

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

MARCH 1, 2005



### County Supervisors

Bill Connelly, 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**

**BEHAVIORAL**  
**HEALTH**

- 3.01** \* Accularm Security Systems - Amendment - approval is requested for an amendment to the agreement with Accularm Security Systems for the provision of monthly monitoring of the security systems at the Oroville Adult Treatment Court Services Office and Oroville Community Counseling Center. The amendment increases the maximum amount payable for fiscal year 2004-2005 by \$48, and for fiscal year 2005-2006 by \$96 (department budget), as a result of a monthly service rate increase of \$8. 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. X11674)
- 3.02** \* Landmark Medical Center - Amendment - approval is requested for an amendment to the agreement with Landmark Medical Center for the provision of community mental health services for chronically mentally disordered patients. The amendment decreases the maximum amount payable for fiscal year 2004-2005 by \$4,140, and revises agreement language regarding reimbursement provisions. 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. X15026)
- 3.03** \* State of California, Department of Mental Health - approval is requested for a Performance Contract with the State of California, Department of Mental Health, for the State's provision of Community Mental Health Services pursuant to Welfare and Institutions Code Section 5602. The term of the agreement is July 1, 2004, through June 30, 2005. There is no funding associated with the Performance Contract - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

- 3.04 \* State of California, Department of Mental Health - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Mental Health, for the County's management of mental health services for Medi-Cal beneficiaries. The amendment increases the County's allocation for fiscal year 2004-2005 by \$205,427 for Phase I and Phase II services, and revises agreement provisions - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.05 \* Grant Augmentation - approval is requested to accept and appropriate \$26,000 in grant funds received from the State of California, Department of Alcohol and Drug Programs, as an augmentation to the Safe and Drug Free Schools and Communities Grant. The funds are used to enhance and expand drug and violence prevention services in Butte County. The department is requesting to appropriate \$19,500 of the funds - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.06 \* Victor D. Mlotok, M.D. - Amendment - approval is requested for an amendment to the agreement with Victor D. Mlotok, M.D., for the provision of professional medical and psychiatric services. The amendment increases the maximum amount payable by \$1,445 (department budget) for on-call 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. X14935)
- 3.07 \* Children's System of Care Funding for Fiscal Year 2003-2004 - approval is requested to accept and appropriate \$200,400 in fiscal year 2003-2004 carryover funds from the Children's System of Care program - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

**CHIEF  
ADMINISTRATIVE  
OFFICE**

**3.08** \* Funding for Agreement - on January 25, 2005, the Board approved an agreement with Faramarz M. Yazadani of FMY, Inc., to assist County Counsel with Federal Energy Regulatory Commission issues associated with relicensing of the facility at Lake Oroville. Approval is requested for a transfer of \$35,000 from the General Fund Appropriation for Contingencies to provide the needed funding - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

**3.09** \* Increased Funding for Publication Costs - approval is requested for a transfer of \$25,000 from the General Fund Appropriation for Contingencies to provide publication funds for mandatory notices by the Clerk of the Board for the remainder of the fiscal year. The current fiscal year's costs have been higher than expected and the current fiscal year's budget has been exhausted - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES FUND AS DETAILED IN THE AGENDA REPORT.

**CLERK OF  
THE BOARD**

**3.10** \* Approval of Minutes - action requested - APPROVE MINUTES OF JUNE 8, 2004; JANUARY 11, 2005; AND JANUARY 25, 2005; WITH THE NOTATION THAT SUPERVISOR CONNELLY WILL ABSTAIN FROM APPROVAL OF THE 2004 MINUTES.

**COUNTY  
COUNSEL**

**3.11** \* Local Agency Biennial Report (Exempt) - the following districts have reviewed their Local Agency Biennial Reports and have determined that the conditions of exemption still exist: Drainage District No. 200, Pine Creek Cemetery District, and Upham Cemetery District. County Counsel has reviewed the attached Local Agency Biennial Reports and finds them to be proper - action requested - ACCEPT 2004 LOCAL AGENCY BIENNIAL REPORTS.

**3.12** \* Local Agency Biennial Conflict of Interest Codes (Non-exempt) - the following districts have reviewed their Conflict of Interest Codes and have determined that their Codes are current and not in need of revision: Paradise Irrigation District, Richardson Springs Community Services District, Richvale Recreation and Park District, and Rock Creek Reclamation District. County Counsel has reviewed the attached notices and finds them to be proper - action requested - ACCEPT 2004 LOCAL AGENCY BIENNIAL CONFLICT OF INTEREST CODE NOTICES.

**3.13** \* Regional and Economic Sciences - Amendment - approval is requested for an amendment to the agreement with Regional and Economic Sciences for research related to the analysis of the socio-economic impact of Project 2100 (the Lake Oroville Dam) on the economy of Butte County. The amendment extends the term of the agreement through January 1, 2006, and provides language clarifications with regard to reporting requirements and consulting services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.

**DISTRICT  
ATTORNEY**

**3.14** \* Butte County District Attorney/Butte County Child Support Services - Plan of Cooperation - approval is requested for a Plan of Cooperation with the Department of Child Support Services for the investigation of cases involving non-payment of child support. The term of the agreement is July 1, 2004, through June 30, 2005, with the Department of Child Support Services reimbursing the District Attorney's Office for services in an amount not to exceed \$164,000 (Child Support Services budget). The District Attorney's budget included \$123,325 for Child Support investigations, and Board approval is also requested to accept and appropriate the remaining funds - action requested - APPROVE PLAN OF COOPERATION 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 REVENUE AS DETAILED IN THE AGENDA REPORT.

**EMPLOYMENT  
AND SOCIAL  
SERVICES**

**3.15** \* Resolution Requesting a Waiver of Work Requirement for Able-Bodied Adults Without Dependents Due to High Unemployment Rates in Butte County - approval is requested for a resolution applying to the United States Department of Agriculture for an Able-Bodied Adults Without Dependents (ABAWD) Work Requirement Waiver which will allow non-exempt ABAWDs to receive food stamp benefits beyond the limit of three months in three years. The waiver eligibility is based on unemployment rates in the County. The additional benefits are provided by the United States Department of Agriculture at no cost to the County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**FIRE**

**DEPARTMENT**

3.16 \*

Vehicle Purchase and Budget Transfer - approval is requested to award a bid for the purchase of a Hazardous Materials Vehicle to low bidder Placer Fire Equipment, Inc., in the amount of \$237,232.71. Funding for the purchase will be provided through a combination of grant funds (\$185,000) and County matching funds (\$40,000), with the remaining funds to be provided by purchase reductions in the HazMat Trust Fund (\$12,233). Board approval is also requested for a budget transfer necessary to allocate the funding for the purchase - action requested - AWARD BID FOR PURCHASE OF HAZARD MATERIALS VEHICLES TO PLACER FIRE EQUIPMENT, INC., IN THE AMOUNT OF \$237,232.71; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.17 \*

Vehicle Purchase and Budget Transfer - approval is requested to award a bid for purchase of a Light Fire Rescue Apparatus Vehicle for the Forest Ranch Volunteer Fire Company to low bidder Wittmeier Chevrolet in the amount of \$41,263.37 plus tire fees. Funding for the purchase is available through a combination of Community Cost Share funds (\$20,631), Water Tender Earnings funds (\$4,617), Volunteer Fire Budget funds (\$1,334), and funds raised during the Fire on the Fairway fund-raising event (\$14,682). Board approval is also requested for a budget transfer necessary to allocate the funding for the purchase - action requested - AWARD BID FOR PURCHASE OF LIGHT FIRE RESCUE APPARATUS VEHICLE TO WITTMEIER CHEVROLET, IN THE AMOUNT OF \$41,263.37; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

**GENERAL**

**SERVICES**

3.18 \*

State Homeland Security Grant Program, Fiscal Year 2005 - approval is requested to apply to the Office of Homeland Security for \$618,466 in grant funds under the State Homeland Security Grant Program. The funds will be used for emergency prevention, preparedness, and response personnel to prevent, deter, respond, and recover from threats and incidents of terrorism - action requested - ADOPT RESOLUTION APPROVING APPLICATION FOR GRANT FUNDS AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER, GENERAL SERVICES DIRECTOR AND EMERGENCY SERVICES OFFICER TO SERVE AS AUTHORIZED REPRESENTATIVES FOR THE RECEIPT, PROCESSING AND COORDINATION OF GRANT RELATED ACTIVITIES.

- 3.19) \* Fixed Asset Purchase and Budget Transfer - approval is requested for the fixed asset purchase of two portable weather stations in the amount of \$28,500 and an IChem Spectral Library in the amount of \$7,000. The equipment is an authorized purchase under the fiscal year 2004 Homeland Security Grant Guidelines and will be issued to HAZMAT teams once received. Board approval is also requested for a budget transfer of grant funds to provide the allocation needed for the purchases - action requested - APPROVE A BUDGET TRANSFER AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF EQUIPMENT AS DETAILED IN THE AGENDA REPORT.
- 3.20) \* Fixed Asset Authorization and Budget Transfer - approval is requested to increase the authorization for purchase of equipment under the Homeland Security Grant, Part II, fiscal year 2003, in the amount of \$1,832 to cover the cost of sales tax and shipping associated with the equipment purchases. Funding for the increase is available in other budget line items and Board approval is also requested for a transfer of those funds - action requested - APPROVE INCREASE IN FIXED ASSET PURCHASE AUTHORITY BY \$1,832; AND APPROVE A BUDGET TRANSFER AS DETAILED IN THE AGENDA REPORT.
- 3.21) \* RRM Design Group - Amendment - approval is requested for an amendment to the agreement with RRM Design Group for pre-design and schematic design services for the Butte County Fire Station 42 relocation project. The amendment reduces the maximum amount payable to \$17,255.57, the amount already expended under the agreement, and terminates the agreement with the County. The City of Chico will be assuming control of the project and will enter into their own agreement for completion of the project - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.22) \* Courthouse Expansion Project - approval is requested to accept and appropriate \$17,677 received from the Superior Court of California, County of Butte, to fund change order numbers 12 through 15 for the Courthouse Expansion Project - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

- 3.23 \* Building Crafts Workers Shift Hours Side Letter Agreement - approval is requested for a side letter agreement with the Butte County Employees' Association which will establish a Call Back Availability Schedule for the Building Crafts Workers, Senior classification and provide compensation for the status as a means to address facilities needs for the Corrections Division - action requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.24 \* Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATIVE - deletes one flexibly staffed position of Supervisor, Support Services/Administrative Assistant. Adds one position of Manager, Support Services. ASSESSOR - deletes one flexibly staffed position of Office Specialist/Office Assistant. Adds one flexibly staffed position of Assessment Clerk, Senior/Assessment Clerk/Office Specialist, Senior/Office Specialist/Office Assistant. DISTRICT ATTORNEY-CRIMINAL - deletes one flexibly staffed sunset position of Deputy District Attorney IV/III/II/I (position end date 6-30-05), and one flexibly staffed position of Deputy District Attorney IV/III/II/I . Adds one position of Supervisor, Deputy District Attorney. DISTRICT ATTORNEY-CHILD SUPPORT INVESTIGATIONS - increases a one-half time position of Investigator II to a full-time position. DEVELOPMENT SERVICES - deletes one position of Administrative Assistant. Adds one flexibly staffed position of Office Specialist, Senior/Office Specialist/Office Assistant, and one position of Assistant Director Development Services. PUBLIC HEALTH-GENERAL SERVICES - adds one and a half positions of Nutrition Specialist, Senior/Nutrition Specialist. CHILD SUPPORT SERVICES - deletes two positions of Paralegal, and two positions of Child Support Specialist, Senior/Child Support Specialist. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATION - adds the classification of Assistant Director Development Services - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**3.25** \* Salary Step Adjustment - pursuant to Personnel Rule 11.13, Board approval is requested by the Probation Department to advance a recently appointed Supervisor, Juvenile Hall Counselor to step three of the salary range, retroactive to February 14, 2005, based on experience. The Director of Human Resources concurs with the recommendation of the Probation Department - action requested - APPROVE SALARY STEP ADJUSTMENT FOR SUPERVISOR, JUVENILE HALL COUNSELOR, AS DETAILED IN THE AGENDA REPORT.

**LIBRARY**

**3.26** \* Library Donations - pursuant to Government Code Section 25355, donations of \$978.60 from the Paradise Friends of the Library, \$500.00 from J. Regan of Paradise, \$300.00 from Jim and Mary Johnson of Paradise, \$200.00 from Jolene Blake of Oroville, and \$100.00 from Ruthmarie Ferris of Oroville, 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**

**3.27** \* 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, 2005. All other terms and conditions 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)

**PUBLIC  
WORKS**

**3.28** \* Resolution of Intent to Abandon a Portion of a Drainage Easement - the department has received a request to abandon 13 feet of an existing 20 foot drainage easement located on a vacant lot on the east side of Jack Hill Drive, 130 feet south of 6336 Jack Hill Drive, in the Kelly Ridge area, Oroville. Staff will be recommending approval of the project to the Planning Commission at its meeting of February 24, 2005 - action requested - ADOPT A RESOLUTION GIVING NOTICE OF A PUBLIC HEARING TO BE HELD MARCH 22, 2005, AT 10:30 A.M., TO CONSIDER THE PETITION TO ABANDON A PUBLIC SERVICE EASEMENT.

**SHERIFF'S  
OFFICE**

**3.29** \* Mar-Ken International - approval is requested for a sole source agreement with Mar-Ken International for the provision of training services for department canines and handlers. The term of the agreement is January 1, 2005, through December 31, 2007, with a maximum amount payable of \$66,250 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15336)

- 3.30 \* Etech Controls Corporation - approval is requested for an agreement with Etech Controls Corporation for maintenance and repair services for the security equipment in the Butte County Jail. The term of the agreement is September 16, 2004, through September 15, 2005, with a maximum amount payable of \$27,648 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15319)
- 3.31 \* Butte Meadows Hillslider's Snowmobile Club - approval is requested for an agreement with the Butte Meadows Hillslider's Snowmobile Club for snow grooming, plowing and removal in the area surrounding the Jonesville Snowpark. The term of the agreement is November 1, 2004, through June 30, 2006, with a maximum amount payable of \$80,000 (State grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.32 \* Fixed Asset Equipment Purchase - approval is requested for the fixed asset purchase of a Live Scan fingerprint imaging machine. The equipment will replace outdated equipment that does not have the capability of scanning palm images, which is required in certain instances under Proposition 69. The cost of the equipment is \$52,690. Funding for the purchase is available through a combination of Development Impact Fees (\$10,538), and Criminal Justice Temporary Facilities Construction funds (\$42,152), and Board approval is also requested for the budget transfer necessary to complete the purchase - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF FINGERPRINT IMAGING EQUIPMENT IN THE AMOUNT OF \$52,690.
- 3.33 \* Accounting Division Remodel - approval is requested to transfer \$10,527 from the Development Impact Fee Trust Fund to the Special Maintenance Budget to provide additional appropriations needed to complete the Accounting Division relocation and remodel - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

**3.34** \* Jail Shower Facilities Alteration - approval is requested to transfer \$676 from the Inmate Welfare Fund to the Special Maintenance Fund to provide additional appropriations needed to complete a revision to the shower facilities in 12 housing pods in the Jail - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

**3.35** \* Local Law Enforcement Block Grant Funds Interest - approval is requested to accept and appropriate \$239 in interest earnings from the Local Law Enforcement Block Grant. The funds will be used to purchase canine equipment - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

**TREASURER-**

**TAX COLLECTOR**

**3.36** \* Monthly Investment Report - submitted is the Monthly Investment Report dated January 31, 2005, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

**3.37** \* Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$100.00 resulting from the discovery of a counterfeit bill in the property tax receipts of October 20, 2004. The Auditor-Controller has reviewed the matter and found no evidence of fraud or gross negligence - action requested - GRANT RELIEF OF ACCOUNTABILITY.

**3.38** \* A Resolution of the Board of Supervisors of the County of Butte to Apply Five-Year Time Period for Tax-Defaulted Non-Residential Commercial Property - approval is requested for a resolution which will allow the County to continue applying the five year time period for the sale of tax-defaulted non-residential commercial property in accordance with California Revenue and Taxation Code Section 3691(B) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**OTHER**

**DEPARTMENTS**

**AND AGENCIES**

**3.39** \* Southside Oroville Community Center Advisory Committee - action requested - APPOINT DEBORAH L. THOMPSON TO A TERM TO END JANUARY 5, 2009.

**3.40** \* Butte County Water Commission - action requested - REAPPOINT MARK KIMMELSHUE, LANDOWNER-PRIVATE WELL REPRESENTATIVE, TO A TERM TO END MARCH 1, 2009.

3.41 \* Butte County Behavioral Health Board - action requested - APPOINT DAVE PANCHESSON, LAW ENFORCEMENT REPRESENTATIVE, TO A TERM TO END DECEMBER 31, 2007.

3.42 In-Home Supportive Services Advisory Committee - action requested - REAPPOINT JAY HARRIS TO A TERM TO END DECEMBER 19, 2007; AND APPOINT WILLIAM ARMFIELD TO A VACATED TERM TO END DECEMBER 15, 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. Strategic Local Government Services, LLC - legislative update - action requested - ACCEPT FOR INFORMATION.
- \* 2. Combat Meth Act of 2005 - Position of Support - consideration of a position of support for federal legislation to combat the production of methamphetamine - action requested - ADOPT A POSITION OF SUPPORT; AND APPROVE A LETTER OF SUPPORT TO SENATOR FEINSTEIN AND AUTHORIZE THE CHAIR TO SIGN.

**PRESENTATION  
AND DISCUSSION  
ITEMS**

4.03 \* Resolution of Appreciation to Supporters of the Eighth Annual Community Wide True Love Waits Campaign - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (SUPERVISOR CONNELLY)

- 4.04 \* Four-County Drinking Water Quality Program - update to the Board on the status of the various work plan elements for development of a four-county drinking water quality program for the counties of Butte, Glenn, Tehama and Colusa - action requested - ACCEPT FOR INFORMATION. (WATER AND RESOURCE CONSERVATION)
- 4.05 \* Almond Avenue Gravel Pit - consideration of the solicitation for proposals to complete an appraisal and/or valuation of the aggregate deposits and fiscal feasibility analysis for the County's Almond Avenue Gravel Pit, located at the end of Almond Avenue, off Larkin Road, and to propose options on how best the County could structure a mineral lease or sale agreement for the site - action requested - DIRECT STAFF TO SOLICIT PROPOSALS. (PUBLIC WORKS)
- 4.06 \* Consideration of an Ordinance Amending the Butte County Code, by Adding Article VI, Composed of Articles VI(A), VI(B), VI(C), and VI(D), to Chapter 10 of Said Code - consideration of an ordinance which will expand the County Code regarding the encroachment permit process by providing more specific details and requirements to help guide both the applicants wishing to work or encroach onto a County highway or road, as well as Public Works Staff who review and issue the encroachment permits - action requested - WAIVE READING OF THE ORDINANCE. (PUBLIC WORKS)
- 4.07 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.08 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

MARCH 1, 2005

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

- 10:20 A.M. 5.01 \* Continued Public Hearing - consideration of an ordinance amending the Butte County Code by amending Sections 3-101, 3-102, 3-103 of Article XI within Chapter 3 of said code and Section 20-210 of Article IX within Chapter 20 of said code related to drainage fees in Thermalito and/or Chico - action requested:
1. ADOPT AN ORDINANCE WITH EXHIBIT 1, DRAINAGE FEE ORDINANCE FOR THERMALITO AND CHICO, AND AUTHORIZE THE CHAIR TO SIGN; **OR**
  2. ADOPT AN ORDINANCE WITH EXHIBIT 2, DRAINAGE FEE ORDINANCE FOR CHICO (ONLY), AND AUTHORIZE THE CHAIR TO SIGN. (FROM 2-8-05 [5.02])
- 10:30 A.M. 5.02 \* Public Hearing - Brent and Debbie Sobrero Tentative Parcel Map Appeal - consideration of an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 40-acre parcel into two 20-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. Sewage disposal for the future dwellings on the site would be provided by individual on-site septic systems. Domestic water would be obtained from individual wells. The project site is located on the north side of Clear Creek Cemetery Road, approximately one mile east of Clark Road (State Highway 191) approximately 5 miles south of Paradise, and identified as APN 041-110-135 (MM [TPM 04-07]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:
1. DENY THE APPEAL TO REDUCE THE REQUIRED 300-FOOT RESIDENTIAL DWELLING SETBACK FROM PARCEL BOUNDARIES; AND
  2. SUBJECT TO FINDINGS II(A AND B) AS DETAILED IN THE STAFF REPORT DATED MARCH 1, 2005, UPHOLD THE PLANNING COMMISSION'S DENIAL. (FROM 2-8-05 [5.03])

11:00 A.M. **5.03** \* Public Hearing - Adoption of Resolutions of Necessity to Acquire Certain Real Property - the Public Works Department has been involved in negotiations with Gregory Danysh in order to acquire rights-of-way and easements for the Oroville-Quincy (FH-119) Highway Project. Negotiations have reached an impasse and it has become necessary to begin the process of acquisition by eminent domain - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

1:00 P.M. **5.04** \* Public Hearing - Community Development Block Grant (CDBG) Program - Consideration of a Transfer of Program Income - approval is requested for a resolution amending CDBG Grant No. 02-EDBG-87 (Butte County Business Incubator Program) and authorizing the allocation of CDBG Program Income to the previously approved grant program. Proposed is a transfer of \$50,000 to the open grant to allow the County to continue with previously approved grant activities, and to facilitate compliance with State CBDG regulations pertaining to the allowable amount of Program Income - action requested - ADOPT RESOLUTION APPROVING AMENDMENT OF OPEN GRANT (BUTTE COUNTY INCUBATOR PROGRAM) AND AUTHORIZING THE CHAIR TO SIGN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING PROGRAM INCOME AS DETAILED IN THE AGENDA REPORT.

---

**6.00****PUBLIC COMMENT**

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

---

**7.00            CLOSED SESSION**

7.01            CONFERENCE WITH LEGAL COUNSEL REGARDING 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 GOVERNMENT CODE SECTION 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.    C.M.S.C.S (CASE NO. ARB-03-2357)
2.    JONES V. COUNTY OF BUTTE (CONSENT DECREE)  
      BUTTE COUNTY SUPERIOR COURT CASE NO. 84428.

## **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](http://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](http://www.buttecounty.net/cob)