

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

NOVEMBER 30, 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

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- 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

AGRICULTURAL -
COMMISSIONER

3.01 Resolution in Recognition of Robert J. Voorhees upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION 04-201 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-09-04 [3.01])

3.02 * State of California, Department of Food and Agriculture - approval is requested for a revenue agreement with the State of California, Department of Food and Agriculture, for the County's trapping and monitoring of the Olive Fruit Fly. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$39,667.25 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40733)

BEHAVIORAL
HEALTH

3.03 * Revenue Adjustments - approval is requested for a budget transfer that will accept unanticipated revenue into certain budget units and reduce revenues in other budget units as a result of allocation letters for the Projects for Assistance in Transition from Homelessness grant, Substance Abuse Mental Health Services Administration grant, Supportive and Therapeutic Options Program grant, and Mental Health Fee-for-Service Managed Care programs - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING, ALLOCATING, AND REDUCING REVENUE LINE ITEMS AS DETAILED IN THE AGENDA REPORT.

3.04 * Butte County Department of Public Health/Butte County Department of Behavioral Health - approval is requested for a Memorandum of Understanding with the Department of Public Health for funds to support tobacco cessation programs for fiscal year 2004-2005. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the Department of Public Health of \$50,000 (Behavioral Health Department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15239)

- 3.05 * Marylee Morf as Trustee of the Marylee H. Morf Trust - approval is requested for a lease agreement with Marylee Morf as Trustee of the Marylee H. Morf Trust, for the property located at 592 Rio Lindo Avenue, Chico. The location is utilized by the Psychiatric Health Facility, the ACCESS Team and the Youth Crises Center. The term of the agreement is September 15, 2004, through August 31, 2014, with a maximum amount payable of \$1,564,049.44 for the multi-year term (\$111,215.56 for fiscal year 2004-2005 [department budget]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06 * 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 to support the Drug Court Partnership Project for Project Year 5. The term of the agreement is July 1, 1999, through June 30, 2005, with a maximum amount payable to the County of \$132,867 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40153)
- 3.07 * United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance - approval is requested for a grant agreement with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for funds under the Single Jurisdiction Enhancement Drug Court Grant Program. The term of the agreement is September 1, 2004, through August 31, 2006, with a maximum amount payable to the County of \$199,532. The grant requires a County match of \$91,392 (department budget). Board approval is also requested to accept and appropriate \$82,806 into the fiscal year 2004-2005 budget, with the remaining funds to be allocated during the budget process for each subsequent fiscal year - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

CHIEFADMINISTRATIVEOFFICE

3.08 * Wetland Mitigation Bank Trust Fund - approval is recommended by the Butte County Fish and Game Commission to utilize the funds remaining in the Wetland Mitigation Bank Trust Fund (\$45,137) to purchase mitigation credits from the Center for Natural Lands Management - action requested - APPROVE THE PURCHASE OF MITIGATION CREDITS FROM THE CENTER FOR NATURAL LANDS MANAGEMENT AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND ALLOCATING THE TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

3.09 * Sharon A. Stone - Amendment - approval is requested for an amendment to the employment agreement with Sharon A. Stone to serve as Director-Child Support Services. The amendment extends the term of the agreement through January 31, 2008. 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.

CHILD SUPPORTSERVICES

3.10 * Resolution in Appreciation of Lou Ellen Saville Upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.11 * Resolution in Appreciation of Barbara Ann Dopson Upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

COUNTY CLERK-RECORDER

3.12 * Certification of Statement of Votes Cast - pursuant to California Elections Code Section 15372, submitted is the Certification of Statement of Votes Cast for the Consolidated General Election held within the County of Butte on November 2, 2004 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.

DEVELOPMENTSERVICES

3.13 * Stephen A. Streeter - Amendment - approval is requested for an amendment to the agreement with Stephen A. Streeter for the provision of consulting services in the area of planning. The amendment provides for the addition of Interim Manager-Planning services at the rate of \$75.00 per hour (department budget) through February 28, 2005, or until the department has successfully filled the position. 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. X15073)

- 3.14 * Approve Field Purchase Order - pursuant to the Butte County Purchasing Policy Manual, approval is requested for payment of Field Purchase Order F05-058, in the amount of \$4,862.62 (department budget). The department purchased two computer systems for the GIS Division incorrectly using a Field Purchase Order. Under the County's purchasing procedures, Field Purchase Orders are limited to purchases of \$2,500 or less, and exceptions to the policy require Board approval - action requested - APPROVE PAYMENT OF FIELD PURCHASE ORDER F05-058 IN THE AMOUNT OF \$4,862.62.
- 3.15 * Facilities Alteration - approval is requested for alterations to the lobby area of the building located at 7 County Center Drive, Oroville. The proposed remodel will remove a portion of the counter space to provide additional lobby space, and will include the installation of a "help desk" area which will allow applicants to sit down with Plan Application Assistants at workstations to process permit applications. The project estimate is \$12,901, and Board approval is also requested to transfer the needed funds from the General Fund Appropriation for Contingencies to the department's budget to provide for the project - action requested - APPROVE SPECIAL MAINTENANCE FACILITIES PROJECT; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND ALLOCATING \$12,901 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
- DISTRICT
ATTORNEY 3.16 * Valley Toxicology Service, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with Valley Toxicology Service, Inc., for the provision of substance analysis and expert court testimony. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$62,000 (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. (Contract No. X14133)
- 3.17 * Transfer of Funds - approval is requested to transfer \$50,000 from the Automated Warrant System Assessment Trust Fund to the department's budget to pay costs associated with the Central Criminal Justice Data Base Project. The funds for the project were unexpended in fiscal year 2003-2004 and were transferred to the trust fund to accrue interest until needed for the project - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

FIREDEPARTMENT

3.18 *

State of California, Office of Traffic Safety - approval is requested for a grant agreement with the State of California, Office of Traffic Safety, for funds to purchase auto extrication equipment and a rescue squad. The term of the agreement is October 1, 2004, through September 30, 2005, with a maximum amount payable to the County of \$273,127. The grant also requires a \$45,000 County match (Community Cost Share Trust Fund). Board approval is also requested for a budget transfer of funds to provide the allocation needed for the equipment purchases - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; APPROVE FIXED ASSET PURCHASE OF EQUIPMENT AS DETAILED IN THE GRANT AGREEMENT; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

3.19 *

Equipment Donations - approval is requested to accept two new Wild Land Fire Engines donated by the Berry Creek Volunteer Fire Company and the Kelly Ridge Volunteer Fire Company. Each new engine is a 2005 4x4 International Chassis with a Placer Fire Equipment manufactured body. One engine will be stationed at Butte County Volunteer Fire Station 61 in Berry Creek, and one will be stationed at Butte County Volunteer Fire Station 66 in the Kelly Ridge/Wyandotte area. The equipment is donated with the provision that it be returned to the donating company when it is no longer of use to the County - action requested - ACCEPT DONATIONS FOR THE USEFUL LIFE OF THE EQUIPMENT; DIRECT THE ADDITION OF THE EQUIPMENT TO THE COUNTY'S FIXED ASSET LIST; AND APPROVE LETTERS OF APPRECIATION AND AUTHORIZE THE CHAIR TO SIGN.

GENERALSERVICES

3.20 *

Applied Testing Consultants - Amendment - approval is requested for an amendment to the agreement with Applied Testing Consultants for the provision of testing services associated with the Courthouse Expansion construction project. The amendment expands the scope of work to include additional inspection services and materials testing needed for the project, and increases the maximum amount payable by \$38,700 (project budget) for the additional services. 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. X14625)

HUMANRESOURCES

3.21 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - adds one sunset position of Deputy District Attorney IV/III/II/I (position end date of 6-30-05). PUBLIC HEALTH-GENERAL SERVICES - deletes one position of Information Systems Analyst III/II/I. Adds one position of Information Systems Analyst III. Extends the position end dates for the following sunset positions from 12-31-04 to 12-31-05: one position of Medical Records Technician II/I; one position of Public Health Assistant II/I; and three positions of Public Health Nurse III/II/I. BEHAVIORAL HEALTH-GENERAL SERVICES - adds one position of Administrative Analyst III/II/I and one position of Office Assistant III/II/I. CHILD SUPPORT SERVICES - converts two flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk to two flexibly staffed sunset positions of Accounting Specialist/Senior Account Clerk/Account Clerk (position end dates 9-30-05). NEAL ROAD SANITARY LANDFILL-MANAGEMENT - extends the position end date of one flexibly staffed term position of Senior Landfill Equipment Operator/Landfill Equipment Operator from 12-31-04 to 6-30-05 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.22 *

Request to Close Libraries on December 24, 2004 - approval is requested to close the Chico, Oroville and Paradise Libraries on Friday, December 24, 2004. Due to Saturday hours at these branches, they are scheduled to be open on Friday, December 24, 2004, when other County offices will be closed for the Christmas holiday. The employees scheduled to work that day are willing to utilize accumulated time-off to cover the closure. The Butte County Employees Association and Butte County Management Employees Association have agreed to the proposal through the meet and confer process - action requested - AUTHORIZE THE CHICO, OROVILLE, AND PARADISE BRANCH LIBRARIES TO CLOSE ON FRIDAY, DECEMBER 24, 2004.

3.23 *

Library Donations - pursuant to Government Code Section 25355, donations of \$984 from the Paradise Friends of the Library, \$675 from the Chico Friends of the Library, and \$100 from the Meriam Library, California State University, Chico, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLIC
HEALTH

- 3.24 * Butte County Children and Families Commission - approval is requested for a grant agreement with the Butte County Children and Families Commission for funds to develop the Butte County Breastfeeding Center. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$100,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.25 * Private Industry Council - Amendment - approval is requested for an amendment to the agreement with the Private Industry Council for the provision of teen staff to work in the Teen Clinic in Oroville. The amendment increases the maximum amount payable by \$2,938 (grant funds) to allow additional work hours. 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. X14763)
- 3.26 * State of California, Department of Health Services - approval is requested for a Master Agreement with the State of California, Department of Health Services, for funds to provide a variety of AIDS related services. The term of the agreement is July 1, 2004, through June 30, 2007, with a maximum amount payable to the County of \$937,860 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE DIRECTOR-PUBLIC HEALTH TO SIGN MEMORANDA OF UNDERSTANDING FOR HIV/AIDS PROGRAM SERVICES SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
WORKS

- 3.27 * Lower Honcut Road Bridge Across Wilson Creek Painting Project; County Project No. 04452-03-1 - Notice of Completion - the project consisted of the removal of existing paint coatings and corrosion, and application of a new paint coat system, removal and replacement of the metal beam bridge rail with concrete barrier rail, and installation of metal beam guard rail and terminal end treatments at the four corners of the structure. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

- (3.28) * Resolution Declaring All-Way Stop Intersection - approval is requested for a resolution which will declare the intersection of Monte Vista Avenue and Autrey Lane in Oroville, an all-way stop controlled intersection - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO PLACE APPLICABLE SIGNS AND PAVEMENT MARKINGS AT THE APPROPRIATE ENTRANCES THERETO.
- (3.29) * Resolution Making Application to the Butte County Local Agency Formation Commission Regarding a Proposal to Annex to Established County Service Area No. 169 (Pheasant Landing Subdivision) - Stephen Schuster has requested annexation to County Service Area No. 169 to provide storm drainage maintenance and street lighting services to his proposed contiguous Sierra Moon Subdivision. Mr. Schuster, as property owner, has agreed to the existing maximum per parcel service charge of \$1,069, which will allow him to proceed without a ballot proceeding - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- (3.30) * Delta Oilfield Services, Inc. - Amendment - approval is requested for an amendment to the agreement with Delta Oilfield Services, Inc., for pumping and transportation of liquids from the Neal Road Landfill leachate containment pond and septage containment pond. The amendment increases the cost per gallon rate from \$0.02 to \$0.035 per gallon, reduces the amount of leachate to be pumped from 3 million gallons to 1,714,285 gallons, and increases the amount of septage supernatant liquid to be pumped from 3.5 million gallons to 7 million gallons. The revisions to the scope of work result in an overall increase of \$122,500 (Septage Management Fund). 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. X14691)
- SHERIFF'S
OFFICE (3.31) * Facilities Alteration - approval is requested to transfer \$27,220 from the Sheriff's Impact Fees Trust Fund to the department's budget to fund the modification of office space in the East Facility. The space will be used to consolidate and relocate the administrative accounting and jail accounting divisions to that location - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

TREASURER - TAX
COLLECTOR

3.32 * Resolution Confirming and Increasing the Change Fund for the Tax Collection Division - approval is requested for a resolution which will increase the change fund for the Tax Collection Division from \$200.00 to \$500.00. The increase will allow the operation of four cash drawers with sufficient change - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 * Monthly Investment Report - submitted is the Monthly Investment Report dated October 29, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE
CONSERVATION

3.34 * State of California, Department of Water Resources - Amendment No. 17 to Water Supply Contract - approval is requested for Amendment No. 17 to the agreement with the State of California, Department of Water Resources, for the allocation of 27,500 acre-feet of water from the State Water Project at Lake Oroville. The amendment sets the Table A allocation at 1,200 acre-feet, and extends the agreement two years. The amendment will allow the County to avoid payment of the full entitlement, and provide additional time to negotiate an additional contract - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.35 * State of California, Department of Water Resources Grant Application - approval is requested to apply to the State of California, Department of Water Resources, for up to \$250,000 in grant funds to support development of the Basin Management Objective Information Center (BMOIC). The BMOIC is a web-based information center with GIS components that will support development and management of county-wide basin management objectives - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-WATER AND RESOURCE CONSERVATION TO SUBMIT GRANT APPLICATION.

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 * An Ordinance of the County of Butte Adding Chapter 49 to the Butte County Code Relating to Seizure and Forfeiture of Nuisance Vehicles and Establishing Unlawful Refuse Dumping Violations - consideration of an ordinance which will allow for the seizure and forfeiture of vehicles used when illegally dumping refuse in violation of the ordinance (nuisance vehicles), and sets forth an administrative enforcement program for such violations - action requested - WAIVE READING OF THE ORDINANCE. (PUBLIC WORKS)

- 4.04 * Lake Oroville Relicensing - Report to the Board - update on the Federal Energy Regulatory Commission (FERC) Lake Oroville Relicensing Project, Protection, Mitigation and Enhancement measures, and settlement negotiations - action requested - ACCEPT FOR INFORMATION; AND BOARD DISCUSSION AND DIRECTION AS NEEDED. (COUNTY COUNSEL)

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

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

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

NOVEMBER 30, 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.

5.00**PUBLIC HEARINGS AND TIMED ITEMS**

10:30 A.M. **5.01** * Public Hearing - Adoption of Resolutions of Necessity to Acquire Certain Real Property - the Public Works Department has been involved in negotiations with several property owners in order to acquire rights-of-way and easements for the Oroville-Quincy (FH-119) Highway Reconstruction Phase II Project. Negotiations have reached an impasse with nine of the property owners and it has become necessary to begin the process of acquisition by eminent domain to proceed with the project - action requested - ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.

10:40 A.M. **5.02** * Public Hearing - Local Law Enforcement Block Grant (LLEBG)- pursuant to United States Department of Justice regulations, consideration of the allocation and spending of Local Law Enforcement Block Grant funds in the amount of \$21,570 (plus \$2,397 County match) for the District Attorney's Office for fiscal year 2004 - action requested - OPEN PUBLIC HEARING TO ACCEPT INPUT ON THE SPENDING PROPOSAL FOR FISCAL YEAR 2004; CLOSE PUBLIC HEARING; ACCEPT THE RECOMMENDATION OF THE ADVISORY COMMITTEE AND AUTHORIZE THE FISCAL YEAR 2004 SPENDING PLAN; AND APPROVE REVENUE AND APPROPRIATION REVISIONS AS DETAILED IN THE AGENDA REPORT.

10:45 A.M. (5.03) *

Public Hearing - Development Impact Fees - consideration of ordinances adding and/or amending sections of the Butte County Code regarding certain fees chargeable for new residential and nonresidential development as follows: 1. An Ordinance of the County of Butte Adding Article XVIII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Library Facilities in the Unincorporated and Incorporated Area of Butte County; 2. An Ordinance of the County of Butte Adding Article XIX to Chapter 3 of the Butte County Code to Establish Development Impact Fees for General Government Facilities in the Unincorporated and Incorporated Area of Butte County; 3. An Ordinance of the County of Butte Adding Article XX to Chapter 3 of the Butte County Code to Establish Development Impact Fees for General Government Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 4. An Ordinance of the County of Butte Adding Article XXI to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Sheriff Facilities, Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 5. An Ordinance of the County of Butte Repealing Article V, Section 10-50 Through 10-60 and Adding Article XXII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Road Improvements in the Unincorporated and Incorporated Area of Butte County; 6. An Ordinance of the County of Butte Adding Article XXIII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Fire Facilities, Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 7. An Ordinance of the County of Butte Amending Sections 3.11, 3.14, and 3.20 of Article II of Chapter 3 of the Butte County Code; and consideration of a Resolution Amending Section 13.01-1, Entitled "Requirement Class 1", of the Butte County Improvement Standards Dated June 2002 - action requested - ADOPT ORDINANCES AND RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

11:30 A.M. **5.04** * Public Hearing - Neal Road Landfill Gate Fees - consideration of an ordinance amending Chapter 3 of the Butte County Code, specifically Article VII, Gate Fees Chargeable at the Neal Road Landfill. The fees pertain to the disposal of solid waste - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT STAFF TO PURSUE ALTERNATIVE FUNDING MECHANISMS TO ENSURE THAT ALL WASTE GENERATED IN THE COUNTY CONTRIBUTES TO PROGRAMS OF COMMON BENEFIT TO COUNTY RESIDENTS AND SATISFIES JURISDICTIONAL OBLIGATIONS OF LANDFILL CLOSURE/POST CLOSURE, ENVIRONMENTAL MONITORING, AND OTHER RELATED ACTIVITIES.

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 INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE.
- 7.02 CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO 54956.9(b)(1): ONE POTENTIAL CASE.
- 7.03 CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):
 - 1. WHEAT V. COUNTY OF BUTTE
 (BUTTE SUPERIOR COURT CASE NO. 128644)
 - 2. NATIONAL ALLIANCE FOR THE MENTALLY ILL V. COUNTY OF BUTTE
 (UNITED STATES DISTRICT COURT EASTERN DISTRICT CASE NO. CIV-S-03-1087)
- 7.04 PUBLIC EMPLOYEE EVALUATION/EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER.

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