

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

NOVEMBER 8, 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

AGRICULTURAL
COMMISSIONER

3.01 *

Sonoma Ecology Center - approval is requested for a grant agreement with Sonoma Ecology Center for funds to eradicate Arundo Donax, a noxious riparian weed, at the Grey Lodge Wildlife Preserve. The term of the agreement is August 4, 2005, through March 14, 2008, with a maximum amount payable to the County of \$25,874 for the multi-year term (\$10,000 in 2005-2006, \$8,500 in 2006-2007, and \$7,374 in 2007-2008). The department included an allocation of \$5,000 in its fiscal year 2005-2006 budget, and Board approval is also requested to accept and appropriate the additional \$5,000 allocation - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.02 *

State Water Resources Control Board - approval is requested for a revenue agreement with the State Water Resources Control Board for funds to support an Irrigated Lands Conditional Waiver Program. The department will provide inspections of watershed monitoring locations, assist in identifying sources of water quality exceedance, and provide information on watershed activities. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$67,860. Board approval is also requested to accept and appropriate the unanticipated revenue, and to authorize the allocation of funds for one sunset position of Agricultural Biologist/W&M Inspector to support grant activities - action requested - ADOPT RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE AGRICULTURAL COMMISSIONER TO SIGN AGREEMENT; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; (Contract No. R40807)

BEHAVIORALHEALTH

3.03 *

7TH Avenue Center - approval is requested for a sole source agreement with 7th Avenue Center for the provision of residential board and care enhancement services for mentally disordered clients. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$120,656.25 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHIEFADMINISTRATIVEOFFICE

3.04 *

Introduction of an Ordinance Amending Article X, Section 2-71 of the Butte County Code - approval is requested for an ordinance which will increase the meeting compensation for Butte County Planning Commission members from \$30.00 per meeting to \$70.00 per meeting, and provide for reimbursement of Commission-related training and conference expenses. Board approval is also requested for a transfer of \$5,000 from the General Fund Appropriation for Contingencies to the Development Services Department's budget to provide the allocation for travel and training expenses - action requested - WAIVE READING OF THE ORDINANCE; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$5,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

3.05 *

NorthStar Engineering - Amendment - approval is requested for an amendment to the agreement with NorthStar Engineering for the preparation of sewer facilities studies within the Chico Urban Area and County Service Area No. 114 in support of the Chico Urban Area Nitrate Compliance Plan. The amendment extends the term of the agreement through June 30, 2007, and increases the maximum amount payable by \$20,000 (County Service Area No. 114 budget). 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. X10804)

CHILD SUPPORTSERVICES

3.06 *

Administrative Allocation for State Disbursement Unit Implementation Activities - approval is requested to accept and appropriate \$23,307 received from the California Department of Child Support Services as an additional allocation for existing collections/State Disbursement Unit implementation activities for fiscal year 2005-2006 - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.07 * Electronic Data Processing Maintenance and Operations Allocation - approval is requested to accept and appropriate \$1,905 received from the California Department of Child Support Services as an additional award under the Electronic Data Processing Maintenance and Operations allocation. The funds will be used for training and travel expenses - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

CLERK OF
THE BOARD

3.08 * 2006 Board Meeting Calendar - action requested - ADOPT THE 2006 BOARD OF SUPERVISORS AGENDA MEETING CALENDAR AS PRESENTED.

DEVELOPMENT
SERVICES

3.09 * Willdan - Amendment - approval is requested for an amendment to the agreement with Willdan for the provision of plan examination and building permit/inspection services. The amendment increases the maximum amount payable by \$405,000 for plan check and inspection services for fiscal year 2005-2006. All other terms and provisions remain the same. Board approval is also requested for a transfer of \$316,630 from the General Fund Appropriation for Contingencies to fund unbudgeted prior and current year costs related to the Willdan agreement and management consultant costs in the absence of a permanent Director - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$316,630 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES; AND APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14838) (FROM 10-25-05 [3.14])

DISTRICT
ATTORNEY

3.10 * Expert Witness Fees - approval is requested for the payment of expert witness services in the amount of \$4,261.53 (department budget). The expert witness services were provided for a sexually violent predator re-commitment trial. Due to an administrative oversight, an agreement for services was not completed until after the services were rendered, requiring Board approval for payment - action requested - AUTHORIZE PAYMENT OF INVOICE IN THE AMOUNT OF \$4,261.53 FOR EXPERT WITNESS SERVICES.

EMPLOYMENT
AND SOCIAL
SERVICES

3.11 *

Resolution Acknowledging the T.J. Memorial Butte County Toy Run Committee - pursuant to Government Code Section 25355, approval is requested to accept and acknowledge the equipment and supplies, valued at \$1,000, donated by the T.J. Memorial Butte County Toy Run Committee to complete the remodel of an outdoor space at the Butte Community Employment Center for Children's Services clients. The proposed resolution recognizes the T.J. Memorial Toy Fund organization for their contribution of painting and equipping the outdoor play area - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.12 *

Refugee Employment and Social Services Plan and Grant Funds - approval is requested to accept and appropriate \$49,100 received from the State of California, Department of Social Services, Refugee Programs Bureau. The funds represent a one-time allocation of federal fiscal year 2004 Refugee Employment and Social Services Grant funds. The funds will assist the County in providing services to Hmong refugees. As a condition of funding the County is required to submit a plan that includes the types of services that will be provided and a budget reflecting the allocation amount. The Department will also be using Temporary Assistance for Needy Families (TANF) Performance Incentive Funds in the amount of \$75,900 to extend services through September 2006, and Board approval is also requested to accept and appropriate the TANF funds - action requested - APPROVE THE REFUGEE EMPLOYMENT AND SOCIAL SERVICES PLAN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT AND TANF REVENUE AS DETAILED IN THE AGENDA REPORT.

3.13 *

Chico Unified School District - Amendment - approval is requested for an amendment to the agreement with the Chico Unified School District for the provision of literacy and case management services to Hmong refugees. The amendment extends the term of the agreement through September 30, 2006, increases the maximum amount payable by \$25,000 (department budget) for the extended term, and revises the agreement's exhibits to reflect the change. 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. X15492)

- 3.14 * Butte-Glenn Community College District - Amendment - approval is requested for an amendment to the agreement with the Butte-Glenn Community College District for the provision of employability and language immersion services to Hmong refugees. The amendment extends the term of the agreement through September 30, 2006, increases the maximum amount payable by \$25,000 (department budget) for the extended term, and revises the agreement's exhibits to reflect the change. 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. X15452)
- 3.15 * Thermalito Union School District - Amendment - approval is requested for an amendment to the agreement with the Thermalito Union School District for the provision of literacy and case management services to Hmong refugees. The amendment extends the term of the agreement through September 30, 2006, increases the maximum amount payable by \$25,000 (department budget) for the extended term, and revises the agreement's exhibits to reflect the change. 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. X15473)
- 3.16 * Public Health Department - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Health Department for the provision of expanded tuberculosis prevention services and Public Health Nurse case management services for Hmong refugees. The amendment revises the term beginning date from "date of full execution" to March 28, 2005, extends the term through September 30, 2006, increases the maximum amount payable by \$24,912 (department budget) for the extended term, and revises the agreement's exhibits to reflect the change. 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. X15434)

FIRE

DEPARTMENT

3.17 *

City of Chico - approval is requested for a sublease agreement with the City of Chico for the property located at 2544 Highway 32, Chico. The County leases the property from William W. Lewis and Joan O. Lewis, and utilizes it as a fire station. The station is occupied by the City of Chico Fire Department. The term of the sublease is July 1, 2005, through August 31, 2006, with a monthly lease rate of \$1,520 for July and August 2005, and \$1,557 for September 2005 through August 2006. The City has agreed to take over all utilities as of July 1, 2005 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40821)

HUMAN

RESOURCES

3.18 *

Managed Health Network - approval is requested for a sole source agreement with Managed Health Network for the provision of the Employee Assistance Program. The term of the agreement is July 1, 2005, through June 30, 2006, with a monthly subscriber rate of \$9.97 (all department budgets) per month per subscriber. The total amount will be based on the number of eligible employees - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.19 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: SHERIFF-CORONER-SERVICES - adds 1 position of Sheriff's Lieutenant - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.20 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: PUBLIC WORKS - deletes 2 positions of Bridge Maintenance Worker, 2 positions of Bridge Maintenance Worker, Senior/Bridge Maintenance Worker, 2 positions of Engineer, Assistant/Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant, 3 positions of Engineering Aide, 6 positions of Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant, 2 positions of Engineering Technician, Assistant/Engineering Aide, 15 positions of Road Maintenance Worker/Road Maintenance Assistant, 14 positions of Road Maintenance Worker, Senior/Road Maintenance Worker, 2 positions of Surveyor, Assistant/Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant, 5 positions of Traffic Control Worker, Senior/Traffic Control Worker, 2 positions of Tree Trimmer, Senior/Tree Trimmer, and 1 position of Tree Trimmer, Senior/Tree Trimmer/Road Maintenance Worker. Adds 4 positions of Bridge Maintenance Worker, Senior/Bridge Maintenance Worker/Road Maintenance Assistant, 2 positions Engineer, Assistant/Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant/Engineering Aide, 11 positions of Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant/Engineering Aide, 29 positions of Road Maintenance Worker, Senior/Road Maintenance Worker/Road Maintenance Assistant, 2 positions Surveyor, Associate/Surveyor, Assistant, 5 positions of Traffic Control Worker, Senior/Traffic Control Worker/Road Maintenance Assistant, and 3 positions of Tree Trimmer, Senior/Tree Trimmer/Road Maintenance Worker/Road Maintenance Assistant. PUBLIC HEALTH-ENVIRONMENTAL HEALTH - deletes 2 positions of Environmental Health Specialist, Senior/Environmental Health Specialist/Environmental Health Specialist, Associate. Adds 2 positions of Hazardous Materials Management Specialist, Senior/Hazardous Materials Management Specialist/Hazardous Materials Management Specialist, Associate. BEHAVIORAL HEALTH-GENERAL SERVICES - adds 1 position of Program Manager, Community Services. EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - deletes 1 position of Accountant/Accounting Specialist. Adds 1 position of Administrative Analyst/Administrative Analyst, Associate. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATIONS - adds the following positions and sets their salary range as follows: Hazardous Materials Management Specialists, Associate (\$18.73-\$22.77), Hazardous Materials Management Specialist (\$20.70-\$25.16), and Hazardous Materials Management Specialist, Senior (\$22.75-\$27.66) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY 3.21 * Library Donations - pursuant to Government Code Section 25355, donations of \$2,917.50 from the Oroville Friends of the Library Group, \$936.91 from the Paradise Friends of the Library Group, \$100 from Madeleine Caton of Paradise, and \$100 from an anonymous donor, have been received for the Butte County Trust Fund for the purchase of books; and a donation of \$644.07 has also been received from the Paradise Friends of the Library Group for staff support hours at the Paradise Branch - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PROBATION 3.22 * Juvenile Probation and Camps Funding - approval is requested for a resolution authorizing participation in the Juvenile Probation and Camps Funding (JPCF) Program administered by the State Corrections Standards Authority, and authorizing the Chief Probation Officer to sign the JPCF Program Agreement. The program will provide state funds to support a broad spectrum of County probation services to at-risk youth, juvenile offenders, and their families - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC WORKS 3.23 * Parsley Subdivision - the Parsley Subdivision, APN 040-640-010 and 013, is a conditionally approved 14-lot, private street subdivision located on the south side of Speedway Avenue, approximately 1,800 feet east of the Midway, in the south Chico area. The developer has complied with the Conditions of Approval, has completed the construction of the required road and drainage improvements, and has provided a letter of credit to guarantee maintenance of said improvements - action requested - APPROVE THE FINAL MAP FOR THE PARSLEY SUBDIVISION; APPROVE THE NEW PRIVATE STREET NAME TAIGE WAY; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE SPEEDWAY AVENUE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTERS RIGHTS OF ACCESS ALONG THE SPEEDWAY AVENUE FRONTAGE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

- 3.24 * Blue Oak Terrace Subdivision, Phase II - the Blue Oak Terrace Subdivision, APN 055-540-038, is located on the south side of the Skyway at the Skyway Crossroads, along the westerly town limit line of the Town of Paradise. This is a conditionally approved private street subdivision consisting of 40-lots for single family residences, to be developed in two phases. Sewer and water services shall be provided by private community systems, operated and maintained by Blue Oak Terrace Mutual Water Company. Phase I was approved by the Board on January 11, 2005. Phase II is comprised of 20-lots. The developer has complied with the Conditions of Approval and has provided a performance bond to guarantee the construction of Phase II improvements within one year - action requested - APPROVE THE FINAL MAP FOR BLUE OAK TERRACE SUBDIVISION, PHASE II; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.
- 3.25 * County Service Areas - Budget Transfers for Fire Protection Systems Equipment - on June 14, 2005, the Board approved budget transfers of approximately \$279 each, for a total of \$3,627, from various County Service Areas that provide fire protection services to fund the purchase of nine Pitot gauges and diffusers used in maintaining the fire protection systems within those County Service Areas. The Auditor closed the fiscal year accounting for fiscal year 2004-2005 before the invoice for payment was processed and the funds need to be reallocated for payment in the current fiscal year - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING COUNTY SERVICE AREA FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.26 * Resolution Approving the Overall Annual Disadvantaged Business Enterprise (DBE) Program Goal of 10% for Federal Fiscal Year 2005-2006 - as a condition to receiving federal program funding for Department of Transportation assisted contracts, the County is required to develop and submit goal setting methodologies and an overall annual goal for Disadvantaged Business Enterprise participation. In accordance with the federal regulations, the County has developed a proposed overall annual DBE goal of 10% for Federal Fiscal Year 2005-2006, to ensure full compliance with all relevant regulatory requirements - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.27 * SCS Engineers - Amendment - approval is requested for an amendment to the agreement with SCS Engineers for the provision of engineering services for the Partial Final Closure of Modules 1, 2, and 3 at the Neal Road Landfill. The amendment increases the maximum amount payable by \$36,997.03 (Neal Road Landfill Enterprise Fund) for materials needed to repair the concrete V-ditch located along the north side of landfill. 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. X13826)

3.28 * Ophir Road and Lincoln Boulevard Signalization Project (Butte County Project No. 21461-98-2) - approval is requested for a resolution which would authorize the Director of Public Works to negotiate and enter into agreements for the acquisition of real property for public road purposes, and agreements for storm drainage, public service, and temporary construction easements for the Ophir Road and Lincoln Boulevard Signalization Project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.29 * Speedway Avenue Extension Project (Butte County Project No. 50255C-2005-1) and Associated State Route 99 Frontage Road Extension Project (Butte County Project Number 50255C-2005-1) - approval is requested for a resolution which would authorize the Director of Public Works to negotiate and enter into agreements for the acquisition of real property for public road purposes, and agreements for roadway and storm drainage easements for the Speedway Avenue Extension Project and associated State Route 99 Frontage Road Extension Project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER-

TAX COLLECTOR 3.30 *

Resolution Adopting Facsimile Signatures - approval is requested for a resolution which would authorize the use of facsimile signatures on liens recorded by the Butte County Treasurer-Tax Collector. Pursuant to Government Code Section 27201(b)(2), a facsimile signature shall be accepted on a lien recorded by a governmental agency when that facsimile signature has been officially adopted by that agency and when a copy of the agency's resolution adopting the signature for facsimile transmission purposes is provided to the County Recorder - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.31 * Monthly Investment Report - submitted is the Monthly Investment Report dated September 30, 2005, in accordance with the Statement of Investment Policy dated July 1, 2005 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE
CONSERVATION

3.32 *

Introduction of an Ordinance Amending Section 33A-5 of Chapter 33A of the Butte County Code, Entitled "Groundwater Management" and Butte County Water Advisory Committee Bylaws - approval is requested for an ordinance which will amend Section 33A-5 of Chapter 33A of the Butte County Code regarding appointments to the Water Advisory Committee. The changes are being made to provide consistency between the Code and the proposed bylaws. Section 33A-4 requires the operation of the Water Advisory Committee through bylaws approved by the Board. The department, County Counsel and the Water Advisory Committee have developed the proposed bylaws and the Water Commission has recommended adoption - action requested - ADOPT BYLAWS AND AUTHORIZE THE CHAIR TO SIGN; AND WAIVE READING OF THE ORDINANCE.

OTHER
DEPARTMENTS
AND AGENCIES

3.33 *

Resolution Increasing the Distribution of Uniform Filing Fees to the Butte County Law Library - approval is requested by the Law Library for a resolution, pursuant to Business and Professions Code Section 6321(b), which requests that the amount distributed to the Butte County Law Library Fund from the State Uniform Filing Fee be increased by \$3.00 effective January 1, 2006 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.34 *

Butte County Fair - Annual Budget - pursuant to State requirements, the Butte County Fair Board of Directors is requesting the Board approve the Fair Association's Operating Budget for 2006. Following Board approval the budget will be submitted to the State of California, Division of Fairs and Expositions, for review and approval - action requested - APPROVE BUDGET AND AUTHORIZE THE CHAIR TO SIGN.

3.35

Chico Memorial Hall Committee - action requested - APPOINT W.N. "BILL" ANDRUS, FIRST ALTERNATE, AND LARRY WAHL, SECOND ALTERNATE, VETERANS OF FOREIGN WARS REPRESENTATIVES, TO TERMS TO END JUNE 30, 2006. (FROM 10-25-05 [3.32])

- 3.36 * Rock Creek Reclamation District - the Secretary of the Rock Creek Reclamation District submits a certification that the number of persons who have filed a Declaration of Candidacy for the position of Trustee does not exceed the number of offices to be filled and that no petition requesting a General District Election has been presented to the District. Pursuant to Elections Code Section 10515, the District is requesting the Board appoint the persons who have filed Declarations of Candidacy - action requested - APPOINT PAUL BEHR AND BRUCE MCGOWAN, TRUSTEES, TO TERMS TO END DECEMBER 4, 2009.
- 3.37 * Sacramento River Reclamation District - the Secretary of the Sacramento River Reclamation District submits a certification that the number of persons who have filed a Declaration of Candidacy for the position of Trustee does not exceed the number of offices to be filled and that no petition requesting a General District Election has been presented to the District. Pursuant to Elections Code Section 10515, the District is requesting the Board appoint the persons who have filed Declarations of Candidacy - action requested - APPOINT PETER D. PETERSON AND RICHARD WRIGHT, TRUSTEES, TO TERMS TO END DECEMBER 4, 2009.
- 3.38 * Reclamation District No. 833 - the Secretary of Reclamation District No. 833 submits a certification that the number of persons who have filed a Declaration of Candidacy for the position of Trustee does not exceed the number of offices to be filled and that no petition requesting a General District Election has been presented to the District. Pursuant to Elections Code Section 10515, the District is requesting the Board appoint the persons who have filed Declarations of Candidacy - action requested - APPOINT DANE ANDES, TRUSTEE, TO A TERM TO END DECEMBER 4, 2009.
- 3.39 * Rotary Club of Chico Sunrise - Waiver and Refund of Fees - approval is requested by the Rotary Club of Chico Sunrise, pursuant to Butte County Code Section 3-40.5, to waive the Use Permit fee, and refund the Building Permit fee associated with the Rotary Club's project to construct a "Welcome to Chico" sign on Highway 32, east bound, approximately 2 miles west of the Chico city limits. The Rotary Club is a non-profit charitable organization. Staff is recommending the Board waive the Use Permit fee (\$2,332.50). Staff is not recommending refund of the Building Permit Fee (\$439.93) already paid by the Rotary Club because the Building Permit fee covers the cost of contracted plan check services through Willdan, and the permit has already been processed - action requested - WAIVE THE USE PERMIT FEE ASSOCIATED WITH THE SIGN CONSTRUCTION PROJECT FOR THE ROTARY CLUB OF CHICO SUNRISE.

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

Report to the Board - Avian Flu Update - informational report to the Board on Avian Flu to address what it is, what a pandemic is, what the current status is, what the risks are, and what Butte County is doing - action requested - ACCEPT FOR INFORMATION. (PUBLIC HEALTH)

4.04 *

A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Brent and Debbie Sobrero Tentative Parcel Map Appeal - on April 12, 2005, the Board adopted a motion of intent to uphold an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 40-acre parcel into two 20-acre parcels. 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. SUBJECT TO FINDINGS I (A-F) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 8, 2005, GRANT THE APPEAL AND APPROVE THE REQUEST TO REDUCE THE 300-FOOT RESIDENTIAL DWELLING SETBACK ON THE WESTERN BOUNDARY ON PROPOSED PARCELS 1 AND 2;
2. SUBJECT TO FINDINGS II (A-D) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 8, 2005, ADOPT A MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;
3. FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS HAS THE POTENTIAL TO SIGNIFICANTLY IMPACT OAK WOODLAND HABITAT AND DEER HERD WINTER RANGE HABITAT AND REQUIRE THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5; AND
4. SUBJECT TO FINDINGS III (A-F) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 8, 2005, AND THE CONDITIONS OF APPROVAL, IDENTIFIED AS EXHIBIT "B" OF THE STAFF REPORT DATED NOVEMBER 8, 2005, APPROVE TENTATIVE PARCEL MAP 04-07 FOR DEBBIE AND BRENT SOBRERO. (FROM 10-11-05 [4.04])

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- 4.05 * Kelly Ridge - Violations of One-Foot No Access Strip - consideration of an exemption to the no access strip at 253 Kanaka Avenue, allowing for the temporary driveway to remain the access point to the lot - action requested - GRANT AN EXEMPTION TO THE NO ACCESS STRIP AT 253 KANAKA AVENUE; AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ISSUE AN ENCROACHMENT PERMIT FOR A DRIVEWAY ONTO THE SAME LOT; AND DIRECT PUBLIC WORKS TO PROCEED, AS OUTLINED IN THE AGENDA REPORT, TO ADDRESS THE UNAUTHORIZED ENCROACHMENTS IN THE KELLY RIDGE AREA BY GRANTING PUBLIC WORKS LIMITED AUTHORITY TO ALLOW EXEMPTIONS TO THE NO ACCESS STRIP AND GRANT ENCROACHMENT PERMITS TO THE EXISTING SITES THAT ARE IN COMPLIANCE OR BROUGHT INTO COMPLIANCE WITH EXISTING COUNTY STANDARDS. (PUBLIC WORKS)
- 4.06 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.07 Recess as the Butte County Board of Supervisors and Convene as the Butte County In-Home Supportive Services Public Authority Board.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

NOVEMBER 8, 2005

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

2.00 Agenda Items

2.01 * Volunteer Efforts for the Victims of Hurricane Katrina - Hurricane Katrina has been described as the worst natural disaster to hit the United States since the 1906 San Francisco earthquake. The Red Cross and other reputable agencies have a critical need for volunteers to help provide aid. With the concurrence of the department director, and according to procedures to be approved by Human Resources and the Chief Administrative Officer, approval is requested to allow In-Home Supportive Services Public Authority employees release time to participate in volunteer activities related to helping the victims of Hurricane Katrina. Release time will be paid time off during which the employee will continue to accrue benefits. The program will be subject to meet and confer with employee bargaining units - action requested - WITH THE CONCURRENCE OF THE DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES, APPROVE RELEASE TIME FOR EMPLOYEES WISHING TO VOLUNTEER TO AID THE VICTIMS OF HURRICANE KATRINA, SUBJECT TO PROCEDURES APPROVED BY HUMAN RESOURCES AND THE CHIEF ADMINISTRATIVE OFFICER; APPROVE RELEASE TIME AUTHORITY TO BE RETROACTIVE TO OCTOBER 1, 2005.

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.

5.00

BUTTE COUNTY BOARD OF SUPERVISORS
PUBLIC HEARINGS AND TIMED ITEMS

- 10:30 A.M. 5.01 * Public Hearing - T-Mobile Wireless, Inc. - Use Permit Appeal - consideration of an appeal of the Planning Commission's approval of a Use Permit to install a 114-foot telecommunications facility with two carriers. Associated equipment is to be located under the facility and to the east of the facility. The proposed tower will look like a windmill. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The project is located on the east side of Clark Road (SH 191), approximately 600 feet north of Butte Campus Drive, at 2822 Clark Road, and identified as APN 041-430-012 - action requested - OPEN HEARING AND CONTINUE OPEN TO A DATE AND TIME TO BE DECIDED BY THE BOARD.
- 11:00 A.M. 5.02 * Public Hearing - Petition for Immediate Cancellation of a Williamson Act Agreement - consideration of a petition to immediately cancel a Williamson Act agreement on a 52.72 acre parcel, located at the terminus of Kittyhawk Drive, approximately 2,100 feet west of Garner Lane, and east of, and adjacent to, State Route 99, in the north Chico area and identified as APN 047-260-199. In accordance with the California Environmental Quality Act, an Initial Study has been prepared for this project and the Planning Division is recommending a Mitigated Negative Declaration - action requested - OPEN HEARING AND CONTINUE OPEN TO A DATE AND TIME TO BE DECIDED BY THE BOARD.
- 11:15 A.M. 5.03 * Public Hearing - Ken and Mary Brown - Tentative Parcel Map Appeal - consideration of an appeal of conditions of approval of a Tentative Parcel Map to divide a 2.3 acre parcel into two parcels of 1.03 and 1.3 acres. Sanitary sewer service to the property is available through a recorded "Sewer Service and Annexation Agreement" with the City of Chico. Water service would be provided by the California Water Service Company. Access for the additional parcel is proposed by Via Morro Court. The project is located on the north side of Via Morro Court, and identified as APN 011-020-083 (TPM 04N-29) - action requested - OPEN HEARING AND CONTINUE OPEN TO A DATE AND TIME TO BE DECIDED BY THE BOARD.

11:20 A.M. 5.04 * Public Hearing - Public Health Department Fees - consideration of two ordinances amending Chapter 43, Public Health Department Fees, of the Butte County Code, adding or amending the fee schedule relating to: 1) Environmental Health Fees for School Food Facilities Annual Permits and Inspections, Caterer Annual Permits and Inspections, Underground Storage Program Reviews and Inspection Fees, Plan and Site Review for Temporary Mobile Home "Aunt Minnie" and Home Occupation Permits, Public Pool/Spa Remodel Fees, Hazardous Materials Contaminated Site Plan Review Fees, and Certified Unified Program Agency (3 new State surcharges); 2) Public Health Clinic Fees for immunizations, tuberculous tests and travel immunizations; and 3) Application fees for Medical Marijuana Identification Cards to qualified patients and caregivers pursuant to California Health and Safety Code Sections 11362.7 through 11362.83 - action requested - ADOPT ORDINANCES (2) AND AUTHORIZE THE CHAIR TO SIGN.

11:45 A.M. 5.05 * Public Hearing - Randy Moon - Tentative Parcel Map Appeal - consideration of an appeal of conditions of approval of a Tentative Parcel map to divide a 2.0 acre parcel into two 1.0 acre parcels, on property located on the southeast corner of Stanley Avenue and Walnut Tree Lane, approximately 2,100 feet east of Dayton Road, southwest of Chico, and identified as APN 039-370-100 - action requested - OPEN HEARING AND CONTINUE OPEN TO A DATE AND TIME TO BE DECIDED BY THE BOARD.

6.00 **PUBLIC COMMENT**

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

7.00 **CLOSED SESSION**

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

7.02 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.

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