

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

AUGUST 17, 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 * Fiscal Year 2003-2004 Final Budget Transfer - the department has prepared the final budget transfer for fiscal year 2003-2004. The transfer clears deficit appropriations and makes transfers needed to close the 2003-2004 fiscal year - action requested - APPROVE BUDGET TRANSFER B-544 (4/5 vote required).

BEHAVIORAL
HEALTH

3.02 * J. Gregory Long, D.O. - approval is requested for a sole source agreement with J. Gregory Long, D.O., for the provision of professional services in the specialized field of psychiatry. The term of the agreement is August 1, 2004, through June 30, 2005, with a maximum amount payable of \$184,120 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.03 * State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Alcohol and Drug Programs, for Negotiated Net Amount and Drug/Medi-Cal funds. The amendment increases the fiscal year 2003-2004 allocation by \$21,829, and revises the budget detail forms to reflect the increase. All other terms and provisions remain the same - action requested - ADOPT RESOLUTION APPROVING AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN AMENDMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40320)

- 3.04 * State of California, Department of Alcohol and Drug Programs - approval is requested for a grant agreement with the State of California, Department of Alcohol and Drug Programs, for funds for the Comprehensive Drug Court Implementation Program. The agreement provides the County with \$70,104 for Project Year 4 - action requested - ADOPT RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40325)
- 3.05 * Youth For Change - approval is requested for a sole source agreement with Youth For Change for the provision of sheltering services for the Homeless Emergency Runaway Effort (HERE) Program. The term of the agreement is August 11, 2004, through September 29, 2005, with a maximum amount payable of \$49,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06 * Willow Glen Care Center - approval is requested for a sole source agreement with the Willow Glen Care Center for the provision of rehabilitation services to referred clients. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$83,005 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07 * Butte County Probation Department/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Probation Department for the provision of drug testing services for Drug Court programs. The amendment extends the term of the agreement though June 30, 2005, increases the maximum amount payable by \$20,154 (grant funds) for the extended term, and revises the agreement's attachments to reflect the changes. 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. X10941)

3.08 * Butte County Probation Department/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Probation Department for services in support of Substance Abuse and Crime Prevention Act programs. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$292,453 (department budget) for the extended term, and revises the agreement's attachments to reflect the changes. 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. X13481)

3.09 * Authorize Payment of Field Purchase Orders - approval is requested, pursuant to the Butte County Purchasing Policy Manual, to authorize payment of four Field Purchase Orders (FPOs) in the total amount of \$7,859.39 (department budget). The FPOs were inadvertently used to purchase items that exceeded the purchase limit for FPOs. The errors occurred as a result of a misunderstanding of the purchasing process, and procedures will be developed to prevent the oversight from occurring in the future - action requested - AUTHORIZE THE PAYMENT OF FIELD PURCHASE ORDERS F317289, F317244, AND F317245 IN THE TOTAL AMOUNT OF \$5,164.09, AND F318620 IN THE AMOUNT OF \$2,695.30.

BOARD OF SUPERVISORS

3.10 * Resolution in Remembrance and Recognition of Margaret "Peg" Taylor and the Peg Taylor Center for Adult Day Health Care - Supervisor Houx is requesting the Board adopt a resolution celebrating the 100th birthday of Margaret "Peg" Taylor and recognizing the important role the Peg Taylor Center for Adult Day Health Care plays in the lives of Butte County citizens - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHIEF ADMINISTRATIVE OFFICE

3.11 * Consolidated Area Housing Authority of Sutter County - approval is requested for an agreement with the Consolidated Area Housing Authority of Sutter County for administration of the County's Housing Rehabilitation Loan Program. The term of the agreement is three years, with a maximum amount payable of \$40,000 per year (HCD Program Income). The agreement is the result of a Request For Proposal - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.12) * First Responder Homeland Defense Act - approval is requested for support of S2239, the First Responder Homeland Defense Act. Senator Boxer has introduced the federal legislation which would authorize funding, technical assistance and direct grants to local law enforcement, firefighters and public health workers - action requested - SUPPORT S2239 (BOXER) AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO CONVEY THAT SUPPORT TO THE NECESSARY PARTIES.

3.13) * Resolution Supporting Proposition 1A - approval is requested for a resolution of support for Proposition 1A, a Constitutional Amendment which will appear on the November ballot. The amendment will protect local government revenues by limiting the State's ability to take and use local government funding - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHILD
SUPPORT
SERVICES

3.14) * A.D.I. Investigative Services - Amendment - approval is requested for an amendment to the agreement with A.D.I. Investigative Services for the provision of Legal Process Server services. The amendment increases the maximum amount payable by \$3,000 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14200)

CLERK-
RECORDER

3.15) * Help America Vote Act (HAVA) Grant - approval is requested to ratify the grant application submitted to the Secretary of State for HAVA funds. The funds will be utilized for voter education and precinct officer training assistance. The grant awards are based on the number of eligible voters per county, and Butte County is eligible for an award of up to \$85,000. There is no required match for the grant. The accelerate time line for submission of the grant application required the County Clerk-Recorder to submit the application prior to Board approval to insure the County's eligibility for the award. Board approval is now requested for a resolution which will ratify the grant application and authorize the County Clerk-Recorder to sign all future documents associated with the grant - action requested - RATIFY GRANT APPLICATION; AND ADOPT A RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS AND AUTHORIZING THE COUNTY CLERK-RECORDER TO SIGN GRANT DOCUMENTS AND AUTHORIZE THE CHAIR TO SIGN.

DEVELOPMENTSERVICES

- 3.16 * Resource Design Technology, Inc., and KRC Holdings, Inc. - Amendment - approval is requested for an amendment to the agreement with Resource Design Technology, Inc., and KRC Holdings, Inc., for the preparation of an Environmental Impact Report for the M&T Chico Ranch Mine. The amendment adds additional work needed to complete the report, and increases the maximum amount payable by \$66,578.75. The applicant, KRC Holdings, Inc., provides the funding for the agreement and Board approval is also requested to accept and appropriate the funds for the amendment. 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; AND APPROVE BUDGET TRANSFER B-010 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. X11681)

DISTRICTATTORNEY

- 3.17 * United States Department of Justice/United States Department of the Treasury - approval is requested for the Federal Annual Certification Report which provides a summary of equitable sharing activity for fiscal year 2003-2004 - action requested - APPROVE CERTIFICATION REPORT AND AUTHORIZE THE CHAIR TO SIGN.

GENERALSERVICES

- 3.18 * Resolution in Recognition of Richard Prater upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.19 * Juvenile Hall Construction Fund Balance - approval is requested to transfer the available project fund balance from the Juvenile Hall Capital Project budget to the current fiscal year budget. The funds will be utilized to resolve construction quality issues - action requested - APPROVE BUDGET TRANSFER B-011 (4/5 vote required) ACCEPTING AND APPROPRIATING FUND BALANCE AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

- 3.20 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATIVE-EMERGENCY SERVICES - deletes one 3/4-time position of Office Assistant II, and adds one full-time position of Office Assistant II - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.21 * IRC Section 125 Flexible Spending Plan Amendment - approval is requested for amendments to the County's IRC Section 125 Flexible Spending Plan document. The amendment revises the definition of Medical Expense (Section 6.2(c)), adds a section regarding the Health Insurance Portability and Accountability Act, and revises the Summary Plan Description - action requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

3.22 * Creative Benefits, Inc. - approval is requested for an agreement with Creative Benefits, Inc., for the administration of the County's IRC Section 125 Flexible Spending Plan. The term of the agreement is July 1, 2004, through June 30, 2006, and will automatically extend on a year-to-year basis unless cancelled by either party. The cost of the agreement is based on the number of County employees, and is estimated at \$9,000 per year. That cost is distributed to all County departments. Savings generated by participation in the program exceed the cost of the administrative services - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

LIBRARY

3.23 * Library Donations - pursuant to Government Code Section 25355, donations of \$913.18 from the Paradise Friends of the Library, \$855 from the Oroville Friends of the Library, \$150 from Izzy's Burger Spa of Paradise, \$150 from Dorothy Dingfelder of Chico, and \$100 from Virginia Boggs 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.

3.24 * Donations for Operations - pursuant to Government Code Section 25355, a donation of \$4,521.80 from the Gridley Friends of the Library, has been received to fund extra help support staff at the Gridley Branch Library - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.

PROBATION

3.25 * Budget Transfer for Purchase - approval is requested to transfer \$4,750 from the Ward Welfare Fund to the department's budget to provide the appropriation needed to purchase video conferencing equipment for use in detention hearings for juveniles - action requested - APPROVE BUDGET TRANSFER B-013 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.26 * Grant Funds - approval is requested to accept and appropriate \$2,000 received from the Organized Crime Drug Enforcement Task Force. The funds will be utilized to help pay for overtime costs incurred in Butte Interagency Narcotics Task Force operations - action requested - APPROVE BUDGET TRANSFER B-012 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC
HEALTH

3.27 * Private Industry Council, Inc. - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council, Inc., for office space in the building located at 2445 Carmichael Road in Chico. The amendment increases the square footage leased for the medical clinic, adds \$15,000 for change orders and modifications for fiscal year 2004-2005, and adds \$10,000 for change orders and modifications for fiscal year 2005-2006. Funding for the amendment will be provided by an increase in realignment revenue, and approval is also requested to increase the anticipated realignment revenue for the lease by \$20,847. 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; AND APPROVE BUDGET TRANSFER B-017 (4/5 vote required) INCREASING ANTICIPATED REALIGNMENT REVENUE AND AGREEMENT APPROPRIATION AS DETAILED IN THE AGENDA REPORT. (Contract No. X10770)

3.28 * Private Industry Council, Inc. - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council, Inc., for office space in the building located at 202 Mira Loma Drive in Oroville. The amendment adds \$10,000 for change orders and modifications for fiscal year 2004-2005, and \$10,000 for change orders and modifications for fiscal year 2005-2006. Funding for the amendment will be provided by an increase in realignment revenue, and approval is also requested to increase the anticipated realignment revenue by \$10,000. 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; AND APPROVE BUDGET TRANSFER B-016 (4/5 vote required) INCREASING ANTICIPATED REALIGNMENT REVENUE AND AGREEMENT APPROPRIATION AS DETAILED IN THE AGENDA REPORT. (Contract No. X13127)

- 3.29 * Redwood Toxicology Laboratory, Inc. - Amendment - approval is requested for an amendment to the agreement with Redwood Toxicology Laboratory, Inc., for the provision of drug testing services. The amendment extends the term of the agreement through December 31, 2004, adds oral fluids laboratory testing, and increases the maximum amount payable by \$10,000 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14247)
- 3.30 * California Department of Health Services - approval is requested for a revenue agreement with the California Department of Health Services for funds to implement the Immunization Network of Northern California. The County will act as lead agency for the 15-county northern California region. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$275,000 for the project. The department is requesting to appropriate \$21,065. The remaining funds were included in the department's budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-014 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.31 * Women, Infants and Children Program Funding - approval is requested to accept and appropriate \$44,640 received by the State of California as an additional allocation for the Woman, Infants and Children Program. The funds are to be used to make one-time hardware purchases of computers and other equipment for the Information Dissemination Project - action requested - APPROVE BUDGET TRANSFER B-015 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.32 * Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$120.00 missing from the receipts of the Public Health Clinic office on October 20, 2003. The Auditor-Controller has reviewed the matter and found no evidence of fraud or gross negligence. As recommended by the Auditor-Controller, the department has purchased and installed safes for use in the clinics - action requested - GRANT RELIEF OF ACCOUNTABILITY.

SHERIFF'S
OFFICE

- 3.33 * Resolution in Recognition of John Lambert upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.34 * Equipment Purchase Budget Transfer - approval is requested to transfer \$8,000 from the Federal Revenue Sharing Trust Account to help fund the purchase of tactical clothing and equipment for the Special Incident Response Team (SIRT) - action requested - APPROVE BUDGET TRANSFER B-019 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.35 * Equipment Purchase Budget Transfer - approval is requested to transfer \$6,000 from the Civil Trust Account to fund the purchase of three computers for the Civil Division - action requested - APPROVE BUDGET TRANSFER B-020 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.36 * Drug Endangered Children Grant Appropriation - the department will receive a federal grant allocation of \$94,900.69 to fund the Drug Endangered Children program for fiscal year 2004-2005. To continue funding the program until the allocation is received, approval is requested to accept and appropriate \$68,831 of COPS Meth Program revenue to the department's budget to provide the appropriations needed for program expenses - action requested - APPROVE BUDGET TRANSFER B-018 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.37 * Canteen Correctional Services - approval is requested for a revenue agreement with Canteen Correctional Services for provision of commissary services in the Butte County Jail. The term of the agreement is September 1, 2004, through August 31, 2007, with a maximum amount payable to the County of 37% of the net sales. The agreement is the result of a competitive proposal process - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

TREASURER-

TAX COLLECTOR 3.38 *

Pre-Sort Center - approval is requested for an agreement with Pre-Sort Center to print, fold, insert, meter and mail the annual Secured Property Tax bills in September. The term of the agreement is September 1, 2004, through December 31, 2004, with a maximum amount payable of \$45,000 (\$10,000 for services, \$35,000 for postage [department budget]). Board approval is also requested to transfer \$35,000 from the department's ISF postage account to the department's operating account to provide the allocation needed for postage under the contract - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-021, TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT.

OTHER

DEPARTMENTS

AND AGENCIES 3.39 *

Introduction of an Ordinance Amending Chapter 2, Article XIII.5, Section 2-100.30, 2-100.40, 2-100.70 and 2-100.80 of the Butte County Code Relating to Powers and Duties of the Children and Families Commission - the Commission is requesting the Board adopt an ordinance which will incorporate the Commission's recommended changes to the Membership, Term of Office, Powers and Duties, and Advisory Committee provisions of the Butte County Code regarding the Butte County Children and Families Commission - action requested - WAIVE READING OF THE ORDINANCE.

3.40 *

Butte County Children and Families Commission - submitted are the Commission's recommendations for membership vacancy appointments - action requested - APPOINT/REAPPOINT KAREN MARLATT, COMMUNITY BASED ORGANIZATION REPRESENTATIVE; LINDA MOORE, CHILD CARE AGENCY REPRESENTATIVE; JEFF FONTANA, COMMUNITY BASED ORGANIZATION REPRESENTATIVE; AND YVONNE NENADAL, ALTERNATE MEMBER; TO TERMS TO END APRIL 1, 2006.

3.41

Paradise Memorial Hall Committee - action requested - APPOINT/REAPPOINT PAUL H. HARMON, DELEGATE, AND PETER J. FRIETAG, ALTERNATE, AMERICAN LEGION, PARADISE POST 259; AND RICHARD J. CAMPBELL, DELEGATE, AND EDWARD J. MCGREEHAM, ALTERNATE, VETERANS OF FOREIGN WARS, MAX BILLIE POST NO. 2039; TO TERMS TO END JUNE 30, 2005.

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. Legislative Report - update of legislative activities by Strategic Local Government Services - action requested - ACCEPT FOR INFORMATION.

PRESENTATION
AND DISCUSSION
ITEMS

4.03 *

Chico Redevelopment Agency - consideration of activities related to the merger of the Greater Chico Urban Area Redevelopment Project Area with the Chico Merged Redevelopment Project Area - actions requested:

1. APPROVE CITY/COUNTY/AGENCY LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER;
2. INTRODUCE AND WAIVE THE READING OF AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF BUTTE APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GREATER CHICO URBAN AREA REDEVELOPMENT PROJECT; AND
3. ADOPT A RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION FOR AMENDMENTS TO THE REDEVELOPMENT PLANS FOR CENTRAL CHICO, CHICO MUNICIPAL AIRPORT, SOUTHEAST CHICO AND GREATER CHICO URBAN AREA REDEVELOPMENT PROJECTS AND AUTHORIZE THE CHAIR TO SIGN. (CHIEF ADMINISTRATIVE OFFICE)

4.04 * Northern Sacramento Valley Regional Water Quality Management - consideration of participation in a collaborative effort with Glenn County (lead agency), Colusa County and Tehama County for development of a Regional Water Planning Process associated with groundwater related activities - action requested - ADOPT RESOLUTION AUTHORIZING PARTICIPATION AND AUTHORIZE THE CHAIR TO SIGN. (WATER AND RESOURCE CONSERVATION)

4.05 * AB 3030 Groundwater Management Plan - consideration of the recommendation of the Water Commission to adopt a resolution setting a public hearing to determine whether to adopt a groundwater management plan, and to consider any protests thereto, pursuant to Water Code Section 10753.5 - action requested - ADOPT RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 28, 2004, AT 10:30 A.M., TO CONSIDER ADOPTION OF A GROUNDWATER MANAGEMENT PLAN AND AUTHORIZE THE CHAIR TO SIGN. (WATER AND RESOURCE CONSERVATION)

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

4.07 Recess as the Butte County Board of Supervisors and Convene as the Butte County In-Home Supportive Services Public Authority Board.

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

AUGUST 17, 2004

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

2.00 **Agenda Items** (NONE)

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 **Closed Session**

4.01 RECESS TO A CLOSED SESSION CONFERENCE WITH LABOR
NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE
SECTION 54957.6:

AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY.

EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF
AMERICA.

Adjournment

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

5.00PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. 5.01 * Continued Public Hearing - Larry Bradley - Tentative Parcel Map - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map to divide a 34.6 acre parcel into three parcels of 10.3, 10.6 and 13.6 +/- acres on property zoned A-10 (Agricultural - 10 acre parcels). This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The property is located on the northwest corner of Durham-Dayton Highway and Esquon Road, Durham, and identified as APN 040-150-112 (TPM 02-23) - action requested - AT THE REQUEST OF THE APPLICANT, CONTINUE THE HEARING TO AN UNSPECIFIED DATE. (FROM 2-11-03 [5.01])

10:40 A.M. 5.02 * Continued Public Hearing - Raymond Teesdale - Tentative Parcel Map and Lot Line Adjustment - Appeal - consideration of an appeal of the Development Review Committee's denial of a Tentative Parcel Map and Lot Line Adjustment to divide a 46.28 acre parcel into four 10 acre lots and a 6.28 acre remainder on property zoned A-5 (Agricultural - 5 acre parcels). The property is located approximately 1,300 feet north of Central House Road on the west side of the Western Pacific Railroad tracks, near the intersection of Central House Road and Lone Tree Road, Oroville, and identified as APN 028-020-054 and 046 (MM [TPM 02-19]) - action requested - AT THE REQUEST OF THE APPLICANT, CONTINUE THE HEARING TO AN UNSPECIFIED DATE. (FROM 3-24-04 [5.01])

10:45 A.M. 5.03 * Public Hearing - Community Development Block Grant (CDBG) Program - consideration of an application to the CDBG Economic Development Allocation's California Community Economic Enterprise Fund. The County's CDBG Enterprise Fund request is to provide funding to develop a Micro-enterprise Business Assistance Program which will support businesses that are located within unincorporated Butte County. Businesses having five (5) or fewer employees would be eligible for this program's assistance. General program administration costs will also be funded by the grant. The total amount of the grant application is \$175,125 - action requested - ADOPT RESOLUTION APPROVING SUBMISSION OF THE GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.

11:00 A.M. 5.04 * Public Hearing - Robert Wray - Appeal Certificate of Merger - consideration of an appeal of a denial of an application to modify the common boundary between two parcels, located on the west side of the Skyway, approximately ½ mile south of Cliff Hanger Lane in the Paradise area, and identified as APN 011-240-007 and 041 - action requested - STAFF RECOMMENDS THE BOARD DENY THE APPEAL, FINDING THAT APPROVAL OF THIS PROPOSAL WOULD NOT BE IN CONFORMANCE WITH BUTTE COUNTY CODE SECTION 20-180.2(f)(2), IN THAT IT WOULD MAKE A PARCEL CONFORMING TO PRIMARY ZONING NON-CONFORMING.

1:30 P.M. 5.05 * Continued Public Hearing - Implementation of Resolution 98-172, a Resolution Amending the North Chico Specific Plan - on December 1, 1998, the Board of Supervisors passed and adopted Resolution 98-172 amending the North Chico Specific Plan to include a PD - Planned Development Combining Zone and to change land use designations for property owned by Robert and Ann Stephens from SR-1/OS (Suburban Residential/Open Space) and OS (Open Space) to SR-1/PD (Suburban Residential 1-acre parcels, Planned Development Combining Zone) and OS/PD (Open Space, Planned Development Combining Zone). The Resolution approved the revision of texts, exhibits, and tables to reflect the changes under the Specific Plan Amendment. The revisions are being provided to the Board to complete the implementation of Resolution 98-172. The Board of Supervisors will also be considering options for a maximum building coverage limitation (as specified under North Chico Specific Plan Table 7-2 Summary of Zone District Development Standards) for the Planned Development Combining Zone because the existing development standard for the Planned Development Combining Zone does not specify a maximum building coverage limitation - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. FIND THAT AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION WERE PERFORMED FOR THIS PROJECT AND APPROVED BY THE BOARD OF SUPERVISORS ON DECEMBER 1, 1998; THAT THIS PROJECT IS IMPLEMENTING CHANGES TO THE NORTH CHICO SPECIFIC PLAN THAT WERE AUTHORIZED UNDER THE DECEMBER 1, 1998, APPROVAL AND, THEREFORE, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED; AND FIND THAT STAFF REVIEWED THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE NORTH CHICO SPECIFIC PLAN FOR POTENTIAL ENVIRONMENTAL ISSUES ASSOCIATED WITH CHANGING THE DEVELOPMENT STANDARDS FOR THE PLANNED DEVELOPMENT COMBINING ZONE AND DID NOT FIND ANY CONFLICT WITH THE IMPACTS AND MITIGATION MEASURES AS SET FORTH IN THE FINAL EIR OR THE DECEMBER 1, 1998, MITIGATED NEGATIVE DECLARATION;
2. AMEND TABLE 7-2, SUMMARY OF ZONE DISTRICT DEVELOPMENT STANDARDS, AS PER OPTION B, CONCERNING THE PLANNED DEVELOPMENT COMBINING ZONE'S DEVELOPMENT STANDARDS. OPTION B WILL REVISE TABLE 7-2 WITHIN THE NORTH CHICO SPECIFIC PLAN AS SHOWN IN ATTACHMENT F OF THE STAFF REPORT, AND ADD TABLE 7-2(a) AS SHOWN IN ATTACHMENT G OF THE STAFF REPORT; AND

(CONTINUED ON PAGE 17)

- 5.05 (Cont.) 3. ACCEPT ALL THE REVISIONS TO THE TEXT, EXHIBITS, AND TABLES OF RESOLUTION 98-172 AND DIRECT STAFF TO INCORPORATE THE REVISIONS INTO ALL PRINT AND ELECTRONIC COPIES OF THE NORTH CHICO SPECIFIC PLAN. (FROM 7-13-04 [5.02])

1:35 P.M. 5.06

Continued Public Hearing - Steve Schuster - Tentative Subdivision Map Appeal (Sierra Moon Subdivision) - consideration of appeals of the Development Review Committee's approval of a Tentative Subdivision Map to create 119 single family residential parcels in accordance with a previously approved Planned Unit Development and Development Agreement. Consideration of a proposed Tentative Subdivision Map to create 118 (revised from 119) single family residential parcels in accordance with a previously approved Planned Unit Development and Development Agreement. The property is 300 acres total in size. The 118 residential parcels would be clustered in the southwest and northwest portion of the 229 acre area that is the subject of the Development Agreement and Planned Unit Development. A 70.15 acre remainder parcel is also proposed. The proposed single family residential lots would range in size from one-third of an acre to over one-acre in size, with half acre lots being the predominant size. In accordance with the Development Agreement, traffic circulation would be accomplished by subdivision road connections to Hicks Lane at two locations on the east side of the property, and Spyglass Road and Guntren Road on the west side of the property. In accordance with the Development Agreement, a total of 103 acres of open space shall be retained along Hicks Lane and Mud Creek, and a total of approximately 32 acres of open space would be retained along Keefer Slough and north of Mud Creek. Drainage and storm water run-off would be directed into three on-site retention basins. Sewage disposal would be accomplished by a community sewage disposal system to be located on the 103 acre open space parcel. Domestic and fire flow water supplies would be accomplished through a public water system. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given.

(CONTINUED ON PAGE 18)

1:35 P.M. 5.06 (Cont.) The property is zoned SR-1/PD (Suburban Residential-1 acre parcels/Planned Development); OS/PD (Open Space/Planned Development) and is located north of Chico and west of the Chico Airport on the west side of Hicks Lane, approximately 3,000 feet south of Keefer Road in the North Chico Specific Plan area and identified as APN 047-710-001 - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-D) AS DETAILED IN THE STAFF REPORT DATED JULY 13, 2004, DENY THE APPEALS AND APPROVE A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;

2. FIND THAT THIS PROJECT WILL HAVE AN IMPACT TO FISH AND/OR WILDLIFE HABITAT AND APPROVE THE COLLECTION OF DEPARTMENT OF FISH AND GAME FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND CCR 753.5; AND

3. SUBJECT TO FINDINGS III(A-G) AS DETAILED IN THE STAFF REPORT DATED JULY 13, 2004, AND THE CONDITIONS OF APPROVAL DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED JULY 13, 2004, DENY THE APPEALS AND APPROVE TENTATIVE SUBDIVISION MAP 03-01 FOR STEPHEN J. SCHUSTER (APN 047-710-001). (FROM 7-13-04 [5.03]) (DB [TSM 03-01])

6.00 PUBLIC COMMENT

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

7.00 CLOSED SESSION

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

7.02 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: COUNTY COUNSEL.

7.03 CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND WILLIAM AVERY.

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
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530-538-7631
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