

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MAY 23, 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

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- 9:00 A.M. 1.00 CALL TO ORDER
- 1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.
- 1.02 Pledge of Allegiance to the Flag of the United States of America.
- 1.03 Observation of a Moment of Silence.
- 2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.
-

3.00 CONSENT AGENDA

AGRICULTURAL
COMMISSIONER

3.01 * United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services - approval is requested for a cooperative agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for the provision of non-domestic animal control services for wild animals, including rabies control. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$46,545 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14933)

ASSESSOR

3.02 * Increase Fixed Asset Purchase Authority - approval is requested to increase the fixed asset purchase authority for a vehicle for the department by \$3,000 (to a total of \$15,000). Funding for the increase is available within the department's budget, and Board approval is also requested to transfer funds between budget line items to provide the appropriation needed for the purchase - action requested - APPROVE INCREASE TO FIXED ASSET PURCHASE AUTHORITY FOR A VEHICLE TO \$15,000; AND APPROVE A BUDGET TRANSFER ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL
HEALTH

3.03 * Linda Huffmon - Amendment - approval is requested for an amendment to the agreement with Linda Huffmon for the provision of consulting services related to program and procedural planning and grant planning and preparation. The amendment increases the maximum amount payable by \$20,250 (department budget), and revises the agreement's exhibits to reflect the increase. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15669)

- 3.04 * State of California, Department of Alcohol and Drug Programs - approval is requested for a grant award agreement with the State of California, Department of Alcohol and Drug Programs, for funds to support the Drug Court Program. The term of the agreement is December 29, 2005, through December 28, 2006, with a maximum amount payable to the County of \$70,296 (\$35,148 per fiscal year) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.05 * Youth Leadership Institute - approval is requested for a sole source agreement with Youth Leadership Institute for the continued development and implementation of a comprehensive evaluation process for determining the effectiveness of youth programs funded by state grants. 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 * Yolo Community Care Continuum - Amendment - approval is requested for an amendment to the agreement with Yolo Community Care Continuum for the provision of long-term residential treatment services. The amendment reduces the maximum amount payable by \$20,007.36 for fiscal year 2005-2006, 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.X15758)
- 3.07 * Superior Court of California, County of Butte - approval is requested for a revenue agreement with the Superior Court of California, County of Butte, for funds to provide residential treatment services and substance abuse testing for clients involved in the County's Prop 36 Treatment Court. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$44,000. Board approval is also requested to accept and appropriate the revenue - 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. (Contract No. R40859)

- 3.08** * Accept Unanticipated Revenue - approval is requested to accept and appropriate \$5,300 of miscellaneous revenue generated through fees paid for the REACH for the Future Conferences, \$562 of miscellaneous revenue received from the Center for Applied Research and Solutions for the department's participation in a methamphetamine conference, and \$5,845 in unexpended fiscal year 2004-2005 Substance Abuse Prevention and Treatment funds - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.

CHIEF
ADMINISTRATIVE
OFFICE

- 3.09** * New and Amended Joint Exercise of Powers Agreement for the Chico Urban Area Joint Powers Financing Authority - approval is requested for a new and amended Joint Exercise of Powers Agreement with the Chico Redevelopment Agency for the Chico Urban Area Joint Powers Financing Authority. The Joint Powers Authority (JPA) was formed to facilitate the financing of the construction and installation of public sewer facilities and improvements in the Chico Urban Area to comply with the Chico Urban Area Nitrate Compliance Plan. The proposed amended agreement revises Section F to provide broader language which will allow the JPA to apply for any necessary funds contemplated by the JPA - action requested - APPROVE NEW AND AMENDED AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

CLERK -
RECORDER

- 3.10** * Fixed Asset Purchase - approval is requested for the fixed asset purchase of a closed circuit television security system for the department's office and warehouse facilities in the amount of \$22,732. Funding for the purchase is available within the department's budget - action requested - APPROVE FIXED ASSET PURCHASE OF SECURITY SYSTEM.

COUNTY
COUNSEL

- 3.11** * Pillsbury, Winthrop, Shaw & Pittman, LLP - approval is requested for a representation agreement and substitution of counsel with Pillsbury, Winthrop, Shaw & Pittman, LLP, to represent Butte County Water and Resource Conservation in the litigation over its contract with the California Department of Water Resources covering the California State Water Project. The firm will represent Kern County Water Agency, Alameda County Water District, Alameda County Flood Control and Water Conservation District Zone 7, City of Yuba City, County of Butte, County of Kings, Dudley Ridge Water District, Empire West Side Irrigation District, Napa County Flood Control and Water Conservation District, Oak Flat Water District, Plumas County Flood Control and Water Conservation District, Santa Clara Valley Water District, Solano County Water Agency and Tulare Lake Basin Water Storage District as joint clients - action requested - APPROVE SUBSTITUTION OF COUNSEL AND REPRESENTATION AGREEMENT AND AUTHORIZE COUNTY COUNSEL TO SIGN.

DEVELOPMENTSERVICES

3.12 * Request to Ratify Purchases - approval is requested to ratify purchases totaling \$8,351.73. The department purchased three specialized computer systems utilizing a Field Purchase Order instead of the required Purchase Requisition. Pursuant to the Butte County Purchasing Policy Manual, Board approval is now required to authorize payment of the Field Purchase Order - action requested - RATIFY PURCHASE AND AUTHORIZE PAYMENT OF FIELD PURCHASE ORDER.

3.13 * Conveyance of Development Rights and Open Area Easement - Charles Pfister - approval is requested for a conveyance of development rights and open area easement pursuant to an approved lot line adjustment (Condition #7). The condition requires a restriction on the property which prohibits additional dwellings and nonagricultural buildings from being located on the parcel - action requested - APPROVE CONVEYANCE OF DEVELOPMENT RIGHTS AND OPEN AREA EASEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

3.14 * Vehicle Purchases - approval is requested for the fixed asset purchase of five (5) vehicles for the Building Division in the estimated amount of \$125,000 (\$25,000 per vehicle). The current division vehicles are high mileage vehicles in need of replacement. Funding for the purchases is available within the department's current appropriations and Board approval is also requested to transfer funds between budget line items to provide the appropriation needed for the purchases - action requested - APPROVE FIXED ASSET PURCHASE OF FIVE (5) VEHICLES; AND APPROVE A BUDGET TRANSFER (4/5 vote required) APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

DISTRICTATTORNEY

3.15 * Accept Unanticipated Revenue - approval is requested to accept and appropriate unanticipated revenue in the estimated amount of \$2,000. The funds will be generated by the sale of tickets to the Identity Theft and Fraud Symposium held May 16, 17, and 18, at the Gold Country Casino - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.16 * Vehicle Purchase - approval is requested for the fixed asset purchase of a vehicle for the Special Prosecution of Economic Crime Unit in the estimated amount of \$25,118. Funding for the vehicle is available using Local Indian Gaming Benefit Grant funds, and Board approval is also requested to transfer funds to provide the appropriation needed for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF LAW ENFORCEMENT VEHICLE; AND APPROVE A BUDGET TRANSFER APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

FIREDEPARTMENT

3.17 *

Introduction of an Ordinance Regarding Fireworks, Fire Prevention and Protection Amending Section 1-7, Article XVI of Chapter 3, Chapter 38, and Chapter 38A of the Butte County Code - approval is requested for an ordinance which will add areas north of Chico and around the community of Palermo to the weed abatement ordinance, and revise Chapters 38 and 38A regarding violations and penalties, definitions, duties of owners/occupants, firebreak requirements, notice and orders, liability, enforcement, judicial review, warnings of noncompliance, collection of administrative penalties, and criminal violations and penalties - action requested - WAIVE READING OF THE ORDINANCE.

3.18 *

Exhaust Systems for Fire Department Apparatus Bays - approval is requested to transfer \$250,000 from the General Fund Appropriation for Contingencies to provide the funding needed for the installation of exhaust systems for the apparatus bays in the County's career fire stations. Exhaust from the engines and other vehicles is hazardous, and none of the County stations have a system in place to address the air quality issues. Board approval is also requested for the fixed asset purchase of the exhaust system equipment in the estimated amount of \$250,000 - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$250,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF EXHAUST SYSTEMS.

GENERALSERVICES

3.19 *

Ray Morgan Company - approval is requested to award a lease agreement to Ray Morgan Company for the lease of a high-speed digital laser printer for the Print Shop. The term of the agreement is July 1, 2006, through June 30, 2011, with an estimated annual cost (based on prior use) of \$16,505.40 (department budget). The agreement is the result of a Request For Proposals - action requested - AWARD LEASE AGREEMENT TO RAY MORGAN COMPANY AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.20 *

Transfer for Property Fencing - approval is requested to transfer \$7,500 from the General Fund Appropriation for Contingencies to provide the funding needed to purchase materials to construct a fence around County-owned property adjacent to Railroad Avenue in the Palermo area. The property has been used as an illegal dump site and by motorcyclists and other motorized vehicles. To prevent further access to the property it will be fenced and leased as pasture land. The tenant will provide the labor needed to install the fencing - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$7,500 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

3.21 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - extends the position end dates of 1 sunset position of Deputy District Attorney IV/III/II/I, and 2 sunset positions of Investigator II/I, from June 30, 2006, to June 30, 2007. AGRICULTURAL - extends the position end date of 1 sunset position of Agricultural Biologist/Weights & Measures Inspector I from June 30, 2006, to June 30, 2007. PUBLIC HEALTH-GENERAL SERVICES - adds 1 position of Program Manager, Community Services. LIBRARY-LITERACY GRANT - converts 1 sunset position of Library Assistant, Senior/Library Assistant, and a 3/4 time sunset position of Library Assistant to permanent positions. Deletes a 1/2 time position of Library Assistant, Senior/Library Assistant. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE N, SALARY SCHEDULE FOR DSA BARGAINING UNIT CLASSIFICATIONS - adds the new salary schedule, effective December 31, 2005, which reflects the additional 1% salary increase agreed to in negotiations. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE D, LAW ENFORCEMENT (DSA) - GENERAL UNIT CLASSIFICATIONS - deletes the current salary table and replaces it with an updated table which reflects the additional 1% salary increase agreed to in negotiations. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE E, LAW ENFORCEMENT (DSA) - MANAGEMENT AND SUPERVISORY UNIT CLASSIFICATIONS - deletes the current salary table and replaces it with an updated table which reflects the additional 1% salary increase agreed to in negotiations. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE J, CLASSIFICATIONS WITH FLAT RATE ASSIGNMENTS - sets the flat rate for the position of Election Clerk (Class Code 1155) at \$75.00 per day, and the flat rate for the position of Election Inspector (Class Code 1157) at \$115.00 per day. Both positions receive an additional \$20 per class for attending required training - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.22 *

Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the Sheriff's Office is requesting the Board approve the Advanced Step Hire of a Deputy Sheriff to Step 6 of the salary range, retroactive to his date of hire of April 11, 2006, based on training and experience. The Director-Human Resources concurs with the request for the Advanced Step Hire - action requested - APPROVE ADVANCED STEP HIRE OF A DEPUTY SHERIFF TO STEP 6 OF THE SALARY RANGE, RETROACTIVE TO APRIL 11, 2006.

LIBRARY **3.23** * Library Donations - pursuant to Government Code Section 25355, a donation of \$786.80 from the Oroville Friends of the Library, \$503 from Morris L. McFarland of Oroville, \$325 from the Chico Friends of the Library, and \$300 from Mary J. Markland and Family of Fargo, North Dakota, have been received for the Butte County Trust Fund for the purchase of books, and a donation of \$2,152.64 from the Gridley Friends of the Library has been received for staff support hours - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLIC
HEALTH

3.24 * Physical and Occupational Therapists - Amendments - approval is requested for amendments to the agreements with various physical and occupational therapists who provide services to the clients of the California Children's Services Program. The following amendments extend the term of each agreement to September 30, 2006, and increase the maximum amounts payable as follows: Connie Brattan (Contract No. X15584) increased by \$15,288; Bonnie Calhoun (Contract No. X15486) increased by \$14,448; Diane Willow Dejesus (Contract No. X15487) increased by \$6,048; Meg Palmer (Contract No. X15489) increased by \$5,040; Denise Sanford (Contract No. X15483) increased by \$7,056; Monica Schwartz (Contract No. X15485) increased by \$24,024; Patrick Slupski (Contract No. X15482) increased by \$16,330; Mary Sweeney (Contract No. X15490) increased by \$15,102; and Teresa Wood-Hansen (Contract No. X15484) increased by \$16,128. Funding for the increases is available through currently budgeted appropriations. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENTS (9) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.25 * Medifax-EDI, LLC - Amendment - approval is requested for an amendment to the agreement with Medifax-EDI, LLC, for the provision of electronic billing services. The amendment extends the term of the agreement through June 30, 2007, and increases the maximum amount payable by \$90,000 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11682)

3.26 * Donation for Animal Control - pursuant to Government Code Section 25355, a donation of \$300 from the Butte County Kennel Club has been received to pay for heartworm treatment for a rescued dog. The dog will be suitable for adoption once treatment is complete - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.

3.27 * State of California, Department of Health Services - Amendment - approval is requested for an amendment to the grant agreement with the State of California, Department of Health Services, for funds to support the TeensSMART Outreach Program. The amendment extends the term of the grant through June 30, 2008, and increases the award amount by \$180,000 (\$90,000 per fiscal year). 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. R40712)

PUBLIC
WORKS

3.28 Adoption of an Ordinance Establishing Speed Limits on Certain Roads Within the County of Butte - approval is requested for an ordinance which will establish speed limits on roads in the Gridley area of the County of Butte as follows: 1. Higgins Avenue (County Road No. 04385-B) from Myers Avenue to Larkin Road; 2. Nielson Avenue (County Road No. 07375-K) from State Highway 99 to end; 3. O'Brien Avenue (County Road No. 07375-J) from the west end to Larkin Road; and 4. Wright Avenue (County Road No. 07375-L) from State Highway 99 to end - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 4-11-06 [3.22])

3.29 * Transfer for Gridley Pool Maintenance - approval is requested to transfer \$87,555 from the Gridley Pool Designations Fund to Facilities Services to provide the appropriation needed to fund Americans with Disabilities Act compliance work and maintenance and repairs for the Gridley Pool - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.30 * Resolution Appropriating Monies to County Service Area #17, Zone 2 (South Oroville-Las Plumas Park Lighting and Alley Maintenance) from the County Service Area Revolving Loan Fund - approval is requested for a loan in the amount of \$3,000 from the County Service Area (CSA) Revolving Loan Fund to County Service Area #17, Zone 2 (South Oroville-Las Plumas Park Lighting and Alley Maintenance). The loan will fund initial alley maintenance services and will be paid back through annual property assessment service charges from parcel owners with the CSA - action requested - ADOPT RESOLUTION APPROVING LOAN AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING LOAN REVENUE AS DETAILED IN THE AGENDA REPORT.

- 3.31 * Accept Loan for Closure of Modules 1 and 3 at the Neal Road Sanitary Landfill - approval is requested to accept and appropriate no-interest loan funds in the amount of \$500,000 from the California Integrated Waste Management Board. The funds will be used for the permanent closure of Modules 1 and 3 at the Neal Road Sanitary Landfill - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND ALLOCATING LOAN FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.32 * Ophir Road and Lincoln Boulevard Traffic Signal and Intersection Improvements, County Project No. 21461-98-2 - the project consists of the construction of an eight phase, traffic actuated signal system, roadway widening by placing asphalt concrete over aggregate base, extension of the concrete box culvert and 36-inch corrugated steel pipe structures, construction of left and right turn pockets, and overlay and striping of the entire roadway. The engineer's estimate for the project is \$960,000, and funding will be provided through a combination of Federal Congestion Mitigation and Air Quality grant funds and 2003-2004 Indian Gaming Special Distribution Funds - action requested - APPROVE PLANS AND SPECIFICATIONS; AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AND AUTHORIZE THE CHAIR AND DIRECTOR OF PUBLIC WORKS TO SIGN PLANS.
- 3.33 * Resolution Authorizing the Submittal of the Local Government Household Hazardous Waste Grant Application - approval is requested for a resolution approving a regional application to the California Integrated Waste Management Board for a coordination grant under the Local Government Household Hazardous Waste Grant Program in the amount of \$7,000. The funds will be used to bring area stakeholders and members of the public together to discuss the most cost-efficient methods of collecting and processing universal waste materials - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.
- 3.34 * California Forest Highway 171-1(1), Skyway Road, Butte County, Project Agreement - approval is requested for a project agreement with the USDA Forest Service, Lassen National Forest, Federal Highway Administration Central Federal Lands Highway Division, and the Butte County Association of Governments which will establish the roles, responsibilities and schedule for the proposed Forest Highway 171 (Skyway) project between Inskip and Butte Meadows - action requested - APPROVE AGREEMENT AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.

3.35 * Resolution Authorizing the Submittal of the Butte County Regional Used Oil Block Grant Recycling Program Grant Applications - approval is requested for a resolution approving regional grant applications to the California Integrated Waste Management Board for funds under the next three cycles of Used Oil Block Grants. The funds will be used to continue and expand used oil education programs. Current fiscal year funding is estimated at \$42,000 - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATIONS.

3.36 * Electronic Recycling and Reuse Program - submitted is a summary of the electronic recycling and reuse program funded by a grant from the California Integrated Waste Management Board - action requested - ACCEPT FOR INFORMATION.

SHERIFF'S
OFFICE

3.37 * State of California, Department of Parks and Recreation - Off-Highway Motor Vehicle Recreation Grant Funding and Project Agreement - approval is requested to accept grant funds in the amount of \$12,600 from the State of California, Department of Parks and Recreation. The funds will be used for law enforcement services in the Jonesville Snowpark/Butte Meadows areas during the winter months. The grant requires a 25% match which is met by County-funded positions administering and monitoring the grant, and search and rescue costs - action requested - ACCEPT GRANT FUNDS; APPROVE PROJECT AGREEMENT AND AUTHORIZE THE CHAIR AND THE SHERIFF-CORONER TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE REVENUE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.38 * United States Department of Justice, Drug Enforcement Administration - approval is requested for a grant agreement with the United States Department of Justice, Drug Enforcement Administration, for funds to support the investigation and eradication of illegal cultivation of marijuana. The term of the agreement is January 1, 2006, through December 31, 2006, with a maximum amount payable to the County of \$34,693 - action requested - ACCEPT GRANT FUNDS; APPROVE GRANT AGREEMENT AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE SHERIFF TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT.

3.39 * State of California, Department of Water Resources - approval is requested for a grant agreement with the State of California, Department of Water Resources, for funds to support boat and vehicle patrol services for the Thermalito Afterbay. The term of the agreement is July 1, 2006, through June 30, 2009, with a maximum amount payable to the County of \$663,000 for the multi-year term - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE SHERIFF TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT.

3.40 * State of California, Department of Boating and Waterways - approval is requested for a grant agreement with the State of California, Department of Boating and Waterways, for funds to perform boating safety and enforcement activities. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable to the County of \$148,069 - action requested - ADOPT RESOLUTION IN SUPPORT OF THE BOATING SAFETY AND ENFORCEMENT AID PROGRAM FOR FISCAL YEAR 2006-2007 AND AUTHORIZE THE CHAIR TO SIGN; APPROVE AGREEMENT AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE SHERIFF TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT; AND AUTHORIZE PERRY RENIFF, JAMES CALLAS, JERRY SMITH AND SUSAN TIFFANY AS SHERIFF'S OFFICE DESIGNEES FOR THE GRANT, AND DAVE HOUSER, THOMAS F. LIMPER, VEDA MULSER AND BRETT MILLER AS AUDITOR'S OFFICE DESIGNEES FOR THE GRANT.

TREASURER-

TAX COLLECTOR 3.41

Adoption of An Ordinance Amending Butte County Code Section 2-166 Delegating Investment Authority to the Butte County Treasurer-Tax Collector - pursuant to Government Code Section 53600 et seq., approval is requested for an ordinance which will delegate investment authority to the Treasurer-Tax Collector for fiscal year 2006-2007 - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-9-06 [3.32])

3.42 * Monthly Investment Report - submitted is the Monthly Investment Report dated April 28, 2006, in accordance with the Butte County Statement of Investment Policy dated July 1, 2005 - action requested - ACCEPT FOR INFORMATION.

- 3.43 * Annual Statement of Investment Policy - approval is requested, pursuant to Government Code Sections 27133 and 53601, for the Annual Statement of Investment Policy which sets forth policies regarding the investment of surplus funds and funds under the custodianship of the Treasurer. The policy has been reviewed by the Butte County Treasury Oversight Committee and will become effective July 1, 2006 - action requested - APPROVE ANNUAL STATEMENT OF INVESTMENT POLICY.
- 3.44 * Immedia - Amendment - approval is requested for an amendment to the agreement with Immedia, a division of Columbia Ultimate Business Systems, Inc., for the provision of a customer letter and collections software system for the Central Collections Division. The amendment extends the term of the agreement through June 30, 2007, and increases the maximum amount payable by \$20,000 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X10088)
- 3.45 * Columbia Ultimate Business Systems, Inc. - Amendment - approval is requested for an amendment to the agreement with Columbia Ultimate Business Systems, Inc., for software licensing, service and support. The amendment extends the term of the agreement through June 30, 2007, and increases the maximum amount payable by \$13,814 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

WATER AND
RESOURCE
CONSERVATION

- 3.46 * Resolution in Support of a Consolidated Application with the Northern California Joint Exercise of Power for an Integrated Regional Water Management Implementation Grant Under Proposition 50, the Water Security, Clean Drinking Water, and Coastal and Beach Protection Act of 2002, and Authorizing Staff to Participate in the Development of the Northern California Joint Exercise of Power Integrated Regional Water Management Plan - approval is requested for a resolution making a Step II consolidated application with the Northern California Joint Exercise of Power for funding under Proposition 50, the Water Security, Clean Drinking Water, and Coastal and Beach Protection Act of 2002. Participation in the joint application provides the possibility of funding for projects previously identified by the County's Integrated Regional Water Management Plan - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

OTHER

DEPARTMENTS

AND AGENCIES

3.47

Tri-County Economic Development District Board and Small Business Development Advisory Committee - action requested - APPOINT SUPERVISOR HOUX, BUTTE COUNTY GOVERNMENTAL REPRESENTATIVE, AND MIKE TRAVIS, ALTERNATE, TO A TERM TO END JUNE 30, 2008.

3.48 *

Butte County Law Library Annual Report - pursuant to California Business and Professions Code Section 6349, submitted is the Butte County Public Law Library 2004-2005 Annual Report - action requested - ACCEPT FOR INFORMATION.

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

Recognition of Awards given by the Exchange Club of Paradise for Butte County Probation Officer of the Year, Butte County Juvenile Hall Counselor of the Year, and Butte County Correctional Officer of the Year - action requested - ACCEPT FOR INFORMATION. (EXCHANGE CLUB OF PARADISE, SHERIFF-CORONER AND CHIEF PROBATION OFFICER)

4.04 *

Code Enforcement Advisory Committee - the Code Enforcement Advisory Committee is requesting the Board consider authorizing the addition of a Code Enforcement Officer position to the Development Services Department - action requested - ACCEPT FOR INFORMATION. (CODE ENFORCEMENT ADVISORY COMMITTEE)

4.05 * Proposed Grading Regulation Revisions - pursuant to Board direction, submitted are recommendations for revisions to Chapter 13, Grading and Mining, of the Butte County Code - action requested - PROVIDE COMMENTS TO STAFF; AND DIRECT STAFF TO PREPARE AND RETURN TO THE BOARD FOR REVIEW AND CONSIDERATION AN ORDINANCE REVISING THE COUNTY GRADING REGULATIONS AS PROPOSED, CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENTATION NECESSARY TO IMPLEMENT THE REVISED GRADING REGULATION; A SALARY ORDINANCE AMENDMENT THAT IMPLEMENTS THE DEPARTMENT OF DEVELOPMENT SERVICES STAFFING NEEDS TO SUPPORT THE REVISED GRADING REGULATIONS; AND AN ORDINANCE AMENDING THE BUILDING PERMIT FEES (PLAN CHECK AND INSPECTION) NECESSARY TO FUND IMPLEMENTATION OF THE REVISED GRADING REGULATIONS. (PUBLIC WORKS)

4.06 * Resolution of Intention to Establish the Butte County Permanent Road Division - consideration of a resolution of intention to establish a Countywide Permanent Road Divisions with individual zones of benefit, and consideration of several options for a policy regarding acceptance of roads into the County Maintained Mileage System - action requested - ADOPT RESOLUTION OF INTENTION AND AUTHORIZE THE CHAIR TO SIGN; DIRECT A PUBLIC HEARING BE SET FOR TUESDAY, JUNE 27, 2006, AT 10:30 A.M.; AND ACCEPT FOR INFORMATION PROPOSED DRAFT POLICIES FOR ACCEPTANCE OF ROADS INTO THE COUNTY MAINTAINED MILEAGE SYSTEM AND PROVIDE STAFF DIRECTION AS NEEDED. (PUBLIC WORKS)

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

5.00PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. **5.01** * Public Hearing - Palm Crest Village Subdivision - Establishment of Services Charges in Proposed County Service Area - on March 28, 2006, the Board adopted Resolution 06-049, authorizing application to the Local Agency Formation Commission for formation of a County Service Area to provide storm drainage maintenance and street lighting services to the Palm Crest Village Subdivision and setting a protest hearing and ballot proceeding. To comply with the notification requirements of Proposition 218, the hearing will need to be continued to June 27, 2006 - action requested - OPEN HEARING AND CONTINUE OPEN TO JUNE 27, 2006, AT 10:25 A.M.

10:35 A.M. **5.02** * 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 - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

1. BASED ON THE FINDINGS DETAILED IN THE STAFF REPORT DATED MAY 23, 2006, DENY THE APPEAL OF CONDITION #2, CONDITION #3, CONDITION #4, CONDITION #5, CONDITION #6, CONDITION #7, AND CONDITION #8, FOR DET 05-07. (FROM 4-25-06 [5.03])

1:30 P.M. **5.03** *

Timed Item - Butte County General Plan/Zoning Ordinance Update Process - consideration and direction regarding a draft Request For Proposal, Working Draft Framework of Guiding Principles, and formation of a General Plan Steering Committee - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. DIRECT THE DEPARTMENT OF DEVELOPMENT SERVICES TO RELEASE A REQUEST FOR PROPOSALS (RFP), AS AMENDED, FOR THE SELECTION OF A CONSULTING FIRM(S) TO PERFORM A COMPREHENSIVE GENERAL PLAN/ZONING ORDINANCE UPDATE AND ENVIRONMENTAL IMPACT REPORT;
2. ADOPT A RESOLUTION APPROVING THE CREATION OF THE BUTTE COUNTY GENERAL PLAN STEERING COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE APPLICATION FORM;
3. CREATE A TWO-MEMBER SUBCOMMITTEE OF THE BOARD TO ASSIST THE DEPARTMENT THROUGHOUT THE GENERAL PLAN/ZONING ORDINANCE UPDATE PROCESS; AND
4. REVIEW THE WORKING DRAFT FRAMEWORK OF GUIDING PRINCIPLES AND PROVIDE INPUT TO STAFF AS NEEDED.

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 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. DIRECTOR-BEHAVIORAL HEALTH
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. COUNTY COUNSEL
6. DIRECTOR-CHILD SUPPORT SERVICES
7. DIRECTOR-DEVELOPMENT SERVICES
8. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES
9. DIRECTOR-HUMAN RESOURCES
10. DIRECTOR-INFORMATION SYSTEMS
11. DIRECTOR-LIBRARIES
12. DIRECTOR-PUBLIC HEALTH
13. DIRECTOR-PUBLIC WORKS
14. DIRECTOR-WATER AND RESOURCE CONSERVATION.

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

7.03 CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) :

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)
2. LIGHTNER V. BUTTE COUNTY
 (BUTTE COUNTY SUPERIOR COURT CASE NO. 136070)
3. FOGARTY V. CITY OF CHICO, COUNTY OF BUTTE ET AL.
 (USDC 2:06-CV-01007-WBS-GGH)
4. FIRST RESPONDER V. NOR CAL EMS AND BUTTE COUNTY.

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
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