

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

AUGUST 16, 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

AUDITOR-
CONTROLLER

- 3.01 * Fiscal Year 2004-2005 Final Budget Transfer - the department has prepared the final budget transfer for fiscal year 2004-2005. The transfer clears deficit appropriations and makes transfers needed to close out the fiscal year - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL
HEALTH

- 3.02 * Housing Authority of the County of Butte - approval is requested for a sole source agreement with the Housing Authority of the County of Butte for the provision of housing assistance payments and/or deposits for clients of the Adult System of Care program. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$60,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03 * Cherokee Restoration Fellowship - approval is requested for a sole source agreement with Cherokee Restoration Fellowship for the provision of residential treatment services for referred clients. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$58,719.30 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15667)

- 3.04 * Counseling Solutions - approval is requested for a sole source agreement with Counseling Solutions for the provision of mental health services to children receiving Medi-Cal benefits. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$149,999.85 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.05 * Gary Bess & Associates - approval is requested for a sole source agreement with Gary Bess & Associates for services to evaluate the Comprehensive Treatment Court Program in accordance with the Department of Justice's reporting requirements. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$30,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.06 * Butte County Public Defender - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the public defender consortium of attorneys for services to support Substance Abuse and Crime Prevention Act programs. The amendment extends the term of the agreement through June 30, 2006, increases the maximum amount payable by \$30,500 (department budget) for the extended term, and revises the agreement's exhibits to reflect the changes. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13551)
- 3.07 * Linda Huffmon - approval is requested for a sole source agreement with Linda Huffmon for the provision of consulting services in the areas of program and procedural planning, grant planning and grant preparation. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$32,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15669)

3.08 * State of California, Department of Mental Health - approval is requested for a revenue agreement with the State of California, Department of Mental Health, for the continuation of the Phase I and Phase II Inpatient and Outpatient Consolidation Managed Care Program. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$2,276,342 - action requested - ADOPT A RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.09 * Charles E. Nielsen, M.D. - approval is requested for a sole source agreement with Charles E. Nielson, M.D., for the provision of professional medical services in the specialized field of psychiatry. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$187,560 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15657)

CHIEF
ADMINISTRATIVE
OFFICE

3.10 * Resolution Encouraging Full and Immediate Reimbursement for State Special Election - approval is requested for a resolution urging the Legislature and the Governor to take immediate action to fully reimburse Butte County for the expenditures it will incur in complying with the Governor's order to conduct a statewide special election on November 8, 2005 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CLERK OF
THE BOARD

3.11 * Approval of Minutes - action requested - APPROVE MINUTES OF MAY 10, 2005, AND MAY 24, 2005.

COUNTY CLERK-
RECORDER-REGISTRAR
OF VOTERS

3.12 * Drainage District 200 - on August 2, 2005, the Board approved a request to consolidate the general district election for Drainage District 200 with the special statewide election to be held November 8, 2005. Following approval of that item, legal clarification of the district's status as a landowner voting district was received. The Elections Office concurs with the finding regarding the district's status and as a result of the new information consolidation of election for Drainage District 200 will not occur. The district will conduct their own election - action requested - ACCEPT FOR INFORMATION.

3.13 * Fixed Asset Purchase - approval is requested for the fixed asset purchase of a 1996 electric warehouse forklift in the amount of \$6,167. The equipment will be used in the Elections warehouse. Board approval is also requested for a transfer of department funds between budget line items to provide the allocation needed for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF ELECTRIC FORKLIFT; AND APPROVE A BUDGET TRANSFER APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

COUNTY
COUNSEL

3.14 * Western Canal Water District - Amendments to Bylaws - approval is requested for amendments to the bylaws of the Western Canal Water District. Pursuant to Water Code Section 35305, if the Board of Supervisors of the principal county of a water district approves amendments to the district's bylaws after approval by the district's board, then there is no need for the district to hold an election. To avoid the cost of an election, the district is submitting amendments approved by their district board on May 17, 2005 - action requested - APPROVE AMENDMENTS TO THE BYLAWS FOR THE WESTERN CANAL WATER DISTRICT.

3.15 * Carol A. Smoots - Amendment - approval is requested for an amendment to the agreement with Carol A. Smoots, for the provision of legal services relating to the Federal Energy Regulatory Commission's re-licensing of the California Department of Water Resources' facility at Lake Oroville. The amendment revises the contact information for Ms. Smoots, and revises the agreement's Exhibit A. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15299)

DEVELOPMENT
SERVICES

3.16 * Stephen A. Streeter - Amendment - approval is requested for an amendment to the agreement with Stephen A. Streeter for the provision of Interim Planning Manager services. The amendment revises the scope of work to retain services to rewrite ordinances but eliminates Planning Manager duties as of July 31, 2005, and changes the term ending date from October 1, 2005, to September 1, 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. X15073)

- 3.17 * Tittle & Company, LLP - approval is requested for an agreement with Tittle & Company, LLP, for the provision of a mandatory audit of the Abandoned Vehicle Abatement Joint Powers Authority financial records. The term of the agreement is from the date of execution through December 31, 2005, with a maximum amount payable of \$4,200. Funding for the agreement is available in the funds to be disbursed by the Joint Powers Authority, and approval is also requested for a transfer to provide the appropriation needed - 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 REVENUE AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

- 3.18 * Notice of Intent to Contract to Provide Primary Prevention Services - approval is requested for a Notice of Intent to contract with public or private nonprofit agencies to provide services in accordance with Welfare and Institutions Code Section 18960 et seq., and family support services in accordance with Welfare and Institutions Code Section 16600 et seq. The Notice of Intent is required to receive and administer the combined Child Abuse Prevention, Intervention and Treatment funds, Community Based Child Abuse Prevention funds and Promoting Safe and Stable Families funds for fiscal years 2005-2008. The County will receive \$201,533 in Promoting Safe and Stable Families funds and \$75,000 in Child Abuse Prevention, Intervention and Treatment funds for fiscal year 2005-2006 - action requested - APPROVE NOTICE OF INTENT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.19 * Domestic Violence Trust Fund - approval is requested to accept and appropriate \$42,000 from the Domestic Violence Trust Fund. The funds will be used to provide domestic violence prevention services - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.20 * Resolution Adopting Standard of Aid for General Assistance (SB 1033) - on July 2, 2005, the Commission on State Mandates issued its Final Statement of Decision approving Butte County's application for a finding of significant financial distress. This finding provides the Board with the necessary authority to adopt a reduced level of general assistance payments pursuant to Welfare and Institutions Code Section 17000 et seq. The proposed resolution provides that effective September 1, 2005, the County of Butte will adopt a standard of aid and care equal to 40% of the 1991 federal official poverty level, which rate is the equivalent of \$221.00 per month. Board approval is also requested to adopt revised General Assistance regulations reflecting the approved General Assistance rate change effective September 1, 2005, and to transfer the anticipated savings of \$170,000 to the General Fund Appropriation for Contingencies - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; ADOPT REGULATIONS REFLECTING THE APPROVED GENERAL ASSISTANCE RATE CHANGE EFFECTIVE SEPTEMBER 1, 2005; AND APPROVE A BUDGET TRANSFER (4/5 vote required) TRANSFERRING THE PROJECTED SAVINGS OF \$170,000 TO THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES.

GENERAL
SERVICES

3.21 * Surplus Vehicles and Equipment - approval is requested to declare surplus various vehicles and equipment no longer used by County departments. The vehicles (37) and miscellaneous fixed asset equipment items (2) have been transferred to General Services from County departments for surplus and disposal - action requested - DECLARE ITEMS SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZE DISPOSAL BY THE PURCHASING AGENT IN ACCORDANCE WITH COUNTY POLICY.

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

HUMANRESOURCES

- 3.23 * Butte County Deputy Sheriffs' Association, General Unit - Memorandum of Understanding - approval is requested for a successor Memorandum of Understanding with the Butte County Deputy Sheriffs' Association, General Unit, which includes the following major changes resulting from the meet and confer process: agreement term to be April 1, 2004, through June 30, 2005; salaries to be increased by 1%, retroactive to December 18, 2004; and an increase in County contribution to employee health premiums, effective January 1, 2005 - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.
- 3.24 * Butte County Deputy Sheriffs' Association, Management Unit - Memorandum of Understanding - approval is requested for a successor Memorandum of Understanding with the Butte County Deputy Sheriffs' Association, Management Unit, which includes the following major changes resulting from the meet and confer process: agreement term to be April 1, 2004, through June 30, 2005; salaries to be increased by 1%, retroactive to December 18, 2004; and an increase in County contribution to employee health premiums, effective January 1, 2005 - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.
- 3.25 * Butte County Probation Peace Officers' Association - Memorandum of Understanding - approval is requested for a successor Memorandum of Understanding with the Butte County Probation Peace Officers' Association, which includes the following major changes resulting from the meet and confer process: agreement term to be April 1, 2004, through June 30, 2005; salaries to be increased by 1%, retroactive to December 18, 2004; and an increase in County contribution to employee health premiums, effective January 1, 2005 - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.

- 3.26 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: COUNTY COUNSEL - deletes one position of Deputy County Counsel IV/III/II/I. Adds one position of Chief Deputy County Counsel/Deputy County Counsel IV/III/II/I. DISTRICT ATTORNEY-CRIMINAL - deletes one position of Forensic Accountant and one position of Information Systems Technician/Information Systems Technician, Associate. Adds one position of Investigator II/I and one position of Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes one position of Accounting Specialist/Account Clerk, Senior/Account Clerk. Adds one position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.27 * Sideletter Agreement between the County of Butte and the Butte County Management Employees Association - approval is requested for a successor sideletter agreement with the Butte County Management Employees Association which will allow for the continuation of benefits received and/or accrued by Vickie Newlin, Manager-Program Resources and Development, during the period in which she will be working as the Regional Coordinator for the Sacramento Valley Region of the CALFED Bay-Delta Program. The term of the agreement is June 30, 2005, through June 30, 2007 - action requested - APPROVE SIDELETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
- INFORMATION
SYSTEMS
- 3.28 * Budget Transfer - approval is requested for a transfer of \$66,305 from the General Fund Appropriation for Contingencies to provide the appropriation needed to cover unanticipated changes in the accumulated depreciation account - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$66,305 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
- 3.29 * Kronos Inc. - Amendment - approval is requested for an amendment to the agreement with Kronos Inc., for the County's timekeeping software program. The amendment extends the term of the agreement through completion of the project or July 1, 2007. 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. (Contract No. X14080)

- LIBRARY 3.30 * Partners and Learners (PAL) Grant Funds - approval is requested to accept and appropriate \$77,749 from the California State Library for the Partners and Learners Program. The funds will be used to provide literacy services to children living in the Oroville and Palermo communities - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN AGENDA REPORT.
- 3.31 * Chico Branch Library Donation - pursuant to Government Code Section 25355, a donation of \$9,006.35 has been received from the Estate of Helen R. Domalsky for the Chico Branch Library. The funds will be used for books and support staff hours - action requested - ACCEPT DONATION; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.32 * Donation for Support Staff - pursuant to Government Code Section 25355, a donation of \$436.66 has been received from the Paradise Friends of the Library for support staff hours - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
- 3.33 * Donations for Books - pursuant to Government Code Section 25355, donations of \$1,315 from the Chico Friends of the Library, \$1,000 from the Paradise Friends of the Library, \$600 from the Oroville Friends of the Library, and \$585.85 from anonymous donors, has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
- PROBATION 3.34 * Northern Valley Parent Education Network - approval is requested for an agreement with Northern Valley Parent Education Network for the provision of services to clients of the In-custody Accountability Program. The term of the agreement is July 1, 2005, through April 30, 2006, with a maximum amount payable of \$160,856 (Juvenile Justice Crime Prevention Act of 2000 funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.35 * Juvenile Justice Crime Prevention Act Agreements - Amendments - approval is requested for amendments to the agreements with various agencies for services in support of the Schiff-Cardenas Crime Prevention Act of 2000: 1) Paradise Unified School District (Contract No. X14977) - amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$59,000 for the extended term. 2) Feather River Tribal Health, Inc. (Contract No. X14980) - amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$34,000 for the extended term. 3) Boys & Girls Club of Chico (Contract No. X14982) - extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$160,856 for the extended term. 4) Gary Bess & Associates (Contract No. X14983) - extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$40,000 for the extended term. Funding for the amendments is provided by a State allocation for Juvenile Justice Crime Prevention Act programs - action requested - APPROVE AGREEMENT AMENDMENTS (4) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
WORKS

3.36 * Regional Council of Rural Counties' Environmental Services Joint Powers Authority - approval is requested for payment of membership dues for the Regional Council of Rural Counties' Environmental Services Joint Powers Authority (ESJPA). The ESJPA assists the department in addressing waste board policy changes regarding AB 939 compliance, implementation of AB 20, waste tire and landfill operations training and other services. Funding of the \$6,000 membership fee will be provided by Neal Road Landfill funds - action requested - APPROVE PAYMENT OF MEMBERSHIP DUES IN THE AMOUNT OF \$6,000 FOR FISCAL YEAR 2005-2006.

3.37 * County Service Area (CSA) No. 34 (Gridley Swimming Pool) - approval is requested for an agreement with the Butte County Fair Association for operation, maintenance, repair and upkeep of the Gridley Swimming Pool. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$46,345. To provide for the funding advance available under the contract, Board approval is also requested for a loan from the County Service Area Revolving Loan Fund in the amount of \$25,500. The loan will be repaid prior to the end of the fiscal year - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL; AND ADOPT A RESOLUTION APPROPRIATING MONIES FROM THE COUNTY SERVICE AREA REVOLVING LOAN FUND AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15670)

3.38 * Red Hawk Ranch Subdivision - in October 2004, the Board approved an application to the Local Agency Formation Commission for the formation of a County Service Area to provide specific public services as part of the approval of the Red Hawk Ranch Subdivision Map. In order to complete the application to the Local Agency Formation Commission, the environmental documentation needs to be amended to address the County Service Area formation, and to obtain required signatures by the County - action requested - ADOPT ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE RED HAWK RANCH TENTATIVE SUBDIVISION MAP; AND APPROVE THE APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION AND AUTHORIZE THE CHAIR TO SIGN.

3.39 * Delta Oilfield Services, Inc. - Amendment - approval is requested for an amendment to the agreement with Delta Oilfield Services, Inc., for the pumping and transportation of liquids from the Neal Road Landfill leachate containment pond and septage containment pond. The amendment provides for the pumping and disposal of 3.5 million gallons of septage supernatant and 1.0 million gallons of landfill leachate, and increases the maximum amount payable by \$122,500 for the supernatant and \$35,000 for the leachate (Neal Road Landfill Enterprise Fund and Septage Enterprise 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 -
CORONER

3.40 * Inmate Welfare Fund Annual Report for Fiscal Year 2004-2005 - pursuant to Penal Code Section 4025(e), submitted is the annual report detailing expenditures from the Inmate Welfare Fund for the period of July 1, 2004, through June 30, 2005 - action requested - ACCEPT FOR INFORMATION.

OTHER
DEPARTMENTS
AND AGENCIES

3.41 * Butte County Children and Families Commission - the Butte County Children and Families Commission submits recommendations for appointments to Commission vacancies - action requested - REAPPOINT JANE DOLAN, BOARD OF SUPERVISORS MEMBER; MARK LUNDBERG, M.D., COUNTY HEALTH OFFICER; SANDRA MACHIDA, EDUCATOR-EARLY CHILDHOOD DEVELOPMENT REPRESENTATIVE; GENE SMITH, COMMUNITY BASED ORGANIZATION REPRESENTATIVE; MARY NEUMANN, ALTERNATE COMMISSIONER; AND YVONNE NENADAL, ALTERNATE COMMISSIONER; ALL TO TERMS TO END JULY 1, 2007.

- 3.42 Paradise Memorial Hall Committee - action requested - APPOINT/REAPPOINT RICHARD CAMPBELL, VETERANS OF FOREIGN WARS DELEGATE, AND EDWARD MCGREEHAN, VETERANS OF FOREIGN WARS ALTERNATE, AND PAUL HANK HARMON, AMERICAN LEGION DELEGATE, AND PETER FREITAG, AMERICAN LEGION ALTERNATE, TO TERMS TO END JUNE 30, 2006.

4.00 REGULAR AGENDA

BOARDS,

COMMISSIONS AND

COMMITTEES

- 4.01 * Boards, Commissions and Committees.
1. Appointments to Listed Vacancies.
 - * 2. Housing Authority of the County of Butte - action requested - APPOINT TENANT REPRESENTATIVE TO A VACATED TERM TO END APRIL 16, 2006.
 3. Board Member or Committee Reports.

BUDGET AND

LEGISLATIVE

UPDATE

- 4.02 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.
1. Support of Assembly Constitutional Amendment 22, and Senate Constitutional Amendment 15 - consideration of letters of support for Assembly Constitutional Amendment (ACA) No. 22, and Senate Constitutional Amendment (SCA) No. 15, both of which would add a condition to the California Constitution that private property may be taken or damaged by eminent domain proceedings only for a stated public purpose and only upon an independent judicial determination on the evidence that the condemnation has proved that no reasonable alternative exists - action requested - ADOPT A POSITION OF SUPPORT FOR ACA NO. 22 AND SCA NO. 15 AND AUTHORIZE THE CHAIR TO SIGN LETTERS OF SUPPORT.

PRESENTATION
AND DISCUSSION
ITEMS

- 4.03 * Fire Services in Butte County - Report to the Board - presentation of a report assessing fire protection services needed by Butte County communities and the approach used to provide those services, including a report from the Chief Administrative Office and the Fire Department regarding the current status of the Department and its role as the County Fire Department - action requested - ACCEPT REPORT; APPROVE CREATION OF AN AD HOC COMMITTEE OF THE BOARD FOR THIS ISSUE; APPOINT TWO BOARD MEMBERS TO THE AD HOC COMMITTEE; AND DIRECT STAFF TO BEGIN AN INTERNAL SELF-ASSESSMENT OF THE FIRE DEPARTMENT AND TO RETURN A REPORT TO THE BOARD BY FEBRUARY 16, 2006, AND EVERY SIX MONTHS THEREAFTER UNTIL THE SELF-ASSESSMENT IS COMPLETE AND THE FINAL REPORT IS PRESENTED TO THE BOARD. (CHIEF ADMINISTRATIVE OFFICE AND FIRE DEPARTMENT)
- 4.04 * Introduction of an Ordinance Amending Portions of Chapter 19 Entitled "Sewage Disposal" of the Butte County Code - consideration of an ordinance which codifies restrictions against the use of wastewater ponds with specific exceptions for regional wastewater treatment facilities, existing facilities, and repair or replacement of failing sewage disposal facilities - action requested - WAIVE READING OF THE ORDINANCE; OR PROVIDE STAFF DIRECTION ON AMENDMENTS AS NEEDED. (PUBLIC HEALTH)
- 4.05 * Resolution Authorizing the Department of Water and Resource Conservation to Cooperate with Glenn Colusa Irrigation District in Evaluation of the Lower Tuscan Formation - consideration of a resolution supporting Glenn Clousa Irrigation District's Lower Tuscan Proposal - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND ASSIGN THE RESPONSIBILITY OF COORDINATING WITH THE REGIONAL PLANNING AND PILOT PROJECT AGENCIES TO THE DIRECTOR-WATER AND RESOURCE CONSERVATION. (WATER AND RESOURCE CONSERVATION [FROM 7-13-05 (3.36)])
- 4.06 Items Removed from the Consent Agenda for Board Consideration and Action.

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- 4.07 Recess as the Butte County Board of Supervisors and convene as the Butte County In-Home Supportive Services Public Authority Board.
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BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
AGENDA
AUGUST 16, 2005

- 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 and Approval of Employment Agreement - approval is requested to fill a vacant Public Authority Services Specialist Aide position. Public Authority employees are at-will positions and approval is also requested for an employment agreement for the position - action requested - APPROVE REQUEST TO FILL VACANT PUBLIC AUTHORITY SERVICES SPECIALIST AIDE POSITION; AND APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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.

5.00BUTTE COUNTY BOARD OF SUPERVISORS
PUBLIC HEARINGS AND TIMED ITEMS

- 10:30 A.M. 5.01 * Public Hearing - Tentative Parcel Map Appeal - Sefcik Family Trust - consideration of an appeal of specific conditions of approval of a proposed Negative Declaration with mitigation measures regarding environmental impacts and a Tentative Parcel Map to divide a 16.25 acre parcel into three parcels for residential use on property zoned TM-5 (Timber Mountain - 5 acre parcels) and located on the north side of Starlight Drive, approximately 1,300 feet northeast of Schott Road in the Forest Ranch area and identified as APN 056-280-065 (MM [TPM 05-04]) - action requested - OPEN HEARING AND CONTINUE OPEN TO OCTOBER 11, 2005, AT 10:30 A.M.
- 10:35 A.M. 5.02 * Public Hearing - Tentative Parcel Map Appeal - Ramon LeFevre - consideration of an appeal of a denial of a Tentative Parcel Map to divide two 20-acre parcels into four parcels (two at 5 acres and two at 15 acres in the Critical Winter Deer Herd Area) and a 200 acre parcel that is offered as permanent open space on property zoned A-5 (Agricultural - 5 acre parcels) and located on the south side of LeFevre Lane at Century Court, approximately 4,000 feet west of Upham Road in the Bangor area and identified as APN 028-180-052, 056, 057 (CD [TPM 04N-30]) - action requested - OPEN HEARING AND CONTINUE OPEN TO SEPTEMBER 27, 2005, AT 11:00 A.M.
- 10:40 A.M. 5.03 * Public Hearing - Tentative Parcel Map Appeal - Kelly Brown - consideration of an appeal of a denial of a Tentative Parcel Map to divide a 12.69 acre parcel into two 6.35 acre parcels on property zoned A-5 (Agricultural - 5 acre parcels) and located on the west side on Jones Avenue, extending northerly 2,040 feet from the intersection of Bell Road, in the Chico area, and identified as APN 042-770-032 (CD [TPM 05-03]) - action requested - OPEN HEARING AND CONTINUE OPEN TO OCTOBER 11, 2005, AT 11:00 A.M.

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 ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): REASONABLE EXPANSION V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 133646).

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

AGENCY REPRESENTATIVE: JEANNE GRAVETTE;

EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFFS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION.

7.04 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-HUMAN RESOURCES.

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