

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

JANUARY 27, 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.
- 2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

BEHAVIORAL
HEALTH

- 3.01 * Caminar, Inc. - approval is requested for an agreement with Caminar, Inc., for the provision of vocational experience and supported employment services. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$411,004 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.02 * Housing Authority of the County of Butte - Amendment - approval is requested for an amendment to the agreement with the Housing Authority of the County of Butte for services in support of the Adult System of Care program. The amendment increases the maximum amount payable by \$13,000 (grant funds/department budget). 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. X14321)
- 3.03 * Loumark Associates - Amendment - approval is requested for an amendment to the lease agreement with Loumark Associates for the property located at 564 Rio Lindo Avenue, Suites 100/106, Chico. The locations are utilized by the Adult Services Division. The amendment adds language to the agreement regarding indemnification, insurance, rules and regulations, and confidentiality. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13694)

3.04 * Loumark Associates - Amendment - approval is requested for an amendment to the lease agreement with Loumark Associates for the property located at 564 Rio Lindo Avenue, Suites 200/202/204, Chico. The locations are utilized by the Adult Services Division. The amendment adds language to the agreement regarding indemnification, insurance, rules and regulations, and confidentiality. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13715)

CHIEF
ADMINISTRATIVE
OFFICE

3.05 Adoption 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 - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-13-04 [3.29])

COUNTY
COUNSEL

3.06 * David Kennedy - Amendment - approval is requested for an amendment to the agreement with David Kennedy for specialized attorney services for the Children's Services Division. The amendment increases the maximum amount payable by \$3,300 (department budget). Board approval is also requested for a transfer of department funds to provide the appropriation needed for the amendment - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-187, MAKING APPROPRIATION ADJUSTMENTS AND TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT.

DEVELOPMENT
SERVICES

3.07 * Department of Development Services - Zoning Code Amendment Report - pursuant to Butte County Code, submitted is the Planning Commission Action Report on a proposed amendment to Butte County Code Chapter 24, requiring a Use Permit for large retail projects, and establishing mandatory design standards for such projects. The amendment will apply in the C-1 (Light Commercial), C-2 (General Commercial), and C-C (Community Commercial) zones. The Planning Commission has recommended approval of the proposed ordinance - action requested - ACCEPT REPORT; AND DIRECT A PUBLIC HEARING BE SET FOR TUESDAY, FEBRUARY 10, 2004, AT 1:00 P.M., TO CONSIDER THIS MATTER.

3.08 * John McLaughlin - Zoning Code Amendment Report - pursuant to Butte County Code, submitted is the Planning Commission Action Report on a proposed rezone of a 10 +/- acre parcel in the Forest Ranch area from TM-5 (Timber Mountain - 5 acre parcels) and PUD (Planned Unit Development) to TM-1 (Timber Mountain - 1 acre parcels). Sewage disposal for future dwellings on the site would be provided by individual, on-site septic systems. Domestic water would be obtained from individual wells. Each of the proposed parcels would front on the Christina Drive cul-de-sac. Proposed is a Negative Declaration with mitigation measures regarding environmental impacts. The Planning Commission has recommended approval of the rezone - action requested - ACCEPT REPORT; AND DIRECT A PUBLIC HEARING BE SET FOR TUESDAY, FEBRUARY 24, 2004, AT 10:30 A.M., TO CONSIDER THIS MATTER.

EMPLOYMENT
AND SOCIAL
SERVICES

3.09 * Request to Retain Position - approval is requested to retain an Administrative Analyst III position that was to be deleted as part of the department's 2003-2004 Final Budget actions. The department is requesting the Board retain the position through fiscal year 2003-2004. The position will support State compliance efforts and assist in development of additional performance measures. Sufficient department funds are available to support the position through the current fiscal year - action requested - APPROVE RETENTION OF ADMINISTRATIVE ANALYST III POSITION THROUGH JUNE 30, 2004.

FIRE
DEPARTMENT

3.10 * Resolution in Appreciation of Bill Green, Volunteer Firefighter, for 21 Years of Dedicated Service - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

HUMAN
RESOURCES

3.11 * Advanced Step Hires - approval is requested, on behalf of the District Attorney's Office, for the advanced step hire of one District Attorney Investigator II candidate to step 3 of the salary range, and one District Attorney Investigator II candidate to step 5 of the salary range. The requests are based on candidate experience. Pursuant to Personnel Rule 11.5(b), the Director-Human Resources is recommending the advanced step hires - action requested - APPROVE ADVANCED STEP HIRE OF ONE DISTRICT ATTORNEY INVESTIGATOR II CANDIDATE TO STEP 3 OF THE SALARY RANGE; AND APPROVE ADVANCED STEP HIRE OF ONE DISTRICT ATTORNEY INVESTIGATOR II CANDIDATE TO STEP 5 OF THE SALARY RANGE.

- 3.12 * Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System (PERS) and the Board of Supervisors County of Butte - pursuant to the Probation Peace Officers' Association 2002-2003 Memorandum of Understanding, submitted is a resolution of intention to amend the County's contract with PERS to provide the 2% at 50 Safety Retirement formula to peace officers represented by the Probation Peace Officers' Association and the peace officers represented by the Butte County Management Employees' Association. An actuarial was requested and provided by PERS - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

INFORMATION
SYSTEMS

- 3.13 * State of California, Department of the California Highway Patrol - approval is requested by the Communications Division for a revenue agreement with the State of California, Department of the California Highway Patrol, for \$30,000 to be used by the County for upgrades and site improvements at the Platte Mountain Radio Site - action requested - APPROVE BUDGET TRANSFER B-186 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

LIBRARY

- 3.14 * First 5/Butte County Children and Families Commission Grant - approval is requested for a grant application to the First 5/Butte County Children and Families Commission for funds to support the Library-Literacy program. The maximum grant award is \$275,000 over a three-year period - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR-LIBRARIES TO SIGN.

- 3.15 * California Department of Education Grant - approval is requested to apply to the California Department of Education for funds from the 21st Century Community Learning Center Grant. Grant funds will be used for the Library-Literacy program. The maximum grant award is \$75,000 - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR-LIBRARIES TO SIGN.

- 3.16 * Library Donations - pursuant to Government Code Section 25355, donations of \$1,000 from the Paradise Friends of the Library group, \$500 from the Kosch-Westerman Foundation, and \$250 from the Cosmos Club of Chico, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PROBATION

3.17 *

Redwood Toxicology Laboratory, Inc. - approval is requested for an agreement with Redwood Toxicology Laboratory, Inc., for the provision of substance testing services. The term of the agreement is January 1, 2004, through June 30, 2004, with an option to renew annually for a total of three years. The maximum amount payable for fiscal year 2003-2004 will be \$45,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
WORKS

3.18

Adoption 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 - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-13-04 [3.52])

3.19 *

TGV Solid Waste, Inc. - Amendment - approval is requested for an amendment to the agreement with TGV Solid Waste, Inc., for the provision of landfill operations consulting services. 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. (Contract No. X14023)

3.20 * Reconstruction of West East Avenue from State Route 32 to the Chico City Limits; County Project Number 56171-96-1 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the increasing amount of \$6,555, provides for the installation of four advance warning traffic loops. The installation of the advance warning loops will result in an increase to the overall contract amount and are to be paid for as extra work (project budget) - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.

3.21 * Resolution Amending Resolution No. 03-175, Approving the Application for Grant Funds for the Purchase and Enhancement of Lookout Point - on December 16, 2003, the Board adopted Resolution No. 03-175, approving submission of a grant application for funds to purchase and improve Lookout Point. The original resolution did not include the necessary language to provide signature authority to the Director-Public Works. The proposed resolution will add the authority of the Director-Public Works to execute and submit documents in support of the grant - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.22 * WTP (Waste Tire Products) - Amendment - approval is requested for an amendment to the agreement with WTP (Waste Tire Products) for the collection, transportation, and recycling of electronic waste products from the Neal Road Landfill. The term 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. (Contract No. X14344)

SHERIFF'S
OFFICE

3.23 * Budget Transfer - Sales Tax - approval is requested to transfer \$28,758 from the Sheriff's Helicopter Trust Fund to provide the appropriation needed to pay sales tax on the three OH-6A helicopters received through an equipment exchange with the Department of Justice. The County is liable for the sales tax based on the value of the traded equipment - action requested - APPROVE BUDGET TRANSFER B-189 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

3.24 * State of California, Department of Parks and Recreation and the Butte Meadows Hillsliders Snowmobile Club - Amendments - approval is requested for amendments to agreements in support of the Off-Highway Vehicle Grant program. The first amendment is to the grant agreement with the State of California, Department of Parks and Recreation. The second amendment is to the services agreement with the Butte Meadows Hillsliders Snowmobile Club. The amendments extend the terms of both agreements through June 30, 2004. Additionally, fiscal year 2002-2003 funds were not expended during that fiscal year, and the proposed amendments also provide for the expenditure of prior year grant funds during the extended term. The fiscal year 2003-2004 grant award was budgeted at \$35,000, but was awarded at \$25,000, and Board approval is also requested for a budget transfer to reflect the reduced award in the department's budget accounts - action requested - APPROVE BUDGET TRANSFER B-188 (4/5 vote required) MAKING ADJUSTMENTS FOR THE REDUCED GRANT AWARD AS DETAILED IN THE AGENDA REPORT; APPROVE AGREEMENT AMENDMENTS (2) AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE SHERIFF, OR HIS DESIGNEE, TO SIGN FUTURE GRANT AGREEMENTS, AMENDMENTS, AND REQUIRED DOCUMENTATION, INCLUDING SERVICE AGREEMENTS IN SUPPORT OF THE GRANT, SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

TREASURER-

TAX COLLECTOR

3.25 * Monthly Investment Report - submitted is the Monthly Investment Report dated December 31, 2003, in accordance with the Statement of Investment Policy dated July 1, 2003 - action requested - ACCEPT FOR INFORMATION.

3.26 * Solar Project Interim Financing - approval is requested to arrange gap financing for the solar energy project. The project will be financed by a grant from Pacific Gas and Electric, a loan from the California Energy Resources and Conservation Commission, and a loan to cover the remaining gap. Project energy savings are anticipated to more than offset debt service on the two loans. The amount to be borrowed is estimated at \$1 million - action requested - AUTHORIZE THE TREASURER TO ARRANGE GAP FINANCING FOR THE SOLAR ENERGY PROJECT AND TO RETURN THE PROPOSED FINANCING TO THE BOARD FOR FINAL APPROVAL.

WATER AND
RESOURCE
CONSERVATION

3.27 *

California Department of Water Resources - Local Groundwater Assistance Grant - approval is requested to apply for a grant from the California Department of Water Resources for funds to develop the Butte County Basin Management Objective Information Center. The maximum grant award will be \$250,000 per applicant - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT THE DIRECTOR-WATER AND RESOURCE CONSERVATION TO SUBMIT GRANT APPLICATION.

OTHER
DEPARTMENTS
AND AGENCIES

3.28 *

Resolution in Support of Media Coverage - the Children's Services Coordinating Council is requesting the Board adopt resolutions acknowledging the contributions of local media to the campaign to increase awareness of the Frank Watters Children's Trust Fund - action requested - ADOPT RESOLUTIONS (5) AND AUTHORIZE THE CHAIR TO SIGN.

3.29 *

Local Child Care Planning Council - approval is requested by the Butte County Office of Education, on behalf of the Local Child Care Planning Council, to approve the updated council membership list - action requested - APPOINT/REAPPOINT MEMBER LISTING AS SUBMITTED; AND APPROVE CERTIFICATION STATEMENT REGARDING COMPOSITION OF LOCAL CHILD CARE PLANNING COUNCIL MEMBERSHIP AND AUTHORIZE THE CHAIR TO SIGN.

3.30 *

Paradise Memorial Hall Committee - action requested - APPOINT WALT KOERNER, DELEGATE, AND BILL COENEN, ALTERNATE, CALIFORNIA VETERANS SQUARE DANCE ASSOCIATION, TO TERMS TO END JUNE 30, 2004.

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.

- * 1. Resolution Authorizing Extraordinary Steps by the Chief Administrative Officer to Manage the County Budget - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PRESENTATION
AND DISCUSSION
ITEMS

4.03

True Love Waits Campaign - Report to the Board - update on the True Love Waits Campaign - action requested - ACCEPT FOR INFORMATION. (SUPERVISOR BEELER)

4.04

- * Resolution Conditionally Extending Non-Exclusive Cable Television Franchises for the Unincorporated Areas of Chico/Durham, the Unincorporated Areas of Paradise, and the Unincorporated Areas of Oroville, Biggs and Gridley - consideration of a conditional extension to April 7, 2007 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE CHAIR TO SIGN AGREEMENTS REFERENCED IN THE RESOLUTION SUBJECT TO REVIEW BY THE CHIEF ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO APPROVE MINOR REVISIONS TO AGREEMENTS, IF NECESSARY, PRIOR TO EXECUTION BY THE CHAIR. (CHIEF ADMINISTRATIVE OFFICE)

4.05

- * Butte County Resource Conservation District - Report to the Board - update on the District's activities and accomplishments - action requested - ACCEPT FOR INFORMATION. (WATER AND RESOURCE CONSERVATION)

4.06

- * Introduction of an Ordinance Amending the Butte County Code to Add Chapter 33A, Entitled, "Groundwater Management" - consideration of a Basin Management Objectives ordinance for the basin areas of the county - action requested - WAIVE READING OF THE ORDINANCE. (WATER AND RESOURCE CONSERVATION)

4.07 * HR 2389 Secure Rural Schools and Community Self-Determination Act of 2000 (Federal Fire Safe Funding) Fiscal Year 2003-2004 Project Authorization - consideration of projects recommended by the Butte County Fire Safe Council - action requested - APPROVE HR 2389 PROJECTS FOR FISCAL YEAR 2003-2004 AS RECOMMENDED BY THE BUTTE COUNTY FIRE SAFE COUNCIL; APPROVE BUDGET TRANSFER B-193 (4/5 vote required) ACCEPTING, ALLOCATING AND TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE MASTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (FIRE DEPARTMENT/CHIEF ADMINISTRATIVE OFFICE)

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

5.00 PUBLIC HEARINGS AND TIMED ITEMS

10:00 A.M. 5.01 * Timed Item - Lake Oroville Relicensing - Report to the Board - update on the Federal Energy Regulatory Commission Lake Oroville Relicensing Project and Protection, Mitigation and Enhancement measures - action requested - ACCEPT FOR INFORMATION; AND BOARD DISCUSSION AND DIRECTION AS NEEDED.

10:25 A.M. 5.02 * Public Hearing - Resolution in Opposition to the State Department of Fish and Game's Proposed Bucks Mountain-Blue Canyon Junior Either-Sex Deer Hunt in Area J-16 - pursuant to Sections 458 and 459 of the California Fish and Game Code, consideration of the recommendation of the Butte County Fish and Game Commission to adopt a resolution objecting to the State Department of Fish and Game's Bucks Mountain-Blue Canyon Junior Either-Sex Deer Hunt in Area J-16 - action requested - ACCEPT RECOMMENDATION OF THE BUTTE COUNTY FISH AND GAME COMMISSION AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 10:30 A.M. 5.03 * Continued Public Hearing - Certificate of Merger Appeal - Reed B. Johnson - consideration of an appeal of a denial of a Certificate of Merger for a project to reconfigure 2 parcels on property located on the northwest corner of Larkin Road and Johnson Clan Avenue in the Gridley area, and identified as APN 024-200-067 and 068 - action requested - STAFF IS RECOMMENDING THE BOARD FIND THAT APPROVAL OF THE PROJECT WOULD NOT BE IN CONFORMANCE WITH THE ZONING AND GENERAL PLAN CRITERIA AND DENY THE APPEAL. (FROM 12-02-03 [5.01])
- 10:30 A.M. 5.04 * Continued Public Hearing - Lot Line Adjustment Appeal - Charles Pfister - consideration of an appeal of a denial of a Lot Line Adjustment for a project to reconfigure 2 parcels to effect a 1991 Homesite Segregation Use Permit approval on property located on the southeast corner of Peterson Avenue and Lewis Oak Road in the Gridley area, and identified as APN 021-190-069 and 070 - action requested - STAFF IS RECOMMENDING THE BOARD FIND THAT APPROVAL OF THE PROJECT WOULD NOT BE IN CONFORMANCE WITH THE ZONING AND GENERAL PLAN CRITERIA AND DENY THE APPEAL. (FROM 12-02-03 [5.02])
- 10:30 A.M. 5.05 * Continued Public Hearing - Certificate of Merger Appeal - David North - consideration of an appeal of a denial of a Certificate of Merger for a project to merge 8+ underlying lots into 2 lots on property located on the south side of Ludlum Avenue, approximately 200 feet west of Irwin Avenue in the Palermo area, and identified as APN 026-221-002 - action requested - STAFF IS RECOMMENDING THE BOARD FIND THAT APPROVAL OF THE PROJECT WOULD NOT BE IN CONFORMANCE WITH THE ZONING AND GENERAL PLAN CRITERIA AND DENY THE APPEAL. (FROM 12-02-03 [5.03])

10:30 A.M. 5.06 * Continued Public Hearing - Certificate of Merger Appeal - Brian Cook - consideration of an appeal of a denial of a Certificate of Merger for a project to modify the common property line between 2 parcels located on the northeast corner of Highway 99 and Drake Avenue in the Biggs area, and identified as APN 025-120-038 and 046 - action requested - STAFF IS RECOMMENDING THE BOARD FIND THAT APPROVAL OF THE PROJECT WOULD NOT BE IN CONFORMANCE WITH THE ZONING AND GENERAL PLAN CRITERIA AND DENY THE APPEAL. (FROM 12-02-03 [5.04])

10:30 A.M. 5.07 * Continued Public Hearing - Certificate of Merger Appeal - Lawrence E. Crabtree - consideration of an appeal of a denial of a Certificate of Merger for a project to reconfigure 2 existing lots located on the south side of Chico River Road, approximately 400 feet east of Crouch Avenue in the Chico area, and identified as APN 039-120-031 and 032 - action requested - STAFF RECOMMENDS THE BOARD:

1. DENY THE APPEAL, FINDING THAT APPROVAL OF THIS PROPOSAL WOULD NOT BE IN CONFORMANCE WITH THE ZONING AND GENERAL PLAN CRITERIA; OR

2. DIRECT THE APPLICANT TO SUBMIT A REVISED APPLICATION FOR REVIEW, WHICH ENLARGES THE EASTERLY PARCEL TO INCORPORATE THE ENTIRE SEWAGE DISPOSAL SYSTEM ON THE SAME PROPERTY AS THE RESIDENCE BEING SERVED, IN CONFORMANCE WITH THE PROVISIONS OF THE BUTTE COUNTY CODE AND SUBDIVISION MAP ACT. (FROM 12-16-03 [5.06])

11:00 A.M. **5.08** * Public Hearing - Certificate of Correction - Jeff and Cindy Caswell - consideration of an appeal of the determination of the Planning Commission regarding a Certificate of Correction to remove a note on a recorded Parcel map which prohibits development below a bluff line. The property is zoned "U" (Unclassified - 20 acre minimum parcels) and is located on the west side of Old Stage Road, approximately 1.4 miles north of the intersection of Williams Road and Old Stage Road, northwest of Butte College and identified as APN 041-100-061 (SB [File # COR 03-04]) - action requested - STAFF IS REQUESTING THE BOARD OPEN THE HEARING AND CONTINUE THE ITEM OPEN TO FEBRUARY 10, 2004, AT 10:30 A.M.

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 LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

AGENCY REPRESENTATIVES: JEANNE GRAVETTE.

EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION.

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