BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MAY 11, 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**

AUDITOR-CONTROLLER

3.01 * Surplus Items - approval is requested to declare surplus a fixed asset computer system (fixed asset nos. 21248 and 21263). The system was replaced with the current cost accounting management system. Due to licensing concerns and the nature of the information contained within the program, approval is also requested to authorize the destruction of the software and data in lieu of a transfer to surplus for disposal by sale - action requested - DECLARE FIXED ASSET ITEMS SURPLUS TO THE NEEDS OF THE COUNTY; AUTHORIZE REMOVAL FROM THE FIXED ASSET INVENTORY LIST; AND AUTHORIZE DESTRUCTION OF SOFTWARE AND DATA.

BEHAVIORAL HEALTH

3.02 * Resolution Proclaiming May 2004 as Mental Health Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.03 * FamiliesFirst, Inc. - Amendment - approval is requested for an amendment to the agreement with FamiliesFirst, Inc., for the provision of rehabilitation services to disturbed youth clients receiving Medi-Cal benefits. The amendment increases the maximum amount payable by $3,358.80 (department budget), revises language regarding records and audits, and adds medication support services to the reimbursable services under the agreement - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14420)

3.04 * Tehama County Health Services Agency - approval is requested for a revenue agreement with Tehama County Health Services Agency for funds to support medication services, mental health services and targeted case management services to Tehama County foster care clients placed in Butte County. The term of the agreement is February 1, 2004, through June 30, 2005, with a maximum amount payable to the County of $15,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40681)

3.05 * Ratification of Purchase - pursuant to Butte County Purchasing Policy Manual Section 8.03(b), ratification is requested for the purchase of computer network software in the amount of $4,174.17. The total purchase price exceeded the Field Purchase Order limit of $2,500, and pursuant to County policy, Board ratification is now required to authorize payment - action requested - RATIFY PURCHASE AND APPROVE PAYMENT OF FIELD PURCHASE ORDER.

3.06 * Substance Abuse and Crime Prevention Act of 2000 County Plan and Funding Request for Fiscal Year 2004-2005 - approval is requested for the County's annual Proposition 36 plan and funding request for fiscal year 2004-2005. The plan is to be submitted to the State Department of Alcohol and Drug Programs by May 1, 2004 - action requested - ADOPT RESOLUTION APPROVING PLAN AND AUTHORIZE THE CHAIR TO SIGN.

3.07 * Acceptance of Fixed Asset - pursuant to Government Code Section 25355, approval is requested to accept as a County fixed asset the donation of a 2000 Ford F-150 truck purchased by Caminar, Inc., as part of the Supportive Housing Initiative Grant Program. Under the terms of the grant agreement, when the vehicle was no longer used by Caminar for the program it was to be donated to the County for the continued benefit of Supportive Housing Initiative clients - action requested - ACCEPT DONATION OF FIXED ASSET VEHICLE.

CHIEF ADMINISTRATIVE OFFICE

3.08 * Tri-County Economic Development Corporation - Master Subrecipient Agreement - approval is requested for the addition of Exhibit #8 and Exhibit #9 to the Master Subrecipient Agreement with the Tri-County Economic Development Corporation for staff related services in support of the State Community Development Block Grant (CDBG) Program. Under the terms of the agreement, any new CDBG activity is to be added to the agreement. Exhibit #8 provides for grant writing services for the CDBG Planning and Technical Assistance Program at the cost of $1,000 (CDBG Program Income). Exhibit #9 provides for administration and implementation activities associated with the Butte County Business Incubator Program at the cost of $150,200 (Microenterprise Incubation Program funds) - action requested - APPROVE ADDITION OF EXHIBIT #8 AND EXHIBIT #9 TO THE MASTER SUBRECIPIENT AGREEMENT AND AUTHORIZE THE ASSISTANT CHIEF ADMINISTRATIVE OFFICER TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

3.09 * Subordination, Attornment and Non-disturbance Agreement - the Behavioral Health Department leases office space along Olive Highway from the Giannecchini 1995 Trust. The Lessor has encumbered the property as security on a loan payment. Approval is requested for a Subordination, Attornment and Non-disturbance Agreement which will provide for the County to continue leasing the office space without disturbance in return for the County's agreement to subordinate to the conditions stipulated in the agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR AND THE DIRECTOR-BEHAVIORAL HEALTH TO SIGN.

COUNTY CLERK-RECORDER

3.10 * Brown's River Records Preservation Services - approval is requested for the sole source agreement with Brown's River Records Preservation Services for the provision of historical records restoration and preservation services. The term of the agreement is three years from the date of execution, with a maximum amount payable of $180,000 ($60,000 per fiscal year [department budget]) - action requested - APPROVE SOLE SOURCE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.11 * Computer Purchase - ratification is requested for the purchase of three IBM desktop computers and three Viewsonic LCD displays in the total amount of $4,536.36. The machines were purchased to support the Absentee Voter and Voter Registration processes - action requested - RATIFY COMPUTER PURCHASE.

DEVELOPMENT SERVICES

3.12 * Notice of Non-Renewal - Williamson Act Agreements - approval is requested to accept the following notices of non-renewal for Williamson Act Agreements: Evelyn Liptrap, APN 047-260-138, 48.23 acres, Document Number 0052839; Harry F. Mead and Zueletta M. Mead, APNs 039-260-060 and 039-260-059, 2.82 acres and 1.30 acres, Document Number 23207; Robert E. Allen, APN 039-610-035, 21 acres, Document Number 29680; and Patricia Robinson, APN 039-230-104, 21 acres, Document Number 84-5712 - action requested - ACCEPT NOTICES OF NON-RENEWAL AND DIRECT RECORDING OF NOTICES.

3.13 * Resolution Providing for Board Approval and Recordation of Certificate of Williamson Act Expirations for Individual Williamson Act Contracts at Time of Contract Termination Pursuant to a Notice of Non-Renewal - approval is requested for a resolution which will allow the County Clerk-Recorder to record Notices of Expiration for Williamson Act Agreements in an effort to provide for more accurate landowner records. The following Williamson Act expirations are being submitted for Board approval and recordation: Adams Esquon Ranch (APN 040-570-001, 040-570-002, 040-570-006, and 040-140-006), expired December 31, 2002. Jack Vernon Williamson (APN 047-220-004), expired December 31, 2002. John Jean Dagorret et al. (APN 027-180-010 and 027-230-004), expired December 31, 2000, and December 31, 1999. George Chaffin (APN 027-200-001, 027-200-003, 027-200-015 and 027-200-090), expired December 31, 2001. Shimizu Brothers, Inc. (APN 042-010-002), expired December 31, 2000. Joseph W. Cooper et al. (APN 041-140-069 and 041-140-070), expired December 31, 2000. Peter J. and Alice Konyn (APN 040-180-030 and 039-460-025), expired December 31, 2000, and December 31, 1999. Ernest R. and Lori S. Bevan (APN 028-030-032, 028-030-045, 028-030-046, 028-030-047, 028-030-048 and 028-030-049), expired December 31, 2000 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; APPROVE CERTIFICATES AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE CERTIFICATES. (FROM 2-24-04 [3.15])

DISTRICT ATTORNEY

3.14 * Workers' Compensation Insurance Fraud Program Funds - approval is requested to accept and appropriate $4,195 of fiscal year 2003-2004 Workers' Compensation Insurance Fraud Program funds. The supplemental allocation represents the County's pro-rata share of fiscal year 2003-2004 set-aside funds the Department of Finance has released to District Attorneys - action requested - APPROVE BUDGET TRANSFER B-373 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.15 * Drug Endangered Children Program Funding - approval is requested to accept and appropriate $59,035 received from the Butte County Children and Families Commission to support the Drug Endangered Children Program through June 30, 2004. The Commission has funded the program since January 2003, when State grant funding was terminated - action requested - APPROVE BUDGET TRANSFER B-371 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.16 * Radio Repeater Purchase and Installation - approval is requested for the purchase and installation of a radio repeater for coverage in the Paradise/Magalia area. Board approval is also requested for a budget transfer of $9,000 between department budget line items to provide for the purchase and installation - action requested - APPROVE FIXED ASSET PURCHASE AND INSTALLATION OF RADIO REPEATER; AND APPROVE BUDGET TRANSFER B-372 TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT AND SOCIAL SERVICES

3.17 * Rural Alliance Inc. - Student Scholarships - Rural Alliance Inc., has created a scholarship program for rural California residents. As a member of the Regional Council of Rural Counties, Butte County will be allocated $1,000 of Rural Alliance Inc., funds for up to two scholarships. The Department of Employment and Social Services has proposed two individuals to receive $500 scholarships each. Board approval is requested to adopt a resolution allowing participation in the scholarship program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

FIRE DEPARTMENT

3.18 * Resolution Recognizing Wildfire Awareness Week, May 9-15, 2004, in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

GENERAL SERVICES

3.19 * Fiscal Year 2003 Homeland Security Grant Program - approval is requested by Emergency Services for a resolution which will approve the grant assurances, and provide authority to the Chief Administrative Officer, Director-General Services or Emergency Services Officer to sign grant related documents - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.20 * Fiscal Year 2002 State Domestic Preparedness Grant - approval is requested by Emergency Services for a resolution which will authorize the Director-General Services or the Interim Emergency Services Director to sign fiscal year 2002 State Domestic Preparedness Grant Program related documents - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.21 * Disaster and Emergency Assistance - approval is requested by Emergency Services for a resolution which will appoint the Chief Administrative Officer, Director-General Services, or Emergency Services Officer to act as an authorized agent on behalf of the County for emergency and disaster related matters pursuant to State requirements - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.22 * Agricultural State of Disaster - approval is requested by Emergency Services for a letter to the State Office of Emergency Services requesting the United States Secretary of Agriculture declare an agricultural state of disaster in Butte County. Weather conditions have affected prune orchards in the County and overall production of fruit for the season is expected to be reduced by 60% - action requested - APPROVE LETTER REQUESTING DISASTER DESIGNATION AND AUTHORIZE THE CHAIR TO SIGN.

3.23 * Courthouse Expansion Project Funding - approval is requested by General Services to accept and appropriate $77,000 from the Superior Court of California, County of Butte, for construction management expenses for the Courthouse Expansion Project - action requested - APPROVE BUDGET TRANSFER B-374 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.24 * CSAC-Excess Insurance Authority Joint Powers Agreement - Amendment - approval is requested by Risk Management for an amendment to the Joint Powers Agreement with the CSAC-Excess Insurance Authority (EIA) which will allow member counties to extend EIA insurance coverage to nonprofit corporations, so long as the main purpose of the nonprofit corporation is for the benefit of the county - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.

HUMAN RESOURCES

3.25 * Elected and Appointed Department Head Benefits - approval is requested for a resolution which will revise the policy regarding vacation, sick leave, and other leave accruals for appointed and elected officials, specifically with regard to accruals for classified employees promoted to an appointed department head position or elected to office - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE AUDITOR-CONTROLLER TO RECALCULATE VACATION ACCRUAL RATES FOR CLASSIFIED EMPLOYEES WHO PROMOTED TO APPOINTED DEPARTMENT HEAD STATUS, RETROACTIVE TO DATE OF AT-WILL APPOINTMENT.

3.26 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - extends the position end dates of three flexibly staffed sunset positions of District Attorney Investigator II/I, and one sunset position of Paralegal from June 30, 2004, to June 30, 2005. PROBATION - extends the position end dates of one sunset position of Supervising Probation Officer, two flexibly staffed sunset positions of Probation Officer III/II/I, two sunset positions of Probation Technician, one flexibly staffed sunset position of Auditor-Accountant II/I, and one flexibly staffed sunset position of Office Assistant III/II/I, from June 30, 2004, to June 30, 2005. WATER AND RESOURCE CONSERVATION - extends the position end date of one flexibly staffed position of Senior Planner/Associate Planner from June 30, 2004, to August 30, 2004 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

INFORMATION SYSTEMS

3.27 * State of California, Department of General Services - Amendment - approval is requested by the Communications Division for a letter amendment to the lease agreement with the State of California, Department of General Services, for the lease of radio vault space at the Chico Sheriff's Substation. The amendment will extend the term of the lease through July 1, 2006, with a maximum lease rate payable to the County of $1,160 per year - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40672)

LIBRARY

3.28 * Library Donations - pursuant to Government Code Section 25355, donations of $1,00 from the Paradise Friends of the Library, $855 from the Oroville Friends of the Library, $300.65 from anonymous donors, and $150 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.

PROBATION

3.29 * Office of Emergency Services, Criminal Justice Programs Division - approval is requested to apply to the Office of Emergency Services, Criminal Justice Programs Division, for grant funds to support Anti-Drug Abuse (ADA) Enforcement Programs. The term of the grant will be fiscal year 2004-2005, with $281,503 available to the County. The grant does not require a County match, however, actual program expenses exceed the grant amount. The additional needed funds are included in each participating departments' budget - action requested - AUTHORIZE THE PROBATION DEPARTMENT TO SUBMIT GRANT APPLICATION.

PUBLIC HEALTH

3.30 * Laboratory Refrigerator - approval is requested for the fixed asset purchase of a laboratory quality refrigerator in the estimated amount of $10,000. The refrigerator will be used at the Public Health Clinic in Chico. Funding for the purchase will be provided by Bioterrorism Grant funds and Board approval is also requested for a budget transfer to provide the appropriation needed - action requested - APPROVE FIXED ASSET PURCHASE OF LABORATORY REFRIGERATOR; AND APPROVE BUDGET TRANSFER B-375 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC WORKS

3.31 * Partial Final Closure, Modules 1, 2, and 3, at the Neal Road Sanitary Landfill; County Project No. 757-5803 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the increasing amount of $11,150, provides for construction of a low permeability soil test pad. Funding for the change will be provided by the Landfill Enterprise Fund - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.

3.32 * Reconstruction of West East Avenue from State Route 32 to Chico City Limits; County Project No. 56171-96-1 - Notice of Completion - the project consisted of widening the existing two-lane sections to four lanes, reconstructing an at-grade railroad crossing, placement of concrete curb ramps, curb gutters and sidewalks, constructing median islands and overlaying with asphalt concrete. All contract work has been completed pursuant to plans and specifications - action requested - ACCEPT CONTRACT WORK; APPROVE THE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

3.33 * Consent to the City of Chico for Acquisition of Extra-Territorial Property within the Chico Urban Area for Roadway Improvements - approval is requested to give consent to the City of Chico to acquire extra-territorial property within the Chico Urban Area for roadway improvements on property located at the intersection of East Avenue and Cohasset Road, as depicted and described in the City's letter to the County dated April 26, 2004 - action requested - APPROVE CITY'S ACQUISITION OF EXTRA-TERRITORIAL PROPERTY AS DETAILED IN THE AGENDA REPORT; AND DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO NOTIFY THE CITY OF CONSENT.

SHERIFF'S OFFICE

3.34 * Resolution Proclaiming May 15, 2004, as Peace Officers' Memorial Day and the Week of May 9-15, 2004, as Police Week - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT THE FLAGS AT ALL COUNTY BUILDINGS BE FLOWN AT HALF-STAFF ON MAY 15, 2004.

3.35 * Computer Equipment Purchase - approval is requested for the fixed asset purchase of a computer network server and necessary switches in an amount not to exceed $51,000. The purchase will replace equipment that is failing and beyond economic repair. Funding for the purchase will be provided by department budget funds and Board approval is also requested for a transfer of funds between line items to provide the needed appropriation - action requested - APPROVE FIXED ASSET PURCHASE OF COMPUTER EQUIPMENT; AND APPROVE BUDGET TRANSFER B-377 AS DETAILED IN THE AGENDA REPORT.

3.36 * State of California, Department of Boating and Waterways - approval is requested for a revenue agreement with the State of California, Department of Boating and Waterways, for funds to perform boating safety and enforcement activities. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of $148,069 - action requested - ADOPT RESOLUTION IN SUPPORT OF THE BOATING SAFETY AND ENFORCEMENT AID PROGRAM FOR FISCAL YEAR 2004-2005 AND AUTHORIZE THE CHAIR TO SIGN; APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE SHERIFF TO SIGN ALL GRANT RELATED DOCUMENTS; AND AUTHORIZE JAMES CALLAS, JERRY SMITH AND SUSAN TIFFANY, AS SHERIFF'S OFFICE DESIGNEES FOR THE GRANT, AND DAVE HOUSER, KEN JONES AND JANNA DODGE, AUDITOR'S OFFICE DESIGNEES FOR THE GRANT.

3.37 * State of California, Off-Highway Motor Vehicle Grant - approval is requested for a resolution authorizing the Sheriff's Office to apply for a State Off-Highway Vehicle Grant for funds to support a uniformed deputy to patrol the Jonesville Snowpark/Butte Meadows area during the winter months. The resolution approves submission of the grant application, provides grant assurances, and appoints the Sheriff to act as agent for the grant and provides authority to sign all documents associated with the grant - action requested - APPROVE SUBMISSION OF GRANT APPLICATION; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.38 * Jail Remodel Project - Budget Transfer - approval is requested to transfer $2,654 from the Inmate Welfare Fund to the Incarceration Division maintenance budget to provide the appropriation for installation of a secure door/gate for the outdoor female inmate exercise yard - action requested - APPROVE BUDGET TRANSFER B-376 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.39 * Desk Purchase - ratification is requested for the purchase of eight computer workstations for the Sheriff's Work Alternative Program (SWAP) to allow for participation in the Oroville Adult Education programs specifically for SWAP workers. The total purchase price was $11,725, and will be paid for by the Inmate Welfare Fund. To avoid changes to the Incarceration Division budget, approval is also requested to authorize the Auditor to pay the invoice directly from the Inmate Welfare Trust Fund - action requested - RATIFY PURCHASE OF EIGHT WORKSTATIONS; AND AUTHORIZE THE AUDITOR TO PAY THE INVOICE DIRECTLY FROM THE INMATE WELFARE TRUST FUND.

TREASURER-TAX COLLECTOR

3.40 * An Ordinance Amending Butte County Code Section 2-166 Delegating Investment Authority to the Butte County Treasurer-Tax Collector - introduction of an ordinance which will delegate investment authority to the Treasurer-Tax Collector for fiscal year 2004-2005 - action requested - WAIVE READING OF THE ORDINANCE.

OTHER DEPARTMENTS AND AGENCIES

3.41 * Updated Preschool and Child Care County Priorities Report - approval is requested by the Butte County Office of Education, on behalf of the Butte County Local Child Care Planning Council, for the updated Preschool and Child Care County Priorities Report. The report is mandated by the California Department of Education, to prioritize child care service needs for children 0-5, and to report the information by zip code designation - action requested - ACCEPT AND APPROVE REPORT AND AUTHORIZE THE CHAIR TO SIGN REPORT FORM.

3.42 * Resolution Recognizing National Drug Court Month and Establishing Butte County Drug Court Week - the Superior Court of California, County of Butte, is requesting the Board adopt a resolution recognizing May as National Drug Court Month in Butte County, and establishing the week of May 23-29, 2004, as Drug Court Week in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.43 Oroville Mosquito Abatement District - action requested - APPOINT E.L. DILLARD TO A VACATED TERM TO END DECEMBER 31, 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.

PRESENTATION AND DISCUSSION ITEMS

4.03 * Adult and Children's Services Programs - Annual Report - update on programs and services - action requested - ACCEPT FOR INFORMATION. (EMPLOYMENT AND SOCIAL SERVICES)

4.04 * Proposed Countywide Initiative to Amend County Ordinance to Prohibit Growing Genetically Engineered Organisms - on March 30, 2004, a Notice of Intent to circulate a countywide initiative petition was filed in the Butte County Elections Office. Pursuant to California Elections Code Section 9111, during the circulation of any countywide initiative, the Board may refer the proposed initiative measure to any county agency or agencies for a report which would assist the board in its decision of whether to adopt the proposed ordinance, or to place the measure on the ballot, should the proponents gather enough signatures to qualify it - action requested - ACCEPT FOR INFORMATION ONLY. NO ACTION IS NEEDED BY THE BOARD UNTIL THE PETITION QUALIFIES. (COUNTY CLERK-RECORDER)

4.05 * Hamilton Nord Cana Highway and Cana Highway Intersection - Report to the Board - presentation of traffic findings for the intersection of Hamilton Nord Cana Highway and Cana Highway - action requested - STAFF IS RECOMMENDING THE BOARD TAKE NO ACTION AT THIS TIME TO ESTABLISH MULTI-WAY STOP CONTROLS AT THE INTERSECTION. (PUBLIC WORKS)

4.06 * Federal Energy Regulatory Commission - Initial Settlement Agreement in the Relicensing of the Oroville Facilities (Project No. 2100) - discussion regarding proposed settlement agreement - action requested - BOARD DISCUSSION AND DIRECTION. (COUNTY COUNSEL)

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

5.00 **PUBLIC HEARINGS AND TIMED ITEMS**

10:30 A.M. 5.01 * Public Hearing - Community Development Block Grant - Technical Assistance Grant Application - consideration of the Fiscal Year 2004-2005 Community Development Block Grant Planning and Technical Assistance Applications for the Economic Development Allocation and the General Allocation as follows:

1. Planning and Technical Assistant Grant-Economic Development Allocation - application for a $35,000 grant to be used for: 1) a Recreation/Tourism Growth and Economic Impact Analysis ($25,000); and 2) Agriculture Equipment Sales Center Feasibility Study ($10,000); AND

2. Planning and Technical Assistance Grant General Allocation - application for a $35,000 grant to be used for: 1) Chapman Town Affordable Housing Conceptual Design and Feasibility Study ($17,500); and 2) First-Time Homebuyer Program Feasibility Study ($17,500).

Action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZING EXECUTION OF GRANT AGREEMENT AND ANY AMENDMENTS THERETO AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-370 (4/5 vote required) ACCEPTING AND ALLOCATING PROGRAM INCOME, SUBJECT TO WRITTEN APPROVAL OF GRANT FUNDING FROM THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AS DETAILED IN THE AGENDA REPORT.

10:45 A.M. 5.02 * Public Hearing - Tentative Parcel Map Appeal - Kathleen Parker - consideration of an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 6.35 acre parcel into four 1 acre parcels, and a 2.35 acre remainder. A lot line adjustment is also being processed to transfer a 31-foot wide strip along the northerly property line. This is an item on which environmental documentation has not been prepared because staff is recommending denial. The property is zoned SR-1 (Suburban Residential - 1 acre parcels) and is located on the east side of Goodspeed Street, approximately 450 feet north of Hutton Way, Durham, and identified as APN 040-280-045 and 070 (DB [TPM 03-14]) - action requested - STAFF IS REQUESTING THE BOARD OPEN THE HEARING AND CONTINUE IT OPEN TO JUNE 8, 2004, AT 11:00 A.M., TO ALLOW STAFF ADDITIONAL TIME TO COMPLETE THE AGENDA REPORT.

6.00 **PUBLIC COMMENT**

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

7.00 **CLOSED SESSION**

7.01 CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): HOFFMAN V. COUNTY OF BUTTE (SUPERIOR COURT NO. 126697)

7.02 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. DIRECTOR-BEHAVIORAL HEALTH
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. COUNTY COUNSEL
6. DIRECTOR-CHILD SUPPORT SERVICES
7. DIRECTOR-DEVELOPMENT SERVICES
8. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES
9. DIRECTOR-HUMAN RESOURCES
10. DIRECTOR-INFORMATION SYSTEMS
11. DIRECTOR-LIBRARIES
12. DIRECTOR-PUBLIC HEALTH
13. DIRECTOR-PUBLIC WORKS
14. DIRECTOR-WATER AND RESOURCE CONSERVATION

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

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

Agenda Information: The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

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

1. Consent Agenda: these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.

2. Regular Agenda: this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.

3. Public Hearing and Timed Items: this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.

4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.

5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

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

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

For further information contact the:

Clerk of the Board of Supervisors
County Administrative Office
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