

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

SEPTEMBER 28, 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 * Re-establish Encumbrances and Re-appropriate Revenues - approval is requested to re-establish prior year encumbrances and re-appropriate prior year revenues for the Solar Energy Capital Project and Courthouse Expansion Project. At the end of the 2003-2004 fiscal year the Auditor's Office relieved the encumbrances for the projects due to negative fund balances. Funding is now available for the projects and the revenues and encumbrances need to be re-appropriated and re-established - action requested - APPROVE BUDGET TRANSFER B-061 (4/5 vote required) RE-ESTABLISHING THE ENCUMBRANCES AND RE-APPROPRIATING THE REVENUES FOR THE TWO CAPITAL PROJECTS AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL
HEALTH

- 3.02 * State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the grant award agreement with the State of California, Department of Alcohol and Drug Programs for the Drug Court Partnership Program. The amendment extends the period of time in which the County can expend Project Year Five funds to June 30, 2005. 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. R40153)
- 3.03 * FamiliesFirst, Inc. - approval is requested for an agreement with FamiliesFirst, Inc., for the provision of a day treatment rehabilitation program for emotionally disturbed youth receiving full-scope Medi-Cal benefits. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$120,431.68 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.04 * Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services. The amendment provides for the addition of Alcohol/Drug Free Housing services for clients referred under the Proposition 36 and Drug Court programs, increases the maximum amount payable by \$8,379 (department budget) for the additional services, and revises the agreement's exhibits and attachments to reflect the amendments. 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. X15129)
- 3.05 * Butte County Public Health Department/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Health Department for System of Care services. The amendment extends the term of the agreement through September 30, 2004, increases the maximum amount payable by \$21,224.21 (department budget) for the extended term, includes language regarding billing processes, and revises the agreement's exhibits to reflect the amendments. 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. X11980)
- 3.06 * Catholic Health Care d.b.a. St. Mary's Medical Center - approval is requested for an agreement with Catholic Health Care d.b.a. St. Mary's Medical Center for the provision of inpatient hospital services for referred adolescents. The term of the agreement is July 1, 2004, through June 30, 2005, with the amount payable determined by service utilization. Acute Psychiatric Days are charged at \$757 per day, and Administrative Days are charged at \$296.03 per day. Claims for services are paid directly by the State, and the State then offsets Realignment Revenue for the claim amount - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.07 * Budget Transfer - approval is requested for a budget transfer of \$4,733 (Drug Court Partnership funds) from the Behavioral Health Department's budget to the Probation Department's budget to provide the appropriation necessary for costs associated with assignment of a Probation Officer to the Drug Court Program - action requested - APPROVE BUDGET TRANSFER B-062 (4/5 vote required) TRANSFERRING, ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

CLERK-
RECORDER

3.08 * Resolution Confirming and Increasing the Change Fund for the Butte County Clerk-Recorder - pursuant to Government Code Section 29323, approval is requested for a resolution which will increase the department's change fund from \$200 to \$400. The increase is requested to meet the operating needs of the department - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

EMPLOYMENT
AND SOCIAL
SERVICES

3.09 * Biggs/Gridley Hospital and Enloe Medical Center - approval is requested for revenue agreements with the Biggs/Gridley Hospital and Enloe Medical Center for the provision of Medi-Cal and County Medical Services Program (CMSP) eligibility determination services. Under the agreement the department will assign an Eligibility Technician to the hospitals to conduct intake interviews for persons applying for Medi-Cal and CMSP benefits. The term of each agreement is from the date of execution through June 30, 2005, and each agreement provides a maximum amount payable to the County of \$46,772. State Medi-Cal funds will also provide \$17,174 for the program - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-063 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

FIRE
DEPARTMENT

3.10 * El Medio Fire Protection District - approval is requested for a limited automatic aid agreement with the El Medio Fire Protection District. The term of the agreement is July 19, 2004, through July 1, 2005. There is no funding associated with the agreement. In consideration for the services provided, the El Medio Fire Protection District will meet specific required conditions regarding maintenance of equipment, personnel, training and responsibilities - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.11 * Resolution in Recognition of Ted Crawford Upon His Retirement from the Butte County Fire Department - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

GENERAL
SERVICES

3.12 * State Homeland Security Grant Funds - approval is requested by the Emergency Services Division to accept and appropriate unexpended fiscal year 2002-2003 State Homeland Security Grant Funds into the current fiscal year budget - action requested - APPROVE BUDGET TRANSFER B-065 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR GRANT FUNDS AS DETAILED IN THE AGENDA REPORT.

- 3.13 * Tip Holloway & Associates, Inc. - approval is requested for an agreement with Tip Holloway & Associates, Inc., for the provision of auction services to dispose of County surplus vehicles, equipment and furniture. The term of the agreement is July 1, 2004, through June 30, 2005, and provides the contractor with a commission schedule of 10% of the proceeds from the sale of vehicles, equipment and trailers, and 30% of the proceeds from the sale of miscellaneous property such as computers, furniture and office fixtures. The agreement also provides for transportation charges (\$30 per hour) and vehicle inspection and preparation charges (up to a maximum of \$100 per vehicle) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40713)
- 3.14 * Transfer of Funds for Tree Removal - approval is requested by the Facilities Services Division to transfer \$3,700 from the General Fund Appropriation for Contingencies to the Facilities Services budget to provide the appropriation for removal of a decaying tree in the parking lot area of 196 Memorial Way, Chico - action requested - APPROVE BUDGET TRANSFER B-064 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

- 3.15 Adoption of a Salary Ordinance Amendment - the department has prepared a salary ordinance which reflects changes contained in the fiscal year 2004-2005 final budget as follows: AUDITOR-CONTROLLER - deletes one flexibly staffed position of Accounting Specialist/Senior Account Clerk/Account Clerk, and one position of Auditor-Accountant III/II. PURCHASING - deletes one position of Buyer III/II/I. TREASURER-TAX COLLECTOR - deletes one position of Information Systems Technician III/II/I. ASSESSOR - deletes one flexibly staffed position of Appraisal Specialist/Assessment Clerk III/II, one flexibly staffed position of Appraiser III/II/I/Appraisal Specialist, one position of Assessment Clerk II/I, one flexibly staffed position of Cadastral Drafting Technician/Drafting Aide, and one flexibly staffed position of Secretary I/Administrative Services Assistant. COUNTY COUNSEL - deletes one position of Deputy County Counsel IV/III/II/I. DISTRICT ATTORNEY-CRIMINAL - deletes one position of Assistant District Attorney effective February 28, 2005, and one half-time flexibly staffed position of Legal Typist Clerk/Office Assistant III/II/I.

(CONTINUED ON PAGE 5)

3.15 DISTRICT ATTORNEY-CHILD SUPPORT INVESTIGATIONS -
(Cont.) deletes one and a half positions of District Attorney Investigator II/I, and one position of Investigative Assistant. DISTRICT ATTORNEY-CHILD ABDUCTION - deletes one position of District Attorney Investigator II/I. DISTRICT ATTORNEY-WELFARE FRAUD - deletes one position of District Attorney Investigator II/I. SHERIFF-CORONER-SERVICES - deletes one position of Deputy Sheriff, one position of Public Safety Dispatcher, one position of Sheriff's Sergeant, and one position of Sheriff's Lieutenant. Adds one position of Information Systems Analyst III/II/I, and two positions of Information Systems Technician II/I. SHERIFF-CORONER - OPERATIONS - deletes two positions of Deputy Sheriff, and one sunset position of Deputy Sheriff (position end date 12-31-04). SHERIFF-CORONER - RURAL COUNTY SUPPLEMENTAL FUNDING - deletes two positions of Deputy Sheriff, one position of Information Systems Analyst III/II/I, two positions of Information Systems Technician II/I, and one position of Sheriff's Clerk III/II. PROBATION-JUVENILE HALL - deletes eight positions of Juvenile Hall Counselor II/I, and one and a half positions of Office Assistant III/II/I. PROBATION - deletes three positions of Probation Technician. PROBATION-BOARD OF CONTROL GRANT - deletes one half-time flexibly staffed position of Legal Secretary/Legal Typist Clerk/Office Assistant III. DEVELOPMENT SERVICES - deletes one flexibly staffed position of Secretary I/Office Assistant III. Adds one flexibly staffed position of Secretary II/I/Office Assistant III. PUBLIC WORKS-CONSTRUCTION AND MAINTENANCE - deletes two flexibly staffed positions of Assistant Engineer/Junior Engineer, one flexibly staffed position of Associate Civil Engineer/Associate Engineer/Assistant Engineer, one flexibly staffed position of Associate Surveyor/Assistant Surveyor, and six flexibly staffed positions of Road Maintenance Worker II/I/Road Maintenance Aide. PUBLIC HEALTH-GENERAL SERVICES - deletes one position of Health Education Specialist III/II/I, and one sunset position of Public Health Nurse III/II/I (position end date 6-30-05). Adds one position of Administrative Services Assistant, and one position of Environmental Health Specialist III/II. PUBLIC HEALTH-ENVIRONMENTAL HEALTH - adds three positions of Environmental Health Specialist III/II.

(CONTINUED ON PAGE 6)

3.15 (Cont.) BEHAVIORAL HEALTH-GENERAL SERVICES - deletes three flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk, one position of Administrative Services Assistant, one position of Auditor-Accountant II/I, one position of Clinical Program Manager, three positions of Health Education Specialist II/I, one position of Information Systems Technician II/I, one position of Manager-Program Resource and Development, one position of Mental Health Clinician I, one position of Mental Health Counselor, one flexibly staffed position of Mental Health Counselor/Mental Health Worker, two positions of Program Manager-Community Services, one flexibly staffed position of Senior Mental Health Counselor/Mental Health Counselor, seven and a half flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker, one position of Senior Staff Services Systems Specialist, one position of Supervisor-Clerical Support Services, and one position of Supervisor-Health Education Specialist. BEHAVIORAL HEALTH-GENERAL SERVICES - adds one sunset position of Program Manager-Community Services (position end date 12-31-04), one position of Psychiatrist, and one flexibly staffed sunset position of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker (position end date 12-31-04). BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - deletes one position of Administrative Services Assistant and one sunset position of Health Education Specialist III/II (position end date 12-31-05). Adds three positions of Health Education Specialist II/I, and one position of Information Systems Technician II/I. CHILD SUPPORT SERVICES - deletes three flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk, one position of Administrative Analyst III/II/I, one position of Courier-Stock Clerk, two positions of Family Support Case Manager III/II/I, one position of Information Systems Analyst II/I, one position of Information Systems Technician II/I, and four positions of Office Assistant III/II/I. Adds two flexibly staffed sunset positions of Accounting Specialist/Senior Account Clerk/Account Clerk (position end dates 9-30-05). FACILITIES SERVICES - deletes two positions of Janitor. CENTRAL DUPLICATING - deletes one position of Offset Duplicating Machine Operator II/I. CENTRAL COMMUNICATIONS - deletes one position of Administrative Analyst III/II/I, and one position of Office Assistant III/II/I. NEAL ROAD SANITARY LANDFILL-MANAGEMENT - adds one position of Landfill Maintenance Worker II, one position of Landfill Scale Attendant, and one position of Senior Landfill Equipment Operator. NEAL ROAD SANITARY LANDFILL-USED OIL BLOCK GRANT - adds one position of Recycling Coordinator II/I - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 9-14-04 [3.16])

- 3.16** * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATION - revises the hourly salary range for the positions of Environmental Health Specialist I (\$17.67-\$21.47), Environmental Health Specialist II (\$19.52-\$23.73), and Environmental Health Specialist III (\$21.46-\$26.08) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

INFORMATION
SYSTEMS

- 3.17** * Kronos Incorporated - Amendment - approval is requested for an amendment to the agreement with Kronos Incorporated for the provision of software and professional services for the County's financial management system. The amendment extends the term of the agreement through July 1, 2005, provides for expanded software product needs and educational support services, and increases the maximum amount payable by \$99,200 (department budget). All other terms and provisions remain the same. To provide the appropriation for payment of the amendment costs, approval is also requested for a transfer of department funds between budget line items - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-066 TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X14080)

LIBRARY

- 3.18** * Library Donations - pursuant to Government Code Section 25355, donations of \$1,833.50 from the Oroville Friends of the Library and \$983.43 from the Paradise Friends of the Library have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
- 3.19** * Library Literacy Program Donation - pursuant to Government Code Section 25355, approval is requested to accept and appropriate \$1,000 received from Wal-Mart for the Library Literacy Program - action requested - APPROVE BUDGET TRANSFER B-067 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND AUTHORIZE A LETTER OF APPRECIATION.
- 3.20** * Small Business Initiative Grant Program - approval is requested to apply to the California State Library for a \$7,000 grant under the Small Business Initiative Grant Program. The grant is designed to provide services that are responsive to the needs of small businesses - action requested - APPROVE APPLICATION FOR GRANT FUNDS AND AUTHORIZE THE DIRECTOR-LIBRARIES TO SIGN.

PUBLIC
HEALTH

- 3.21 * Patrick L. Slupski - approval is requested for a sole source agreement with Patrick L. Slupski for the provision of physical and occupational therapy services to eligible children under the California Children's Services programs. The term of the agreement is October 1, 2004, through June 30, 2005, with a maximum amount payable of \$47,000 (25% Realignment funds/25% State funds/50% department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.22 * Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$599.50 missing from the work receipts, and \$100 missing from the change fund from the Public Health Clinic office at 695 Oleander Avenue, Chico, on August 12, 2004. 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. Board approval is also requested to reduce the change fund at the Oleander Clinic site to \$50, and to transfer the remaining \$50 to the Environmental Health Division's change funds - action requested - GRANT RELIEF OF ACCOUNTABILITY FOR \$599.50 AND \$100; APPROVE REDUCTION OF THE CHANGE FUND AT THE OLEANDER CLINIC SITE FROM \$100 TO \$50; AND APPROVE THE TRANSFER OF THE REMAINING \$50 TO THE ENVIRONMENTAL HEALTH BUDGET AS DETAILED IN THE AGENDA REPORT.
- 3.23 * Cathleen Gentry - approval is requested for a sole source agreement with Cathleen Gentry for the provision of professional consulting services for the Medi-Cal Administrative Activities and Targeted Case Management Consortium of Counties. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$135,000. Funding for the agreement is provided by participation fees from counties in the consortium - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.24 * Butte County Children & Families Commission - approval is requested for a grant agreement with the Butte County Children & Families Commission for funds to support the Children's Dental Program. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$98,976. Board approval is also requested to allocate \$23,405 for operating expenses - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-068 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. X15096)

PUBLIC
WORKS

3.25 *

Cottage Cove Subdivision, Phase I - the Cottage Cove Subdivision, APN 068-360-116, is located on the east side of Oakvale Avenue, north of the Ophir School in the Oroville area, and is a conditionally approved 30-lot private street subdivision to be developed in three phases. Cottage Cove Subdivision, Phase I, is comprised of 10 lots. The developer has complied with the Conditions of Approval, has completed construction of the required Phase I improvements and has provided a letter of credit to guarantee the maintenance of the improvements for one year - action requested - APPROVE THE FINAL MAP FOR THE COTTAGE COVE SUBDIVISION, PHASE I; APPROVE THE NEW PRIVATE STREET NAMES OF COTTAGE COVE DRIVE AND COTTAGE CREEK DRIVE; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE OAKVALE AVENUE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG OAKVALE AVENUE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

3.26 *

Vineyard Grove Estates Subdivision - the Vineyard Grove Estates Subdivision, APN 047-440-006, is located on the west side of Garner Lane approximately 3,000 feet south of Keefer Road, and is a conditionally approved 29 lot public street subdivision. The subdivision has annexed to County Service Area No. 158 to provide storm drainage maintenance, fire protection services and street lighting. The developer has complied with the Conditions of Approval and has provided a performance bond for construction of the required improvements - action requested - APPROVE FINAL MAP; APPROVE THE NEW PUBLIC STREET NAMES OF KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE GARNER LANE, KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT, AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG GARNER LANE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE EASEMENTS FOR STORM DRAINAGE PURPOSES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT; AND ACCEPT ON BEHALF OF THE PUBLIC, AND AUTHORIZE THE CHAIR TO SIGN, THE CERTIFICATE OF ACCEPTANCE FOR THE AVIGATION EASEMENT REQUIRED BY THE CONDITIONS OF APPROVAL.

3.27 * Capital Improvement Projects - approval is requested to add two additional projects to the department's fiscal year 2004-2005 Capital Projects List and budget. The first project is a proposed scenic outlook viewing area at Lookout Point on the Skyway. The total project cost is estimated at \$410,000 (\$362,612 Federal Transportation Enhancement (TE) funds/\$47,338 in-kind County match). The Butte County Association of Governments has programmed \$33,000 of TE funds for fiscal year 2004-2005 which will be used for project approval and environmental documents and the projects plans and specifications, and Board approval is also requested to accept and appropriate those funds. The second project is the design work, environmental documents and right-of-way acquisition for the extension of the Highway 99 frontage road between Entler Avenue and the Edgar Slough. The project is identified in the Chico Urban Area Traffic Impact Fee Nexus Study and is an eligible use for the impact fees. The project costs are estimated at \$100,000 - action requested - APPROVE THE ADDITION OF THE PROJECTS TO THE CAPITAL IMPROVEMENT PROJECTS LIST FOR FISCAL YEAR 2004-2005; AND APPROVE BUDGET TRANSFER B-072 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.28 * County Service Area (CSA) No. 31 (Biggs Swimming Pool) - approval is requested to transfer \$4,248 from the CSA's Appropriation for Contingencies to the operating budget to provide the funding for pool maintenance expenses for June 2004 - action requested - APPROVE BUDGET TRANSFER B-069 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

SHERIFF'S
OFFICE

3.29 * Rural County Supplemental Funding Grant - approval is requested to accept and appropriate \$500,000 from the State of California under the Rural County Supplemental Funding Grant program. The Sheriff will use part of the funds to continue the School Resource Officer (SRO) program at Paradise High School and Las Plumas High School. The cost of the program at Las Plumas High School will be offset by a \$40,000 contribution from the school and school district, and Board approval is also requested to accept and appropriate those funds. The Sheriff is also intending to use grant funds to purchase a Livescan fingerprint machine in the estimated amount of \$42,000, and Board approval is requested for the fixed asset purchase of the equipment - action requested - APPROVE BUDGET TRANSFER B-071 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF FINGERPRINT EQUIPMENT.

3.30 * California Methamphetamine Enforcement Team (CAL-MMET) Grant Funds - approval is requested to accept and appropriate \$10,548.27 received from the Shasta County Sheriff's Office under the CAL-MMET grant program. The funds will be utilized to purchase avionics equipment - action requested - APPROVE BUDGET TRANSFER B-070 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

TREASURER-

TAX COLLECTOR

3.31 * Monthly Investment Report - submitted is the Monthly Investment Report dated August 31, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

OTHER DEPARTMENTS

AND AGENCIES

3.32 * Resolution Proclaiming October 2004 as Domestic Violence Awareness Month - Catalyst Domestic Violence Services is requesting the Board adopt a resolution proclaiming October as Domestic Violence Awareness Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 Paradise Cemetery District - action requested - REAPPOINT MARY IDA LEONARD AND W.L. "BILL" KELLOGG, TRUSTEES, TO TERMS TO END JULY 1, 2008.

3.34 Upham Cemetery District - action requested - REAPPOINT RAMON LEFEVRE, TRUSTEE, TO A TERM TO END JULY 1, 2006, AND ERIC MANLEY AND MARVIN LARSON, TRUSTEES, TO TERMS TO END JULY 1, 2008.

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 * Advanced Funding of Workers' Compensation Costs - consideration of a resolution which will authorize the funding of a trust for Workers' Compensation costs and claims. The resolution is a necessary step for the County's transition to a self-insured Workers' Compensation program - action requested - ADOPT AND AUTHORIZE THE CHAIR TO SIGN THE RESOLUTION APPROVING THE FORMS OF THE DOCUMENTS IN THE TRANSACTION AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH. (CHIEF ADMINISTRATIVE OFFICER)

4.04 * Butte County Child Welfare System Improvement Plan - consideration of a one-year plan to establish program priorities, define specific actions to achieve improvements, and establish goals for improvements as mandated by the Child Welfare System Improvement and Accountability Act - action requested - APPROVE PLAN AND AUTHORIZE THE CHAIR TO SIGN. (EMPLOYMENT AND SOCIAL SERVICES)

4.05 * A MATTER ON WHICH A PUBLIC HEARING HAS BEEN HELD AND A MOTION OF INTENT ADOPTED - Steve Schuster - Tentative Subdivision Map Appeal (Sierra Moon Subdivision) - on August 17, 2004, the Board adopted a motion of intent to approve a Mitigated Negative Declaration and a Tentative Subdivision Map to create 118 lots from a 300-acre site, including 135 acres of open space, on property 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 - action requested:

1. PROVIDE ADDITIONAL DETAILS TO STAFF REGARDING THE BOARD'S DIRECTION TO SET UP A TEMPORARY CUL-DE-SAC ON SPYGLASS ROAD;
2. SUBJECT TO FINDINGS I (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, APPROVE THE REVISED AND RE-CIRCULATED MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;

(CONTINUED ON PAGE 13)

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- 4.05 (Cont.) 3. FIND THAT THE 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 14 CCR 753.5; AND
4. SUBJECT TO FINDINGS III (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, AND THE CONDITIONS OF APPROVAL DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED SEPTEMBER 28, 2004, APPROVE TENTATIVE SUBDIVISION MAP 03-01 FOR STEPHEN J. SCHUSTER, ASSESSOR PARCEL NUMBER 047-710-001. (FROM 8-17-04 [5.06]) (DEVELOPMENT SERVICES)
- 4.06 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.07 Adjourn 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
SEPTEMBER 28, 2004

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

2.00 **Agenda Items**

2.01 * Request to Fill Vacant Position, Approval of Employment Agreement, and Approval of Revised Personnel Policies - approval is requested to: fill a vacant Public Authority Services Specialist Aide position; approve an employment agreement for the at-will position; and approve revisions to the Authority's Personnel Policies which will result in a document more consistent with government personnel compliance and Butte County Personnel Policies - action requested - APPROVE REQUEST TO FILL VACANT PUBLIC AUTHORITY SERVICES SPECIALIST AIDE POSITION; APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE REVISIONS TO THE PUBLIC AUTHORITY PERSONNEL POLICIES INCLUDED AS EXHIBIT A TO THE AGREEMENT.

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.

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 * Public Hearing - Consideration of the Adoption of a Groundwater Management Plan Pursuant to California Government Code Section 10753 et seq. (AB 3030) - consideration of the adoption of a county-wide groundwater management plan for portions of the groundwater basin not presently covered by another groundwater management plan. The objectives of the Butte County Groundwater Plan are to: minimize the long-term drawdown of groundwater levels; protect groundwater quality; prevent inelastic land subsidence as a result of groundwater pumping; minimize changes to surface water flows and quality that directly effect groundwater levels or quality; minimize the effect of groundwater pumping on surface water flows and quality; and evaluate groundwater replenishment and cooperative management projects such as conjunctive use. The Butte County Groundwater Management Plan also documents existing local groundwater management activities - action requested - CONSIDER PROTESTS AND COMMENTS RECEIVED BY THE DEPARTMENT AND THE DEPARTMENT'S RESPONSES; DIRECT THE DEPARTMENT TO INSERT THE NECESSARY EDITS IN THE FINAL COPY OF THE BUTTE COUNTY GROUNDWATER MANAGEMENT (AB 3030) PLAN; AND ADOPT A RESOLUTION APPROVING THE PLAN AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-17-04 [4.05])
- 10:45 A.M. 5.02 * Public Hearing - Annual County Service Area Per Parcel Service Charges - consideration of the adoption of the per parcel service charges for the various County Service Areas for fiscal year 2004-2005 - action requested - OPEN PUBLIC HEARING TO ACCEPT ALL OBJECTIONS AND/OR PROTESTS; CLOSE HEARING; AND ADOPT A RESOLUTION CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE FOR FISCAL YEAR 2004-2005 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-31-04 [3.02])

11:00 A.M. **5.03** * Continued 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 APPROVAL OF THE APPEAL BASED ON APPLICANT'S SUBMISSION OF A REVISED MAP DATED SEPTEMBER 22, 2004. (FROM 8-17-04 [5.04])

1:15 P.M. **5.04** * Public Hearing - An Ordinance Amending Article VII of Chapter 3 of the Butte County Code Adjusting Specific Gate Fees Chargeable at the Neal Road Sanitary Landfill - consideration of an ordinance amending the fees charged at the Neal Road Sanitary Landfill for freon containing units, when more than two units are disposed of, from \$15.00 per unit to \$30.00 per unit. The ordinance also proposes to eliminate tires, in any form, from being placed in the landfill - action requested - 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 LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): SOSA V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 132801).

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

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

1. Consent Agenda: these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. Regular Agenda: this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. Public Hearing and Timed Items: this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

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

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

For further information contact the: Clerk of the Board of Supervisors
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530-538-7631
www.buttecounty.net/cob