B-168 (4/5 vote required); AND APPROVE REVISION TO FIXED ASSET PURCHASE.

3.38 \*

Homeland Security Equipment Grant (Part I) - Fixed Asset Purchase and Budget Transfer - approval is requested for the fixed asset purchase of an EOD helmet for the Sheriff's Office bomb unit in the amount of \$5,304. The purchase was originally part of the equipment included in the itemized list of equipment to be purchased under the Homeland Security Equipment Grant (Part I). Under that list the EOD helmet was not a fixed asset item, but sales tax and shipping costs have resulted in the item requiring fixed asset approval. Board approval is also requested for a budget transfer of \$6,850, recognizing \$1,353 in additional grant revenue and transferring \$5,497 between budget line items, to provide for the purchase - action requested - APPROVE PURCHASE OF FIXED ASSET ITEM; AND APPROVE BUDGET TRANSFER B-171 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AND TRANSFERRING FUNDS BETWEEN LINE ITEMS AS DETAILED IN THE AGENDA REPORT.

3.39 \*

Homeland Security Equipment Grant (Part II) - Fixed Asset Purchase and Budget Transfer - approval is requested for the fixed asset purchase of an EOD helmet for the Sheriff's Office bomb unit in the amount of \$5,304. The purchase was originally part of the equipment included in the itemized list of equipment to be purchased under the Homeland Security Equipment Grant (Part II). Under that list the EOD helmet was not a fixed asset item, but sales tax and shipping costs have resulted in the item requiring fixed asset approval. Board approval is also requested for a budget transfer of \$10,040 between budget line items to provide for the fixed asset purchase and other non-fixed asset purchases - action requested - APPROVE BUDGET TRANSFER B-167; AND APPROVE PURCHASE OF FIXED ASSET ITEM.

3.40 \* Homeland Security Grant - Fixed Asset Purchase - approval is requested for the fixed asset purchase of a Doppler radio direction finding system in the amount of \$6,230. The purchase will be funded by Homeland Security Grant funds. The equipment will be used by the Sheriff's Communication Reserve to augment similar equipment which will be installed in the Communications Division - action requested - APPROVE PURCHASE OF FIXED ASSET EQUIPMENT.

3.41 \* Homeland Security Grant - Signature Authorization Resolution - approval is requested for a resolution which will authorize the Chief Administrative Officer and General Services Director to sign fiscal year 2003 Homeland Security Grant program related documents and authorizes the Chair to sign the grant assurances - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

HUMAN  
RESOURCES

3.42 \* Resolution to Amend the Salary Ordinance - the department has prepared a resolution to amend the salary ordinance as follows: TREASURER-TAX COLLECTOR - deletes one position of Supervisor-Property Taxes, one position of Principal Cashier/Investment Officer, one position of Assistant Treasurer-Tax Collector - Taxes and Revenue, and one flexibly staffed position of Accounting Specialist/Senior Account Clerk/Account Clerk. Adds one position of Supervisor-Tax and Staff Services, one position of Supervisor-Banking and Cash Management, one position of Assistant Treasurer-Tax Collector, one position of Supervisor-Clerical Support Services, and one position of Manager-Finance and Investment. DISTRICT ATTORNEY-CRIMINAL - adds one sunset position of Legal Typist Clerk (position end date of 6-30-04). PROBATION - deletes one position of Secretary II, and one flexibly staffed position of Probation Officer III/II/I. Adds one position of Supervisor-Staff Support Services. COUNTY CLERK-RECORDER - extends the position end date of one sunset position of Deputy County Clerk-Recorder I from January 30, 2004, to June 30, 2004. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes one flexibly staffed position of Health Education Specialist II/I. Adds one flexibly staffed position of Health Education Specialist III/II/I. ADMINISTRATIVE-FACILITIES SERVICES - adds one term position of Facilities Project Specialist (position end date of 12-31-04). NEAL ROAD SANITARY LANDFILL (MANAGEMENT) - adds one flexibly staffed term position of Senior Landfill Equipment Operator/Landfill Equipment Operator (position end date of 6-30-04). The resolution also provides for the inclusion of the new classifications created by the Treasurer's Office reorganization, and reassignment of the Assistant Director-Human Resources to a non-represented classification table - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.43 \* Out of Sequence Merit Increase - pursuant to Personnel Rule 11.13, the Sheriff's Office has requested the Board approve an Out of Sequence Merit Increase for a Public Safety Dispatcher to step 2 of the salary range based on previous experience - action requested - APPROVE OUT OF SEQUENCE MERIT INCREASE FOR A PUBLIC SAFETY DISPATCHER TO STEP 2 OF THE SALARY RANGE.

INFORMATION  
SYSTEMS

3.44 \* Optisave - approval is requested by the Communications Division for an agreement with Optisave for the provision of an audit of the County's communications billings, including telephones, cellular telephones and pagers. The term of the agreement is November 1, 2003, through November 1, 2004. There is no cost associated with the audit, but should cost saving opportunities be found during the audit, the County will consider entering into a further agreement with Optisave to implement the cost saving recommendations - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14622)

3.45 \* Modification of Fixed Assets - approval is requested to revise the fixed assets approved for purchase in the 2003-2004 Final Budget. Due to changes and upgrades to information systems technology, the department is requesting approval to substitute the purchase of a Cisco 6500 Series Central Switch for the equipment approved for purchase in the 2003-2004 Final Budget. The substitution will be revenue neutral - action requested - APPROVE MODIFICATION TO FIXED ASSET PURCHASE.

LIBRARY

3.46 \* Library Donations - pursuant to Government Code Section 25355, donations of \$2,230 from the Oroville Friends of the Library, and \$1,000 from the Paradise 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.

PUBLIC  
HEALTH

3.47 \* Preparedness and Response to Bioterrorism Project - approval is requested for a Certification Against Supplanting form required by the California Department of Health Services as a condition of the Preparedness and Response to Bioterrorism Grant. The certification assures that bioterrorism funds were not used to supplant existing service levels or replace or supplant current federal, state, or local expenditures, that funds were used only in accordance with the Bioterrorism Plan, and that funds were deposited in a local bioterrorism trust fund - action requested - APPROVE CERTIFICATION AND AUTHORIZE THE CHAIR TO SIGN; AND DELEGATE AUTHORITY TO THE DIRECTOR-PUBLIC HEALTH TO SIGN THE CERTIFICATION FORM FOR THE SEMI-ANNUAL REPORTING.

PUBLIC  
WORKS

- 3.48 \* City of Chico - Letter Agreement Amendment - approval is requested for an amendment to the letter agreement with the City of Chico for authorization to encroach into the public right-of-way to construct roadway improvements within County jurisdiction on Palmetto Avenue between Arbutus and Moss Avenue. The amendment extends the term of the agreement through June 30, 2004. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.49 \* City of Chico - Letter Agreement Amendment - approval is requested for an amendment to the letter agreement with the City of Chico for authorization to encroach into the public right-of-way to construct bike lanes along El Monte Avenue from State Route 32 to East 8<sup>th</sup> Street. The amendment extends the term of the agreement through June 30, 2004. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.50 \* Used Oil Recycling Block Grant - approval is requested to apply to the California Integrated Waste Management Board for the Ninth Cycle 2003-2004 Used Oil Block Grant. Funds will be used to continue and expand existing oil education programs. The County will be eligible for an award of \$52,830 - action requested - ADOPT RESOLUTION APPROVING SUBMISSION OF THE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL NECESSARY DOCUMENTS REQUIRED TO SECURE THE GRANT FUNDS, AND IMPLEMENT AND CARRY OUT THE PROGRAMS AND PURPOSES OF THE GRANT.
- 3.51 \* Sheridan Mitigation Corp. - approval is requested for an agreement with Sheridan Mitigation Corp., for the purchase of Wetland Mitigation Credits in support of a landfill project which includes construction of a storm water retention basin and leachate containment pond. The area impacted by the improvements will include approximately 5.01 acres designated as waters of the United States under the jurisdiction of the United States Army Corps of Engineers (Corps). The County has received a Letter of Permission from the Corps which requires the purchase of mitigation credits from an approved wetland mitigation bank. The proposed agreement is for the purchase of 2.01 acres of seasonal wetland habitat credits, pursuant to the Corps requirements, at a cost of \$90,450 (Neal Road Sanitary Landfill Management Fund) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.52 \* Introduction of an Ordinance Establishing Speed Limits on Specified Roads within the County of Butte - based on recent engineering and traffic surveys conducted on East Gridley Road and Larkin Road, the department is recommending the Board adopt an ordinance which will establish the following speed zones: 35 miles-per-hour on Larkin Road from 500 feet south of Anderson Way to East Gridley Road; Larkin Road from East Gridley Road to 1,000 feet north of East Gridley Road; Larkin Road from 1,000 feet South of Higgins Avenue to 800 feet north of Clardy Avenue; and Larkin Road from 0.35 miles south of Ord Ranch Road to 400 feet north of the Sutter-Butte Canal. 40 miles-per-hour on East Gridley Road from the Gridley city limits to 500 feet east of Bond Lane. 45 miles-per-hour on East Gridley Road from 500 feet east of Bond Lane to 1,000 feet east of Kirk Road. 55 miles-per-hour on Larkin Road from 500 feet south of Campbell Avenue to 1,000 feet south of Higgins Avenue; Larkin Road from 800 feet north of Clardy Avenue to 500 feet south of Anderson Way; Larkin Road from 1,000 feet north of East Gridley Road to 0.35 miles south of Ord Ranch Road; Larkin Road from 400 feet north of the Sutter-Butte Canal to East Rio Bonito Road/Dos Rios Road; Larkin Road from East Rio Bonito Road/Dos Rios Road to the Oroville city limits; and East Gridley Road from 1,000 feet east of Kirk Road to State Route 70 - action requested - WAIVE READING OF THE ORDINANCE.
- 3.53 \* County Service Area (CSA) No. 141 (Mountain Oaks Subdivision) - approval is requested for a transfer of \$1,625 from the Designated Fund Balance to the CSA's budget to provide the appropriation needed to pay the State Water Resources Waste Discharge Requirement Permit Fee. The CSA budget did not anticipate the increase in the State's fee - action requested - APPROVE BUDGET TRANSFER B-160 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.54 \* County Service Area (CSA) No. 90 (Southgate Acres) Zones 2 and 3 - approval is requested for budget transfers totaling \$1,860 from the Designated Fund Balance accounts, as detailed in the agenda report, to provide the appropriation needed to pay for repairs of the fire protection pump serving CSA No. 90, Zones 2 and 3 - action requested - APPROVE BUDGET TRANSFER B-161 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

SHERIFF'S  
OFFICE

3.55 \* Communications Special Project - approval is requested to transfer \$840 between department budget line items to provide the appropriation necessary to fund the relocation of the twelve telephone lines used by the County Watch System to the main dispatch center - action requested - APPROVE BUDGET TRANSFER B-149.

3.56 \* Citizen's Options for Public Safety Budget Adjustment - approval is requested for a budget transfer of \$5,829 of State Citizen's Options for Public Safety (COPS) revenue to correct an allocation error and assign the funds to the appropriate expenditure accounts - action requested - APPROVE BUDGET TRANSFER B-162 ACCEPTING AND APPROPRIATING ANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.57 \* Inmate Welfare Fund Budget Transfer - approval is requested to transfer \$6,833 from the Inmate Welfare Fund to the Sheriff's Incarceration budget to provide an appropriation to pay for uncovered medical expenses incurred by an inmate of the Butte County Jail - action requested - APPROVE BUDGET TRANSFER B-164 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.58 \* Extradition Trust Fund - approval is requested for a transfer of \$30,000 from the General Fund Appropriation for Contingencies to the Sheriff's Extradition Trust Fund. The fund is utilized to pay expenses associated with the extradition of defendants back to Butte County. Historically the trust fund is to be reimbursed by the Department of Corrections, but the State is delinquent in reimbursements and funding is needed to pay for expenses already incurred and anticipated expenses - action requested - APPROVE BUDGET TRANSFER B-163 (4/5 vote required) ACCEPTING AND APPROPRIATING \$30,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

TREASURER-  
TAX COLLECTOR

3.59 \* Monthly Investment Report - submitted is the Monthly Investment Report dated November 28, 2003, in accordance with the Statement of Investment Policy dated July 1, 2003 - action requested - ACCEPT FOR INFORMATION.

- 3.60 \* Agreement to Purchase Tax-Defaulted Property - approval is requested for an agreement with the Oroville Redevelopment Agency to purchase tax-defaulted property. The properties located at 2044, 2060 and 2062 Montgomery Street, Oroville, were properties that were not purchased in the Tax Collector's public action for tax-defaulted property. The Oroville Redevelopment Agency has offered to purchase the properties for \$32,000 pursuant to the Revenue and Taxation Code - action requested - APPROVE TERMS AND PROVISIONS OF THE AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY AND AUTHORIZE THE CHAIR TO SIGN.

WATER AND  
RESOURCE  
CONSERVATION

- 3.61 \* Butte Basin Water Users Association - Letter Agreement - approval is requested for a letter agreement with the Butte Basin Water Users Association which will extend the term of the Butte County Hydrological Groundwater Model Lease and Exclusive License Agreement (Contract No. X11885). Board approval is also requested to authorize the Director-Water and Resource Conservation to execute the letter agreement that will extend the lease and license agreement through June 30, 2004. The amendment will allow additional time to review and improve the groundwater model. Funding for the project is provided by grant funds from the United States Bureau of Reclamation - action requested - AUTHORIZE THE DIRECTOR-WATER AND RESOURCE CONSERVATION TO SIGN A LETTER AGREEMENT EXTENDING THE TERM OF CONTRACT NO. X11885, SUBJECT TO REVIEW BY COUNTY COUNSEL.

OTHER  
DEPARTMENTS  
AND AGENCIES

- 3.62 \* Superior Court of California, County of Butte - approval is requested to accept and appropriate \$5,652 from the Superior Court of California, County of Butte, to fund an office space remodel project at the Butte County Courthouse - action requested - APPROVE BUDGET TRANSFER B-165 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.63 \* Durham Mosquito Abatement District - action requested - REAPPOINT JOHN (JACK) L. AZEVEDO, JR., SANDRA (SANDY) ATTEBERRY, AND DALE R. ANTONOWICH, BOARD MEMBERS, TO TERMS TO END DECEMBER 31, 2007.

4.00 REGULAR AGENDA

BOARDS,  
COMMISSIONS AND  
COMMITTEES

4.01 \* Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.
2. Board Member or Committee Reports.

BUDGET AND  
LEGISLATIVE  
UPDATE

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

PRESENTATION  
AND DISCUSSION  
ITEMS

4.03 \* Revision to Butte County Improvement Standards Chapter 13 Fire Protection, Section 13.01-1 Requirement Class 1 - consideration of a resolution which will clarify the requirements to pay into the appropriate Water Tender Fund when building permits are issued - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (PUBLIC WORKS/FIRE DEPARTMENT)

4.04 \* Introduction of a Ordinance Establishing Speed Zones on Various Butte County Roads Located in the Paradise Pines and Magalia Area - consideration of an ordinance which will establish speed limits along various roads in the Paradise Pines and Magalia area - action requested - WAIVE READING OF THE ORDINANCE. (PUBLIC WORKS)

4.05 \* Horning (Austin) Development Agreement - Transfer of Rights to New Property Owner - consideration of a transfer of the Development Agreement rights, and periodic review of compliance with the Development Agreement for APN 040-490-018, as a result of the transfer of the property to a new owner - action requested - CONTINUE MATTER TO AN UNDETERMINED DATE TO ALLOW STAFF ADDITIONAL TIME TO RESEARCH THE ISSUE. ([FROM 12-16-03/4.04])

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

5.00PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. (5.01) \*

Public Hearing - Abandonment of Public Utility Easement - Polens Family Trust - consideration of a requested abandonment of an existing twelve-foot Public Utility Easement on property located at the northeast corner of Pinehurst Way and Columbine Road in the Paradise Pines area - action requested - FIND THAT THE PUBLIC UTILITY EASEMENT DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; AND ADOPT THE RESOLUTION OF ABANDONMENT OF A PUBLIC UTILITY EASEMENT AND AUTHORIZE THE CHAIR TO SIGN. (FROM 12-2-03 [3.29])

11:00 A.M. (5.02) \*

Public Hearing - Appeal of a Denial of a Tentative Parcel Map - Jennifer Celentano - consideration of an appeal of a denial of a Tentative Parcel Map to divide a 20.04 acre parcel into two 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 project would allow the development of a single family dwelling on each created parcel. The current zoning is A-5 (Agriculture-5 acre minimum parcel size). The property is located on the west side of Crosacountre Road, approximately 1/4 mile south of Grubbs Road, east of Palmero, and identified as APN 027-110-029 in Section 10 T 18N R4E MDB&M - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED JANUARY 13, 2004, ADOPT A MITIGATED NEGATIVE DECLARATION;
2. FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS HAS THE POTENTIAL TO SIGNIFICANTLY IMPACT DEER HERD MOVEMENTS AND BLUE OAK HABITAT AND DIRECT THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5; AND
3. SUBJECT TO FINDINGS III(A-H) AS DETAILED IN THE STAFF REPORT DATED JANUARY 13, 2004, AND THE CONDITIONS OF APPROVAL AS DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED JANUARY 13, 2004, UPHOLD THE APPEAL AND APPROVE TENTATIVE PARCEL MAP 03-13.

11:30 A.M. 5.03

Continued Public Hearing - Lot Line Adjustment and Certificate of Merger Appeal - Russell T. Erickson - consideration of an appeal of a denial of a Lot Line Adjustment and Certificate of Merger to reconfigure two existing lots located on the south side of Wilson Landing Road at the railroad crossing, approximately 3,700 feet west of Hamilton Nord-Cana Highway, in the Nord area, and identified as APN 047-150-004 and 005 - action requested - STAFF IS REQUESTING THE BOARD DENY THE APPEAL, FINDING THAT APPROVAL OF THIS MERGER WOULD VIOLATE THE TERMS OF THE EXISTING CALIFORNIA LAND CONSERVATION ACT (CLCA) AGREEMENT. IN ADDITION, THE NEW NORTHEAST PARCEL DOES NOT PROVIDE THE 300 FOOT AGRICULTURAL BUFFER NECESSARY FOR RESIDENTIAL DEVELOPMENT, DOES NOT CONFORM TO THE EXISTING A-40 ZONING, AND DOES NOT CONFORM TO THE ORCHARD AND FIELD CROPS GENERAL PLAN DESIGNATION. (FROM 12-16-03 [5.01])

1:00 P.M. 5.04

Continued Public Hearing - Appeal of Conditions of a Tentative Parcel Map - Edward Niderost - consideration of an appeal of 3 conditions of approval on a Tentative Parcel Map to divide a 2-acre parcel into (2) 1-acre parcels. This is an item 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 (Suburban Residential - 1 acre parcels) and is located on the north side of Butte Avenue, at the intersection of Butte Avenue and Northgraves Avenue, Chico, and is identified as APN 004-490-020 (MM [TPM 03-20]) - action requested - STAFF RECOMMENDS THE BOARD FIND THE PROJECT CONSISTENT WITH THE BUTTE COUNTY GENERAL PLAN AND ORDINANCES, AND TAKE THE FOLLOWING ACTIONS:

1. DENY THE APPEAL TO ELIMINATE CONDITION 4;
2. DENY THE APPEAL TO ELIMINATE CONDITION 23; AND
3. DENY THE APPEAL TO MODIFY CONDITION 9. (FROM 12-16-03 [5.04])

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.

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7.00            CLOSED SESSION

7.01            CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE.

7.02            CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): HAUSELT v. COUNTY OF BUTTE (BUTTE SUPERIOR COURT CASE NO. 122288).

## **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](http://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  
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