

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

APRIL 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.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

AGRICULTURE

3.01 *

Revenue Augmentation and Fixed Asset Purchase - approval is requested to accept \$179,152 in additional allocations from the State of California, Department of Pesticide Regulation (\$21,626) and Department of Food and Agriculture (\$157,526). The department is requesting the Board appropriate \$40,000 to the department's budget to fund the fixed asset purchase of two replacement vehicles, with the balance of the increased allocations to remain in the General Fund - action requested - APPROVE BUDGET TRANSFER B-312 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF REPLACEMENT VEHICLES IN THE AMOUNT OF \$40,000.

ASSESSOR

3.02 *

State Department of Finance - approval is requested for a grant agreement with the State Department of Finance for funds under the State-County Property Tax Administration Program for Fiscal Year 2003-2004. The term of the grant is one year, with a grant award to the County of \$381,956. The funds will be used to enhance the County Property Tax Administration System - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BEHAVIORAL HEALTH

3.03 *

Crestwood Behavioral Health, Inc. - Amendment - approval is requested for an amendment to the agreement with Crestwood Behavioral Health, Inc., for the provision of Institutions for Mental Disease and Enhancement Services. The amendment increases the maximum amount payable by \$60,000 (department budget) for fiscal year 2003-2004. 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. X14361)

- 3.04 * Tri-County Treatment - Amendment - approval is requested for an amendment to the agreement with Tri-County Treatment for the provision of short-term residential and recovery services for clients referred under the Substance Abuse and Crime Prevention Act. The amendment increases the maximum amount payable by \$65,620 (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. X14476)
- 3.05 * MCPP Healthcare Consulting - Amendment - approval is requested for an amendment to the agreement with MCPP Healthcare Consulting for the provision of services in the area of systems analysis and acquisition, and development of a strategic plan and capital acquisition plan for information technologies within the department. The amendment expands the scope of services to include the preparation of a Butte County BIZ Plan/Proposed Budget, extends the term of the agreement through June 30, 2004, and increases the maximum amount payable by \$6,000 (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. X11628)
- 3.06 * Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of long-term residential treatment services and alcohol/drug free housing for clients referred under the FOREST and Drug Court Partnership programs. The amendment adds language regarding the provider's match requirements, patient/client fees, third party revenue, payment provisions and annual cost reports, and increases the maximum amount payable by \$7,893.84 (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. X11475)
- 3.07 * State of California, Department of Mental Health - approval is requested for a performance agreement with the State of California, Department of Mental Health, for State provision of professional and inpatient hospital services through State hospitals. The term of the agreement is July 1, 2003, through June 30, 2004. There is no cost to the department for this performance agreement - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER

3.08 * State of California, Department of Mental Health - Amendment - approval is requested for an amendment to the agreement with the State of California, Department of Mental Health, for the Consolidated Managed Care Program. The amendment reflects an appropriation reduction of \$54,118 for fiscal year 2003-2004, and implements changes in Federal Medicaid care regulations. All other terms and provisions remain the same. A budget transfer is also requested to reflect the revenue reduction - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-313 REDUCING ALLOCATION REVENUES AS DETAILED IN THE AGENDA REPORT. (Contract No. R40604)

3.09 * Skyway House - Amendment - approval is requested for an amendment to the agreement with Skyway House for the provision of rehabilitation, recovery and residential services for clients referred under the FOREST and Drug Court Partnership programs. The amendment adds language regarding the provider's match requirements, patient/client fees, third party revenue, payment provisions and annual cost reports, and increases the maximum amount payable by \$92,527.82 (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. X14461)

3.10 * Glenn County Health Services - approval is requested for a revenue agreement with Glenn County Health Services for the provision of acute psychiatric inpatient services to residents of Glenn County. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$80,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BOARD OF
SUPERVISORS

3.11 * Resolution Proclaiming the Week of April 11-17, 2004, as Barbershop Harmony Week - Supervisor Houx submits a resolution proclaiming Barbershop Harmony Week in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.12 * Resolution in Appreciation of Michael V. Pierce - Supervisor Beeler submits a resolution expressing appreciation to Michael V. Pierce of his years of service to the citizens of Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHIEF
ADMINISTRATIVE
OFFICE

3.13 * Equipment Donation - pursuant to Government Code Section 25355, Comcast Cable Communications, Inc., has donated four ladders to the Development Services Department to assist with inspections of power supply equipment placed on utility poles - action requested - ACCEPT DONATION.

3.14 * MAXIMUS, Inc. - Amendment - approval is requested for an amendment to the agreement with MAXIMUS, Inc., for the provision of a Countywide cost of services/user fee study. The amendment extends the term of the agreement to June 30, 2004, to allow time to complete the study. 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. X13956)

3.15 * Application to the Commission on State Mandates for General Assistance Mandate Relief - approval is requested to prepare an Application for a Finding of Significant Financial Distress for submission to the Commission on State Mandates. A finding of significant financial distress will allow the County to adopt a standard of general assistance below the level established by Welfare and Institutions Code Section 17000.5, resulting in an estimated savings to the County of approximately \$250,000 annually - action requested - DIRECT THE CHIEF ADMINISTRATIVE OFFICER AND COUNTY DEPARTMENT HEADS TO WORK COOPERATIVELY IN PREPARING THE APPLICATION FOR SUBMISSION TO THE COMMISSION.

CHILD SUPPORT
SERVICES

3.16 * PNmit - Amendment - approval is requested for an amendment to the agreement with PNmit for the provision of bulk printing and mailing services. The amendment adds language allowing the County to cancel the use of "epay" at any time. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14172)

3.17 * Dr. and Mrs. M. Robert Ching - approval is requested for a lease agreement with Dr. and Mrs. M. Robert Ching for the City of Paris building located at 1474 Myers Street, Oroville. The term of the agreement is March 1, 2004, through June 30, 2011, with a monthly lease rate of \$8,297 (department budget) for the first year, and increasing 3% per fiscal year thereafter - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14803)

CLERK OF
THE BOARD

3.18 *

Approval of Minutes - action requested - APPROVE MINUTES OF OCTOBER 14, 2003; OCTOBER 28, 2003; NOVEMBER 18, 2003; AND DECEMBER 2, 2003.

COUNTY CLERK-
RECORDER

3.19 *

Relief of Accountability - approval is requested for relief of accountability for a Computrend Computer System. The equipment was sent to County surplus in 2003, and appropriate paperwork was inadvertently omitted . The District Attorney's Office and Auditor-Controller have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.

DEVELOPMENT
SERVICES

3.20

Adoption of an Ordinance Adding Section 26-3.3, Entitled "Notice of Limited Allowed Use" to Chapter 26, Entitled "Buildings" of the Butte County Code - consideration of an ordinance which will allow for the recordation of a notice or deed restriction specifying the allowed limited uses of residential accessory buildings - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-23-04 [4.05])

EMPLOYMENT
AND SOCIAL
SERVICES

3.21 *

Request to Extend Temporary Assignment to Higher Level Classification - approval is requested to extend the temporary assignment of an Employment and Eligibility Supervisor to the higher level classification of Administrative Analyst III for an additional 90 days, or until the hiring process to fill the position can be completed. There are sufficient funds in the department's budget to fund the assignment - action requested - APPROVE A 90-DAY EXTENSION OF TEMPORARY ASSIGNMENT TO A HIGHER LEVEL CLASSIFICATION.

FIRE
DEPARTMENT

3.22 *

Department of Interior, Bureau of Land Management - approval is requested for a \$19,899.44 grant from the Department of Interior, Bureau of Land Management, for the purpose of enhancing the fire protection capabilities of rural fire departments. The department proposes to use the funds to purchase 77 new generation fire shelters and 2 training shelters. The grant requires a County cost share of \$1,989.94 and the Fire Department has funds within the existing budget to meet this match - action requested - APPROVE AND ACCEPT GRANT; AND APPROVE BUDGET TRANSFER B-323 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.23 * California Department of Forestry and Fire Protection - approval is requested for a Cooperative Fire Protection Services Agreement with the California Department of Forestry and Fire Protection. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable of \$9,751,062. The department budgeted \$9,052,205 for the agreement and Board approval is requested for a transfer of \$698,857 from the General Fund Appropriation for Contingencies to fully fund the agreement. The increase is the result of increased benefit costs for firefighters - action requested - APPROVE BUDGET TRANSFER B-324 (4/5 vote required); AND ADOPT RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11590)

GENERAL
SERVICES

3.24 * Waste Management - approval is requested to award an agreement to Waste Management of Chico, for the provision of solid waste disposal/recycling services at various County buildings and locations. The agreement is the result of a Request For Quotations, with the lowest quotation being Waste Management of Chico. The term of the agreement is May 1, 2004, through April 30, 2006, with a maximum amount payable of \$55,680 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.25 * Tri-Signal Integration, Inc. - approval is requested to award an agreement to Tri-Signal Integration, Inc., for the provision of fire alarm and suppression systems maintenance services. The agreement is the result of a Request For Quotation, with the lowest quotation being Tri-Signal Integration, Inc., of El Dorado Hills. The term of the agreement is May 1, 2004, through April 30, 2006, with a maximum amount payable of \$35,360 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.26 * Relief of Accountability - approval is requested for relief of accountability for a camera plate maker utilized by Central Duplicating. The equipment was used as a trade-in on a new plate maker purchased in 1998, but has remained on the fixed asset inventory list in error. The District Attorney's Office and Auditor-Controller have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.

- 3.27 * Resolution Designating Authorized Representatives for State Domestic Preparedness Grant - approval is requested for a resolution which will approve the grant assurances and appoint the General Services Director or Interim Emergency Services Officer as Authorized Agents for the purpose of submitting requests for reimbursement, preparing and submitting quarterly reports, and processing grant requirements for the Fiscal Year 2001 State Domestic Preparedness Grant - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.28 * International Mailing Equipment, Inc. - approval is requested to award an equipment lease agreement and equipment maintenance agreement to International Mailing Equipment Inc., for the lease and maintenance of digital mailing machines and scales. The agreements (2) are the result of a Request For Proposal, with the lowest total proposal submitted by International Mailing Equipment, Inc., of Sacramento. The term of the lease agreement is 66 months from the date of approval, with a monthly lease rate of \$1,015 (department budget). The term of the maintenance agreement is May 1, 2004, through April 30, 2009, with a maximum amount payable of \$2,562 per year (department budget) - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.29 * Applied Testing Consultants - approval is requested for a sole source agreement with Applied Testing Consultants for the provision of construction testing services for the Courthouse Expansion Project. The term of the agreement is for the term of the project, with a maximum amount payable of \$27,682 (project budget) - action requested - APPROVE SOLE SOURCE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14625)
- 3.30 * William "Mike" Pyeatt - Amendment - approval is requested for an amendment to the consulting agreement with William "Mike" Pyeatt for project administration services for the juvenile hall project. The amendment extends the term of the agreement to June 30, 2004, to allow for project completion activities, and increases the maximum amount payable by \$1,000 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13345)

3.31 * Enterprise Rent-A-Car - approval is requested to award an agreement to Enterprise Rent-A-Car for vehicle rental services for the County. The agreement is the result of a Request For Proposal, with Enterprise Rent-A-Car being the only responsive proposal. Based on the cost of maintaining a County Motor Pool fleet, the proposed agreement is anticipated to result in significant savings to the County (approximately \$37,000 annually based on miles driven in 2003). The term of the agreement is April 1, 2004, through March 31, 2007 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (FROM 3-23-04 [3.19])

3.32 * Pacific Gas and Electric Company Self-Generation Incentive Program - approval is requested for three agreements with Pacific Gas and Electric Company (PG&E) and Sun Power & Geothermal Energy Company, Inc., for participation in a rebate program in support of the County's Solar Energy Project. The program will provide \$4.2 million in rebates, which will be used to finance half the cost of the project. A separate agreement has been prepared for each phase of the project: East Jail Facility, Administration and Parking Lot, and West Jail Facility - action requested - APPROVE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN.

3.33 * Pacific Gas and Electric Company Self-Generation Incentive Program - Rebate Reassignment - approval is requested for three agreements with Pacific Gas and Electric Company for participation in a rebate program in support of the County's Solar Energy Project. At the request of Sun Power & Geothermal Energy Company, Inc. (Sun Power), the proposed agreements will provide for reassignment of the \$4.2 million in rebates from Sun Power to Sharp Electronics, the manufacturer of the solar panels. A separate agreement has been prepared for each phase of the project: East Jail Facility, Administration and Parking Lot, and West Jail Facility - action requested - APPROVE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN.

HUMAN
RESOURCES

3.34 * Standard Insurance Company - Amendment - approval is requested for an amendment to the agreement with Standard Insurance Company for the provision of group long-term disability insurance for Butte County employees. The amendment incorporates language revisions regarding long term disability benefits. The amendment effective date is November 1, 2003. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Group Policy No. 642005)

3.35 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the Salary Ordinance as follows: ADMINISTRATIVE-GENERAL SERVICES ADMINISTRATION - adds one position of General Services Deputy Director. DISTRICT ATTORNEY-CRIMINAL - deletes one position of Receptionist and one flexibly staffed position of Office Assistant III/II/I. Adds one flexibly staffed position of Legal Typist Clerk/Office Assistant III/II/I and one flexibly staffed position of Receptionist/Office Assistant III/II/I. LOCAL AGENCY FORMATION COMMISSION - deletes one position of LAFCo/Administrative Support Services Assistant. SALARY PLAN FOR CLASSIFIED POSITIONS (REFERENCE F) MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATIONS - creates the position of General Services Deputy Director and establishes the salary range at \$32.34-\$39.31 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**INFORMATION
SYSTEMS**

3.36 * MarketWare Technologies - approval is requested for an agreement with MarketWare Technologies for the provision of software licenses under the State's Microsoft Select 5.1 Licensing Program. The agreement provides 5001 various user, server and enterprise software licenses at the cost of \$189,908.65 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14793)

LIBRARY

3.37 * Library Donations - pursuant to Government Code Section 25355, donations of \$855 from the Oroville Friends of the Library, and \$300 from the Chico Friends of the Library, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.38 * Global Languages Materials Grant - approval is requested to apply to the California State Library for funds under the Global Languages Materials Grant Program. The grant will provide \$6,000 for informational and recreational materials to newcomers to America in their native language to assist them in more fully participating in California and American society - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR-LIBRARIES TO SIGN.

PROBATION

3.39 *

Juvenile Accountability Block Grant - approval is requested to apply to the California Board of Corrections for a Juvenile Accountability Block Grant in the amount of \$32,683. The grant is intended to reduce juvenile offenses through accountability-based initiatives. The grant requires a \$3,631 cash match which has been included in the department's fiscal year 2004-2005 budget proposal - action requested - AUTHORIZE THE CHIEF PROBATION OFFICER TO APPLY FOR THE GRANT AND SIGN ALL GRANT DOCUMENTS.

PUBLIC
HEALTH

3.40 *

Increase for Fixed Asset Purchase of Generator - approval is requested to increase by \$37,222 the amount previously approved for the fixed asset purchase of an emergency generator for the Public Health Clinic located at 695 Oleander, Chico. The fiscal year 2003-2004 budget approved \$35,000 for the purchase. The increase is needed to provide for installation costs, electrical drawings, a concrete slab, and a new electrical panel. Funding for the increase will be provided by Motor Vehicle Realignment funds (\$12,789) and Bioterrorism Preparedness Grant funds (\$24,433). Purchase and installation of the generator will be completed by Facilities Services and Board approval is also requested for the transfer of funds necessary to complete the project - action requested - APPROVE \$37,222 INCREASE FOR THE FIXED ASSET PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR; AND APPROVE BUDGET TRANSFER B-314 (4/5 vote required) ACCEPTING, APPROPRIATING, AND TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.41 *

State of California, Department of Health Services - approval is requested for a revenue agreement with the State of California, Department of Health Services, for the provision of services intended to raise the immunization levels of infants and children. The term of the agreement is January 1, 2004, through December 31, 2004, with a maximum amount payable to the County of \$61,530 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.42 *

California Department of Health Services - approval is requested for a revenue agreement with the California Department of Health Services, for participation in the Targeted Case Management Program. The term of the agreement is July 1, 2004, through June 30, 2007, with a maximum amount available to the County of \$638,781 for fiscal year 2004-2005 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.43 * Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for the property located at 202 Mira Loma Drive, Oroville. The property is utilized by Public Health Administration, Environmental Health Administration, Public Health nursing staff, Health Education and Animal Control. The amendment increases the maximum amount payable for fiscal year 2003-2004 by \$10,000 (department budget) for change orders, modifications and design changes not included in Tenant Improvements. 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. X13127)
- 3.44 * Medi, Inc. ("medi.com") - Addendum - approval is requested for an addendum to the agreement with Medi, Inc. ("medi.com"), for the provision of electronic billing services in conformance with Medi-Cal and Medicare regulations. The addendum provides for acknowledgment of the assignment of the Medi, Inc., agreement to Medifax EDI, LLC, as a result of the acquisition of Medi, Inc., by Medifax EDI, LLC. 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. X11682)
- 3.45 * Resolution in Recognition of James R. Botill Upon Retirement from the Butte County Department of Public Health - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.46 * Purchase of Vehicle - approval is requested for the fixed asset purchase of a used passenger van for the Solid Waste Division. The van will be utilized to transport Court appointed community service workers to trash collection sites. The proposed van purchase will not exceed \$20,000 and will be funded by the Neal Road Landfill Enterprise Fund - action requested - APPROVE FIXED ASSET PURCHASE OF USED PASSENGER VAN IN AN AMOUNT NOT TO EXCEED \$20,000.
- 3.47 * Budget Transfer - approval is requested for a transfer of \$480,000 from the Chico Urban Area Street Improvement Fund to the department's budget for costs associated with the West East Avenue Reconstruction Project - action requested - APPROVE BUDGET TRANSFER B-315 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC
WORKS

- 3.48 * Blossom Estates Subdivision - Subdivision Agreement Extension - approval is requested for a six month extension of the Subdivision Agreement for the Blossom Estates Subdivision, a 16 lot public street subdivision located on the southeast corner of Durham Dayton Highway and Turner Lane in the community of Durham. The property owners are requesting the extension in order to complete construction. The current Irrevocable Letter of Credit shall remain in effect until all improvements have been completed pursuant to County standards - action requested - GRANT SIX MONTH EXTENSION OF SUBDIVISION AGREEMENT FOR BLOSSOM ESTATES SUBDIVISION.
- 3.49 * State of California, Department of Transportation - approval is requested for a Cooperative Agreement with the State of California, Department of Transportation, for the acquisition of property as part of the channel mitigation requirements associated with the Seismic Retrofit of State Bridge 12C-0120 Project (Ord Ferry Road across the Sacramento River). The County's required property acquisition will be done in conjunction with the State's acquisition requirements on a nearby project (State Route 162 near Butte City Bridge). The County's contribution for the acquisition will be \$3,800. The Federal Highway Bridge Rehabilitation and Replacement Program will reimburse 80% of the costs - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14783)
- 3.50 * County Service Area Budget Transfer - approval is requested for a transfer of \$10,166 from the County Service Area Appropriation for Contingencies to County Service Area No. 31 (Biggs Swimming Pool). Expenses for maintaining the pool through June 2003 exceeded budgeted amounts - action requested - APPROVE BUDGET TRANSFER B-316 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.51 * Adoption of the American Association of State Highway and Transportation Officials' Guidelines for Geometric Design of Very Low Volume Local Roads - approval is requested to adopt the American Association of State Highway and Transportation Officials' 2001 Guidelines for the Geometric Design of Very Low Volume Local Roads. The use of these standard design manuals and guidelines will allow the County to design and build roads and bridges to standards that are uniform and standard throughout California - action requested - ADOPT GUIDELINES FOR GEOMETRIC DESIGN OF VERY LOW VOLUME LOCAL ROADS FOR USE BY THE DEPARTMENT ON VERY LOW VOLUME COUNTY ROAD PROJECTS.

3.52 * Pheasant Landing Unit 3 Subdivision Reimbursement Agreement - approval is requested for a reimbursement agreement with Stephen J. Schuster, owner of the Pheasant Landing Unit 3 Subdivision, for reimbursement of a portion of the costs expended to reconstruct the Garner Lane frontage adjacent to his subdivision project. Pursuant to Butte County Code Section 20-150, Mr. Schuster can request a reimbursement agreement for the portion of the road improvements that will benefit future developers adjacent to the improved section of Garner Lane. The total improvement costs were \$140,700, of which \$56,280 may be reimbursed - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

SHERIFF'S OFFICE

3.53 * Transfer of Funds - approval is requested to transfer \$9,406 from the Inmate Welfare Fund to the Incarceration Division budget for repair costs of nine dryers and four washers in the Jail - action requested - APPROVE BUDGET TRANSFER B-317 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.54 * Fixed Asset Purchase - approval is requested for the fixed asset purchase of an industrial level washing machine in the amount of \$17,437.49. The washers are used for jail-generated laundry. The purchase is needed to replace a machine that is beyond economic repair. Funding for the purchase will be provided by the Inmate Welfare Fund and Board approval is also requested for a budget transfer to provide the appropriation for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF WASHING MACHINE; AND APPROVE BUDGET TRANSFER B-318 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.55 * Relief of Accountability - approval is requested for relief of accountability for proprietary jail management software that was replaced with an undated system in 1998. The software was removed by the proprietor at the end of the license term, but has remained on the fixed asset inventory list in error. The District Attorney's Office and Auditor-Controller have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.

TREASURER-TAX COLLECTOR

3.56 * State Fair Booth 2004 - the Treasurer-Tax Collector has coordinated the County's exhibit at the California State Fair for the past five years and Board approval is requested to authorize and appoint the Department as official representative for 2004 - action requested - APPOINT THE TREASURER-TAX COLLECTOR AS THE COUNTY'S OFFICIAL REPRESENTATIVE TO THE CALIFORNIA STATE FAIR AND AUTHORIZE THE CHAIR TO SIGN EXHIBIT ENTRY FORM.

3.57 * Resolution Declaring Unclaimed Monies in the County Treasury Property of the County of Butte and Transferring Said Unclaimed Monies to the County General Fund - pursuant to Government Code Section 50050 et seq., approval is requested for a resolution which would authorize unclaimed funds received from the Public Administrator's Office to be transferred to the County General Fund - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-319 (4/5 vote required) ACCEPTING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.58 * Resolution Authorizing and Approving the Borrowing of Funds for Fiscal Year 2004-2005; the Issuance and Sale of a 2004-2005 Tax and Revenue Anticipation Note Therefor and Participation in the California Communities Cash Flow Financing Program - approval is requested for a resolution which would authorize the Auditor and Treasurer to begin procedures to participate in the California Cash Flow Financing Program for the 2004-2005 issuance of Tax and Revenue Anticipation Notes. The issuance will be for a maximum feasible amount to be determined by the Treasurer and Auditor, not to exceed \$25,000,000 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.59 * Resolution Relating to Financing of the Butte County Solar Energy Project, County Capital Project No. 170.031, to Establish Compliance with Reimbursement Regulations Under Internal Revenue Code Section 1.150-2 - approval is requested for a resolution which would declare the County's intention to reimburse prior expenditures associated with the Butte County Solar Energy Project out of proceeds of a subsequently issued series of obligation bonds within 60 days after payment of the expenditures - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE IN THE NAME OF THE COUNTY OF BUTTE ALL NECESSARY DOCUMENTS TO IMPLEMENT AND CARRY OUT THE PURPOSE OF THE RESOLUTION AND TO TAKE ALL ACTIONS NECESSARY TO COMPLETE THE PERMANENT FINANCING AS REPLACEMENT FOR THE \$1,200,000 TREASURER'S POOLED INVESTMENT FUND LOAN.

WATER AND RESOURCE
CONSERVATION

3.60 * Streaminders-Chapter of the Izaak Walton League - approval is requested for an agreement with Streaminders-Chapter of the Izaak Walton League for implementation of the stream bed rehabilitation project along Bidwell Avenue pursuant to the terms of the Urban Streams Restoration Program Grant. The term of the agreement is September 1, 2003, through May 1, 2005, with a maximum amount payable of \$171,695 (grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

OTHER DEPARTMENTS

AND AGENCIES

3.61 *

In-Home Supportive Services Advisory Committee - action requested - REAPPOINT JUDITH NORTHERN, CURRENT OR PAST RECIPIENT OF PERSONAL CARE SERVICES REPRESENTATIVE, TO A TERM TO END DECEMBER 19, 2006.

3.62 *

Private Industry Council - action requested - REAPPOINT JERRY ALLRED, EDUCATION REPRESENTATIVE, TO A TERM TO END JUNE 2007.

3.63 *

Resolution in Recognition of the Opening of the Esplanade House Transitional Shelter for Homeless Families - the Community Action Agency is requesting the Board adopt a resolution in recognition of the opening of their new program facility located at 181 E. Shasta Avenue, Chico - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

4.00

REGULAR AGENDA

PRESENTATION

ITEM

4.01 *

Resolution Honoring Butte County Employees for Dedicated Years of Service - presentation of awards to employees with 30 years of service to the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND PRESENT AWARDS TO EMPLOYEES WITH 30 YEARS OF SERVICE. (HUMAN RESOURCES)

BOARDS,

COMMISSIONS AND

COMMITTEES

4.02 *

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

(*)

2. Housing Authority of the County of Butte - the Executive Director of the Housing Authority of the County of Butte has submitted a recommendation for Board appointment of a Tenant Representative - action requested - REAPPOINT LENA WHITE, TENANT REPRESENTATIVE, TO A TERM TO END APRIL 16, 2006.

3. Board Member or Committee Reports.

BUDGET AND
LEGISLATIVE
UPDATE

4.03

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

- * 1. Senate Bill 1646 - consideration of support for legislation introduced by Senator Sam Aanestad which is intended to preserve the practice of utilizing volunteer firefighters in rural California - action requested - APPROVE LETTER(S) OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN; AND PROVIDE STAFF ADDITIONAL DIRECTION AS NEEDED. (SUPERVISOR JOSIASSEN)

PRESENTATION
AND DISCUSSION
ITEMS

4.04

* Indian Gaming Special Distribution Fund - consideration of steps required to implement the provisions of Senate Bill 631, which established a method of distributing funds from the Indian Gaming Special Distribution Fund - actions requested:

- 1. ADOPT RESOLUTION ESTABLISHING THE COUNTY OF BUTTE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN;
- 2. APPOINT TWO MEMBERS OF THE BOARD OF SUPERVISORS TO THE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE;
- 3. AUTHORIZE THE CHAIR OF THE BOARD AND THE CHIEF ADMINISTRATIVE OFFICER TO WORK WITH THE MAYOR OF THE CITY OF OROVILLE TO IDENTIFY THREE ELECTED REPRESENTATIVES FROM THE CITY OF OROVILLE WHO WILL BE APPOINTED BY THE BOARD TO THE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE AT THE MEETING OF APRIL 27, 2004;
- 4. ACCEPT DRAFT BYLAWS FOR THE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE AND DIRECT STAFF TO WORK WITH THE COMMITTEE TO FINALIZE BYLAWS TO BE RETURNED TO THE BOARD FOR FINAL ADOPTION;
- 5. AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO WRITE THE TWO TRIBES PAYING INTO THE INDIAN GAMING SPECIAL DISTRIBUTION FUND ASKING THAT THEY SELECT TWO REPRESENTATIVES TO SIT ON THE INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE; AND
- 6. DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO COORDINATE THE SUBMISSION OF GRANT APPLICATIONS FROM AFFECTED DEPARTMENTS ON BEHALF OF THE COUNTY. (CHIEF ADMINISTRATIVE OFFICER)

- 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 - APRIL 13, 2004

- 1.00 **CALL TO ORDER** - Board of Supervisors Room, 25 County Center Drive, Oroville.
- 2.00 **AGENDA ITEMS**
- 2.01 * Request to Fill Vacant Position and Approval of Employment Agreement - approval is requested to fill a vacant Public Authority Services Specialist position. Public Authority employees are at-will positions and approval is also requested for an employment agreement for the position - action requested - APPROVE REQUEST TO FILL VACANT PUBLIC AUTHORITY SERVICES SPECIALIST POSITION; AND APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 2.02 * Resolution to Authorize the California Public Employees' Retirement System to Submit Application and Agreement PERS-SOC-32R to the State of California to Provide Coverage Under the California State Social Security Agreement of March 9, 1951 - on March 1, 2004, the employees of the Butte County In-Home Supportive Services Public Authority voted in favor of coverage under the provisions of the Old-Age, Survivors, Disability and Health Insurance System established by the Federal Social Security Act. The proposed resolution will authorize an application to enter into an agreement with the State to provide coverage under the California State Social Security Agreement - action requested - ADOPT RESOLUTION 04-001 AND AUTHORIZE THE CHAIR TO SIGN.
- 2.03 * Craig L. Jory, Jory HR - approval is requested for an agreement with Craig L. Jory, Jory HR, for the provision of negotiation and consulting services in employer-employee relations. The term of the agreement is January 1, 2004, through June 30, 2004, with a maximum amount payable of \$9,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14789)
- 3.00 **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 is prohibited from taking action on any item not listed on the agenda.
- 4.00 **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 AGENDA5.00PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. (5.01) *

Continued Public Hearing - Tentative Parcel Map Appeal - Ruddy Creek Partnership - consideration of an appeal of a mitigation measure for a Tentative Parcel Map to divide a 17.8± acre parcel into four 1.01± acre parcels for residential development, and a remainder parcel of 13.4± acres. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. Sewage disposal and domestic water services would be through the Thermalito Irrigation District (TID). Parcels 2, 3, and 4 would front on 18th Street. Parcel 1, a corner lot, would front on both 18th Street and Feather Avenue. The remainder parcel would front on Feather Avenue. The remainder parcel would ultimately be developed with an 87-space mobile home park. The property is zoned A-R (Agricultural Residential) and is located on the southeast corner of Feather Avenue and 18th Street, Thermalito, and identified as APN 030-360-082, 083, 084 (SB [TPM 03-26]) - action requested - STAFF RECOMMENDS THE BOARD DENY THE APPEAL TO ELIMINATE MITIGATION MEASURE NO. 2. (FROM 3-23-04 [5.02])

10:45 A.M. (5.02) *

Public Hearing - Butte County Development Services Department - Amendment to the Text of the Subdivision and Zoning Ordinances of the Butte County Code - consideration of an ordinance which will revise County procedures for processing Lot Line Adjustments and Mergers; revise zoning site requirements pertaining to sewage disposal, wells, and approved access; and revise display notice requirements for hearings (ZCA 04-01) - actions requested:

1. FIND THAT THE ADOPTION OF THE ORDINANCE WILL AMEND PARTS OF THE BUTTE COUNTY CODE TO MAKE THEM CONFORM TO STATE LAW AS DISCUSSED IN THE STAFF REPORT;

CONTINUED ON PAGE 20

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- 5.02 2. FIND THAT ADOPTION OF THE ORDINANCE IS EXEMPT
Cont. FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
 (CEQA) PROCESS PURSUANT TO CATEGORICAL EXEMPTION
 CLASS 8 (14 CCR SECTION 15308) AND THE GENERAL
 RULE EXEMPTION (14 CCR SECTION 15061(b)(3))
 BECAUSE THE ORDINANCE REDUCES ENVIRONMENTAL
 IMPACTS BY DECREASING THE NUMBER OF LOT LINE
 ADJUSTMENTS ALLOWED AS SPECIFIED IN STATE LAW, AS
 WELL AS IMPOSING ADDITIONAL LOCAL REQUIREMENTS ON
 LOT LINE ADJUSTMENTS AND MERGERS, AND DIRECT THE
 CLERK OF THE BOARD TO FILE A NOTICE OF EXEMPTION
 WITH THE COUNTY CLERK-RECORDER;
3. FIND THAT BECAUSE ADOPTION OF THE ORDINANCE IS
 EXEMPT FROM CEQA, THE COLLECTION OF FEES PURSUANT
 TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR
 753.5 IS NOT REQUIRED; AND
4. ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.
-

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.

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

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

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.

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