

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

APRIL 25, 2006



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

CHIEF
ADMINISTRATIVE
OFFICE

- 3.01** * Tri-County Economic Development Corporation - Amendment - approval is requested for an amendment to the Master Subrecipient Agreement with Tri-County Economic Development Corporation for services in support of the Community Development Block Grant (CDBG) Program. The amendment revises the agreement's language with regard to performance monitoring and records retention. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.02** * County Service Area #114 (Nitrate Study Plan) - Budget Transfer - approval is requested to transfer \$100,000 from the Designated Fund Balance to the operating budget of County Service Area #114 (Nitrate Study Plan) to provide the appropriation needed to fund the cost of on-going planning studies necessary to prepare a loan application to the State Revolving Fund, and to cover costs associated with the County's Nitrate Compliance Program - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING DESIGNATED FUND BALANCE REVENUE AS DETAILED IN THE AGENDA REPORT.

3.03 * Transfer from the General Fund Appropriation for Contingencies - approval is requested to transfer a total of \$4,363,966 from the General Fund Appropriation for Contingencies to provide for implementation of the compensation study (\$1,726,000), to reimburse travel expenses associated with the Federal Energy Regulatory Commission's relicensing project (\$10,000), to reimburse the Equipment Replacement Fund (\$2,319,398), to reimburse the County Clerk-Recorder/Registrar of Voters' budget for the 2005 Special Election (\$295,168), to provide the Library with appropriations for unanticipated expenses (\$1,400), and to provide the Assessor's Office with the appropriation needed to replace a vehicle that is no longer operable (\$12,000). The balance of the Appropriation for Contingencies Fund will be \$4,372,247 following the transfer. Board approval is also requested for the fixed asset purchase of the replacement vehicle for the Assessor's Office, and for the use of \$73,000 from Fund 7200 (Retained Earnings), to cover the cost of implementation of the compensation study for Facilities Services, and to cover higher than anticipated maintenance costs - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$4,363,966 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; APPROVE THE FIXED ASSET PURCHASE OF A VEHICLE FOR THE ASSESSOR'S OFFICE; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$73,000 FROM FUND 7200 (RETAINED EARNINGS) AS DETAILED IN THE AGENDA REPORT.

CLERK OF
THE BOARD

3.04 * Approval of Minutes - action requested - APPROVE MINUTES OF MARCH 28, 2006, AND APRIL 11, 2006.

EMPLOYMENT
AND SOCIAL
SERVICES

3.05 * Private Industry Council - approval is requested for an agreement with the Private Industry Council for the provision of CalWORKs Welfare-to-Work assessment testing, work experience site development and enhancement services, supportive services, youth programs, and maintenance of HelpCentral.org. The term of the agreement is January 1, 2005, through June 30, 2007, with a maximum amount payable of \$480,000 for the multi-year term. Funding for the agreement is provided by Temporary Assistance For Needy Families (TANF) Performance Incentive Revenue, and Board approval is also requested to accept and appropriate \$225,000 of the revenue for fiscal year 2005-2006 - 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 TANF PERFORMANCE INCENTIVE REVENUE AS DETAILED IN THE AGENDA REPORT.

FIREDEPARTMENT

- 3.06 * Resolution in Recognition of National Volunteer Appreciation Week 2006 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

HUMANRESOURCES

- 3.07 * Resolution Establishing Salary and Benefits for Non-represented Classifications - approval is requested for a resolution which will revise the salary and benefit structure for non-represented employees. The major provisions include an update of vacation accrual levels to be consistent with the Butte County Management Employees' Association Memorandum of Understanding, inclusion of the Deputy Administrative Officers' salary structure, inclusion of the retired employees' option to purchase health premiums with sick leave accruals, and inclusion of the safety retirement formula for peace officers - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.08 * Resolution of Benefits of Butte County Department Heads - approval is requested for a resolution which will update the minimum benefit levels for department heads by amending the vacation leave accrual and use provisions - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.09 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance. The resolution removes the following positions from the SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT CONFIDENTIAL AND SUPERVISORY UNIT and adds them to the SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE K, NON-REPRESENTED CLASSIFICATIONS as follows: Assistant Agricultural Commissioner/Director of Weights and Measures (Range 61), Assistant Assessor (Range 66), Assistant Auditor-Controller (Range 68), Assistant Behavioral Health Director (Range 67), Assistant Behavioral Health Director-Administration (Range 67), Assistant Chief Administrative Officer (Range 84), Assistant Chief Probation Officer (Range 69), Assistant County Clerk-Recorder (Range 63), Assistant County Clerk-Registrar of Voters (Range 63), Assistant County Counsel (Range 79), Assistant Director-Development Services (Range 69), Assistant Director-Employment and Social Services (Range 69), Assistant Director-Information Systems (Range 67), Assistant Director-Public Health (Range 69), Assistant Director-Public Works (Range 73), Assistant Treasurer-Tax Collector (Range 64), Chief Deputy District Attorney (Range 80), and Deputy Administrative Officer (Range 75) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.10 * Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the Development Services Department is requesting the Board approve the Advanced Step Hire of a Building Official Assistant candidate to Step 6 of the salary range (Class Code 3303) based on education and experience. The Director-Human Resources concurs with the request for the Advanced Step Hire - action requested - APPROVE ADVANCED STEP HIRE OF A BUILDING OFFICIAL ASSISTANT CANDIDATE TO STEP 6 OF THE SALARY RANGE.

3.11 * Advanced Step Hire Policy for Sheriff's Office - approval is requested for an Advanced Step Hire Policy for the Sheriff's Office for lateral transfers hired into the Sheriff's Office for the Deputy Sheriff, Correctional Officer and Public Safety Dispatcher classifications. The policy will allow the Chief Administrative Officer, with the concurrence of the Director-Human Resources, to approve advanced step hires for lateral transfers that assigns the transferring officer/dispatcher to a step that is approximately 5% above their previous pay, not to exceed the top step, provided the candidate meets the job qualifications and specifications, is working for another public agency at the time of application, and funds are available in the Sheriff's budget. The policy will allow the Chief Administrative Officer to make the final determination of step assignments or disapprove them without Board approval - action requested - APPROVE ADVANCED STEP HIRE POLICY FOR LATERAL TRANSFERS TO THE SHERIFF'S OFFICE.

LIBRARY

3.12 * Library Donations - pursuant to Government Code Section 25355, donations of \$851.80 from the Oroville Friends of the Library, \$200 from the Chico Friends of the Library, \$100 from Gina Ellena of Oroville, and \$100 from an anonymous donor, have been received for the Butte County Trust Fund for the purchase of books. A donation of \$436.66 from the Paradise Friends of the Library has been received for staff support hours at the Paradise Library - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PROBATION

3.13 * Anti-Drug Abuse Enforcement Program - approval is requested to apply to the Governor's Office of Emergency Services, Criminal Justice Programs Division, for funds under the Federal Edward Byrne Memorial Block Grant Program. The funds will be used to improve the criminal justice system, with emphasis on convicting violent and serious offenders and enforcing drug control laws. The grant will provide \$154,476 to the County for fiscal year 2006-2007 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN ALL GRANT RELATED DOCUMENTS AND AGREEMENTS.

3.14 * Juvenile Accountability Block Grant - approval is requested to apply to the State of California, Department of Corrections and Rehabilitation/ Corrections Standards Authority, for funds under the fiscal year 2006-2007 Juvenile Accountability Block Grant program. The County's allocation is \$13,447 and requires a cash match of \$1,494. The department's budget includes funds for the required match. The grant provides funding for programs designed to reduce juvenile offenses through accountability-based initiatives, and random drug testing. The application for funding requires a resolution providing grant assurances - action requested - ADOPT A RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN ALL GRANT RELATED DOCUMENTS AND AGREEMENTS.

PUBLIC
HEALTH

3.15 * California Family Health Council, Inc. - approval is requested for a grant agreement with the California Family Health Council, Inc., for funds to support the Peer Provider Program at the Table Mountain Clinic. The term of the grant is January 1, 2006, through December 31, 2006, with a maximum amount payable to the County of \$100,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.16 * Nutrition Services Grant - approval is requested for a grant agreement with the CSU, Chico Research Foundation, acting as lead agency for the Sierra Cascade Nutrition and Activity Consortium, for funds to provide nutrition services. The term of the agreement is October 1, 2005, through September 30, 2006, with a maximum amount payable to the County of \$45,705 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.17 * Fixed Asset Purchase - approval is requested for the fixed asset purchase of modular furniture in the amount of \$8,000. The furniture will be used at the Table Mountain Clinic, front office area. Funding for the purchase is available in the department's current year budget, and Board approval is also requested to approve a transfer of funds between budget line items to provide the appropriation needed for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF MODULAR FURNITURE IN THE AMOUNT OF \$8,000; AND APPROVE A BUDGET TRANSFER ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.

PUBLIC
WORKS

3.18 * Federal Apportionment Exchange Program and State Match Program - approval is requested for the fiscal year 2005-2006 Federal Apportionment Exchange Program and State Match Program Agreement with the California Department of Transportation. The agreement will allow the Department of Transportation to exchange Regional Surface Transportation Program funds for non-federal funds. In addition to the exchange of funds, State matching funds are allocated from the State Highway Account to the Public Works Department - 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 AND THE AUDITOR-CONTROLLER.

3.19 * Final Closure of Modules 1 and 3 at the Neal Road Sanitary Landfill, Phase 2, County Project No. 757-5857 - Award Contract - approval is requested to award a contract for the final closure of Modules 1 and 3 at the Neal Road Sanitary Landfill (Phase 2) to Wood Brothers, Inc. of Lemoore, California, in the amount of \$4,661,725. The project will consist of grading the designated closure areas, constructing a low-permeability soil liner, installation of a flexible geomembrane layer, placing a vegetative layer, installation of drainage structures and hydro-seeding. Additional methane gas extraction wells and gas piping will be installed and connected to the existing landfill gas blower/flare station. Bids were opened April 5, 2006, with the lowest responsive bidder being Wood Brothers, Inc. of Lemoore, California. Board approval is also requested to transfer \$900,000 from the Neal Road Septage Management Fund to provide the remaining needed funding for the agreement - action requested - APPROVE A BUDGET TRANSFER APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND AWARD THE CONTRACT FOR FINAL CLOSURE OF MODULES 1 AND 3 (PHASE 2), IN THE AMOUNT OF \$4,661,725, TO WOOD BROTHERS, INC., AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

SHERIFF'S
OFFICE

3.20 * Etech Controls Corporation - Amendment - approval is requested for an amendment to the agreement with Etech Controls Corporation for maintenance and repair services for the security equipment in the Butte County Jail. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$13,482 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15319)

- 3.21 * Steven Reader Enterprises - approval is requested for an agreement with Steven Reader Enterprises for the preparation of a Jail Needs Assessment to study various aspects of the jail, including operational assessment, population analysis and projections, a review of current and future alternatives to incarceration, physical space planning, and staffing analysis and operational cost implications. The term of the agreement is 130 days from the date of approval, with a maximum amount payable of \$85,000. Funding for the agreement will be provided by the Inmate Welfare Fund and Board approval is also requested to approve a transfer of the needed funds - 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 INMATE WELFARE FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.22 * Butte Meadows Hillslider's Snowmobile Club - Amendment - approval is requested for an amendment to the agreement with the Butte Meadows Hillslider's Snowmobile Club for snow grooming, plowing and removal in the area surrounding the Jonesville Snowpark. The amendment increases the reimbursement rates for snow blowing and road grading services, effective December 1, 2005. The overall maximum amount payable is not increased. When applicable, mileage reimbursement rates will be at the current Internal Revenue Service rate. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR AND THE SHERIFF-CORONER TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15373)
- 3.23 * Vehicle Purchase - approval is requested to accept and appropriate \$5,447.47 of insurance proceeds received in settlement of a vehicle accident involving a Sheriff's Office unmarked vehicle, and to transfer \$18,000 from the COPS budget to the Rural Counties Supplemental Funding budget to provide the appropriation needed to purchase a replacement vehicle for the vehicle totaled in the accident - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AND COPS FUNDING AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF REPLACEMENT VEHICLE.

3.24 * Computer Equipment and Software Purchase - approval is requested to increase the sole source fixed asset purchase authority previously approved for the purchase of computer hardware and software for the Communications Center. After receiving the latest price quotations for the needed software and equipment, it was determined that an additional \$3,000 will be needed for the report writing software, and an additional \$16,500 will be needed for computer equipment. Additionally it was determined that a new operating system will be needed at the cost of \$20,000. Funding for the purchase is available within the department's current year budget, and Board approval is also requested to transfer funds between budget line items to provide the needed appropriation for the purchases - action requested - APPROVE A BUDGET TRANSFER APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE SOLE SOURCE FIXED ASSET PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE.

3.25 * Resolution Recognizing the Butte Interagency Narcotics Task Force's 20th Anniversary - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER-

TAX COLLECTOR

3.26 * Resolution Authorizing and Approving the Borrowing of Funds for Fiscal Year 2006-2007; the Issuance and Sale of a 2006-2007 Tax and Revenue Anticipation Note Therefor and Participation in the California Communities Cash Flow Financing Program - approval is requested for a resolution which will authorize the Auditor and Treasurer to begin procedures to participate in the California Cash Flow Financing Program for the 2006-2007 issuance of Tax and Revenue Anticipation Notes. The issuance will be for a maximum feasible amount to be determined by the Treasurer and Auditor, not to exceed \$35,000,000 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

WATER AND

RESOURCE

CONSERVATION

3.27 * Fixed Asset Purchases - approval is requested for the fixed asset purchase of computer hardware in the amount of \$5,300 to support the Basin Management Objectives Information Center project, and for the fixed asset purchase of a sports utility vehicle for use by department staff in an amount not to exceed \$24,000. Funding for the purchases is available within the department's budget (grant funds), and Board approval is also requested for a transfer between budget line items to provide the appropriation needed for the purchases - action requested - APPROVE FIXED ASSET PURCHASE OF COMPUTER HARDWARE AND SPORTS UTILITY VEHICLE; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

OTHER

DEPARTMENTS

AND AGENCIES

3.28 *

Gridley-Biggs Cemetery District - action requested - REAPPOINT JOSEPH P. HUGHES, TRUSTEE, TO A TERM TO END MAY 1, 2010.

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 *

Children's Services Programs - Report to the Board - report on the Children's Services programs in the Department of Employment and Social Services - action requested - ACCEPT FOR INFORMATION. (EMPLOYMENT AND SOCIAL SERVICES)

4.04 *

Butte County Resource Conservation District and the United States Department of Agriculture (USDA), Natural Resource Conservation Service - Report to the Board - report on the current programs and 2005 accomplishments of the Butte County Resource Conservation District and the USDA, Natural Resource Conservation Service - action requested - ACCEPT FOR INFORMATION. (BUTTE COUNTY RESOURCE CONSERVATION DISTRICT AND NATIONAL RESOURCE CONSERVATION SERVICE)

- 4.05 * Loan Application for Fire Station Construction - consideration of approval to apply to the United States Department of Agriculture for funds to construct a new fire station in Bangor - action requested - APPROVE SUBMISSION OF LOAN APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT A RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (FIRE DEPARTMENT)
- 4.06 * Addus HealthCare, Inc. - Agreement - consideration of a two year agreement with Addus HealthCare, Inc., for the provision of In-Home Supportive Services. The agreement proposes 192,000 annual service hours at an hourly rate of \$14.89, and an annual maximum amount payable not to exceed \$2,859,629 - action requested - AWARD AGREEMENT TO ADDUS HEALTHCARE, INC., AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (EMPLOYMENT AND SOCIAL SERVICES)
- 4.07 * A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Ken and Mary Brown Tentative Parcel Map Appeal - on December 13, 2005, the Board adopted a Motion of Intent to approve the appeal of conditions of approval for a Tentative Parcel Map to divide a 2.3 acre parcel into two parcels of 1.03 and 1.3 acres, on property located on the north side of Via Morro Court, and identified as APN 018-020-083. Staff has prepared the necessary findings and actions needed to finalize that approval - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:
1. SUBJECT TO FINDINGS I (A AND B) AS DETAILED IN THE STAFF REPORT DATED APRIL 25, 2006, AND THE REVISED CONDITIONS OF APPROVAL DETAILED IN EXHIBIT A OF THE STAFF REPORT DATED APRIL 25, 2006, APPROVE THE APPEAL OF CONDITIONS 12, 13, AND 16 FOR THE BROWN TENTATIVE PARCEL MAP (APN 018-020-083) (TPM 04N-29).
- 4.08 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.09 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
APRIL 25, 2006

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

2.00 Agenda Items (NO ITEMS)

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: CALIFORNIA UNITED HOMECARE
WORKERS.

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

10:15 A.M. **5.01** * Public Hearing - Allocation of Community Development Block Grant Program Income - consideration of the allocation of up to \$190,000 of program income into Community Development Block Grant 04-PTAA-0303, to provide public infrastructure to service low income housing in the Chapman Mulberry area, and to provide facility management of the Southside Oroville Community Center - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ALLOCATING \$190,000 OF PROGRAM INCOME AS DETAILED IN THE AGENDA REPORT; ADOPT A RESOLUTION AMENDING COMMUNITY DEVELOPMENT BLOCK GRANT 04-PTAA-0303 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE AN AMENDMENT TO THE AGREEMENT WITH THE PRIVATE INDUSTRY COUNCIL FOR FACILITY MANAGEMENT OF THE SOUTHSIDE OROVILLE COMMUNITY CENTER AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

10:30 A.M. **5.02** * Public Hearing - Nuisance Abatement Costs - consideration of a proposed lien of \$8,271 on the property located at 4925 Lincoln Boulevard, Oroville (APN 035-222-022, 023 and 043). Pursuant to Butte County Code Chapter 32A, the County may recover costs associated with the abatement of a public nuisance. The subject property was determined to be a public nuisance at hearing held May 31, 2005, and was abated August 8-10, 2005, at a total process cost of \$8,271 - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. APPROVE A LIEN IN THE AMOUNT OF \$8,271 AGAINST THE PROPERTY LOCATED AT 4925 LINCOLN BOULEVARD, OROVILLE (APN 035-222-022, 023 AND 043), AND DIRECT RECORDING OF THE LIEN; AND
2. DIRECT THAT THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

10:40 A.M. **5.03** * Public Hearing - Robert Castleberry - Legal Lot Determination/Conditional Certificate of Compliance Appeal - consideration of an appeal of conditions of approval of a Legal Lot Determination/Certificate of Compliance for a parcel created in 1979 by deed. The property is located on a private access easement, approximately 700 feet northeast of Oro-Garden Ranch Road, Oroville, and identified as APN 079-030-072 - action requested - OPEN HEARING AND CONTINUE OPEN TO MAY 23, 2006, AT 10:35 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 ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) :

1. FISHER V. BUTTE COUNTY (U.S.D.C. 05-CV-00598);
2. FISHER V. BUTTE COUNTY SUPERIOR COURT (U.S.D.C. 05-CV-00600); AND
3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)

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

7.03 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: DIRECTOR-BEHAVIORAL HEALTH.

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