

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

NOVEMBER 21, 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

BEHAVIORAL
HEALTH

3.01 * Blue Cross of California - approval is requested for a Memorandum of Understanding with Blue Cross of California for participation in the Healthy Families Program. The program is designed to provide health insurance, including mental health services, to children who fall within 200% of the poverty level. The term of the agreement began January 12, 2006, and will continue until cancelled by the parties. Revenue will be based on services provided - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40909)

3.02 * Cherokee Restoration Fellowship - Amendment - approval is requested for sole source amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services. The amendment increases the maximum amount payable by \$41,499.59 (department budget), revises agreement language regarding payment provisions and the shift of funds, and revises the agreement's exhibits to reflect the changes. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16284)

3.03 * Skyway House - approval is requested for a sole source agreement with the Skyway House for the provision of long-term residential recovery services, day care services, and drug-free housing for referred clients. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$94,426.67 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.04 * Tulare County Office of Education - approval is requested for a grant agreement with the Tulare County Office of Education for funds to support the Friday Night Live Mentoring Program. The term of the agreement is October 1, 2006, through September 30, 2007, with a maximum amount payable to the County of \$33,500. Board approval is also requested to accept and appropriate grant revenue into the current fiscal year's budget - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40911)
- 3.05 * Butte County Office of Education - approval is requested for a grant agreement with the Butte County Office of Education for funds to support the Safe Schools Healthy Students Program. The term of the agreement is October 1, 2006, through September 30, 2007, with a maximum amount payable to the County of \$394,183. Board approval is also requested to adjust grant related revenue and expenditure amounts included in the fiscal year 2006-2007 budget to reflect the actual allocation amount - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER ADJUSTING REVENUE AND EXPENDITURE AMOUNTS AS DETAILED IN THE AGENDA REPORT.
- 3.06 * State of California, Department of Mental Health - approval is requested for a revised revenue agreement with the State of California, Department of Mental Health, for the continuation of the Phase I and Phase II Inpatient and Outpatient Consolidation Managed Care Programs. The Board approved a contract with the State on August 8, 2006. Subsequent to that approval, a revised allocation was received and a new agreement was created to reflect the increase. The term of the revised agreement is July 1, 2006, through June 30, 2009, with a revised allocation to the County of \$2,416,558.25 (an increase of \$94,689.25) for fiscal year 2006-2007. Board approval is also requested to accept and appropriate additional revenue into the current fiscal year's budget - action requested - ADOPT A RESOLUTION APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE CHAIR TO SIGN THE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. R40886)

- 3.07 * State of California, Department of Alcohol and Drug Programs - approval is requested for a grant agreement with the State of California, Department of Alcohol and Drug Programs for funds to support the Drug Court Partnership Project. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable to the County of \$140,300. Board approval is also requested to accept and appropriate additional grant revenue to reflect the actual final allocation amount - 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 GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

- 3.08 * Yolo Community Care Continuum - approval is requested for a sole source agreement with Yolo Community Care Continuum for the provision of long-term residential treatment services. The term of the agreement is October 1, 2006, through June 30, 2007, with a maximum amount payable of \$37,947 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16292)

- 3.09 * Tri-County Treatment - approval is requested for a sole source agreement with Tri-County Treatment for the provision of short-term residential recovery services and day care rehabilitation services. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$48,820 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.10 * Substance Abuse and Crime Prevention Act Funds - approval is requested to accept and appropriate \$24,363 of unanticipated Substance Abuse and Crime Prevention Act funds resulting from a revised allocation for fiscal year 2006-2007 - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

CHIEF
ADMINISTRATIVE
OFFICE

3.11

Adoption of an Ordinance Amending Section 2-120 of the Butte County Code Relating to Grand Juror Mileage Reimbursement Rates and Per Diem Rates - consideration of an ordinance which will increase the mileage reimbursement rate for Grand Juror members from \$0.24 per mile to \$0.445 per mile, and increase the per diem rate from \$20 a day to \$36 a day - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 10-24-06 [3.07])

- 3.12 * City of Chico - approval is requested for a Master Subrecipient Agreement with the City of Chico which will provide for the pass-through of Community Development Block Grant (CDBG) funds. In 2005 and 2006 the Board approved the use of CDBG funds for the installation of public improvements to the Chapman-Mulberry neighborhood in Chico. The project will be completed by the City of Chico, and the proposed agreement will allow for the pass-through of CDBG funds to the City - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.13 * Budget Adjustments for Community Development Block Grant Funds - approval is requested for adjustments to various Community Development Block Grant (CDBG) budgets. The budgets were created based on estimates of grant funds to be received. The proposed revisions will adjust the budgets to the amounts actually received - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) MAKING BUDGET ADJUSTMENTS TO VARIOUS CDBG BUDGETS AS DETAILED IN THE AGENDA REPORT.
- 3.14 * Consent to City Acquisition of Extra-Territorial Property Within the Chico Urban Area for Roadway Improvements - pursuant to Streets and Highways Code Section 1810, the City of Chico is requesting the Board approve the acquisition of extra-territorial property, consisting of rights-of-way from six property owners in the unincorporated area, as part of a road reconstruction project. The City has budgeted funds to reconstruct Cohasset Road from the north end of the Sycamore Creek Bridge to the north side of Ryan Avenue - action requested - PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 1810, APPROVE THE CITY'S ACQUISITION OF EXTRA-TERRITORIAL PROPERTY AS DETAILED IN THE AGENDA REPORT; AND DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO NOTIFY THE CITY OF CONSENT.
- 3.15 * Derek Wolfgram - approval is requested for an employment agreement with Derek Wolfgram for the position of Director-Libraries. The term of the agreement is December 4, 2006, through December 3, 2009. The starting annual salary rate will be \$86,983 (90% of the base salary) with the ability to move to the base salary of \$96,648 after six months of satisfactory performance. The agreement provides for a relocation allowance of up to \$5,000, and all other standard terms and conditions consistent with other appointed department head agreements - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.16 * Harvey M. Rose Accountancy Corporation - approval is requested to ratify an agreement with Harvey M. Rose Accountancy Corporation for expert independent analysis of the operational and socio-economic impact reports that were filed in the Lake Oroville license renewal process, and to render an independent peer review of those reports to assist the County in preparing its response to the Draft Environmental Impact Statement (DEIS). Due to the short response time for the DEIS, immediate need for a contract was required - action requested - RATIFY AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.17 * Daniel J. Edelman, Inc. - approval is requested for an agreement with Daniel J. Edelman, Inc., for the provision of media relations services related to the Lake Oroville Relicensing Project. The firm will provide a public affairs plan to raise awareness of Butte County's issues locally and nationally. The County will be billed on a project basis (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHILD SUPPORT
SERVICES

3.18 * State of California, Department of Child Support Services - approval is requested to ratify an inter-jurisdictional employee exchange agreement which provides for a Butte County Department of Child Support Services employee to be assigned to a position with the State of California, Department of Child Support Services, to assist with the conversion of the department's computer system to the statewide system. The agreement outlines the roles and responsibilities of the County and State. Board approval is also requested to accept and appropriate agreement revenue in the amount of \$72,380 for fiscal year 2006-2007, and \$14,824 for fiscal year 2007-2008 - action requested - RATIFY AGREEMENT AND AUTHORIZE THE DIRECTOR-CHILD SUPPORT SERVICES TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.19 * State of California, Department of Child Support Services Revenue - approval is requested to accept and appropriate \$128,438 from the State of California, Department of Child Support Services, as a one-time augmentation of funds distributed to Local Child Support Agencies for the purposes of developing programs designed to improve performance - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.20 * Acceptance of Revenue - approval is requested to accept and appropriate \$26,000 received from the Butte County Department of Employment and Social Services, pursuant to a Plan of Cooperation agreement to carry out the requirements of Title IV-D of the Social Security Act. The funds will reimburse staff time spent in support of the agreement - 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

3.21 * 2007 Board Meeting Calendar - action requested - APPROVE AND ADOPT THE 2007 MEETING CALENDAR AS PRESENTED.

3.22 * Approval of Minutes - action requested - APPROVE MINUTES OF AUGUST 22, 2006; SEPTEMBER 12, 2006; SEPTEMBER 26, 2006; AND SEPTEMBER 27, 2006.

COUNTY
COUNSEL

3.23 Adoption of an Ordinance Amending the Butte County Code Regarding the Administrative Hearing Program and the Nuisance Abatement Program - consideration of an ordinance which will amend the Butte County Code to standardize the County Administrative Hearing Program, and revise the provisions of the Nuisance Abatement Program to improve cost recovery, place a time requirement on abatement of a public nuisance, and require property owners to pay County nuisance abatement costs within 15 days of service of a bill - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 10-24-06 [3.11])

3.24 * George E. Washington - Amendment - approval is requested for an amendment to the agreement with George E. Washington of Washington, Berglund and Heithecker, for the provision of specialized legal services. The amendment increases the hourly reimbursement rate by \$15 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.

EMERGENCY
SERVICES

3.25 * Fiscal Year 2005 State Homeland Security Grant Program Funds - approval is requested to relieve a contract balance of \$156.00 which remained encumbered at the end of the fiscal year. The funds will be reappropriated into the current fiscal year budget to purchase additional Homeland Security Grant Program authorized items or services - action requested - RELIEVE CONTRACT ENCUMBRANCE BALANCE FOR CONTRACT X15997 IN THE AMOUNT OF \$156; AND APPROVE A BUDGET TRANSFER APPROPRIATING THE FUNDS INTO THE CURRENT FISCAL YEAR BUDGET AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

- 3.26 * California "Kids" Vehicle License Plate Revenue - approval is requested to accept and appropriate \$3,641.42 from the State of California under the "Kids" Vehicle License Plate program. The funds will be used for child abuse prevention activities and education, including vehicular safety - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.27 * Parent Education Network - approval is requested for an agreement with Parent Education Network for the provision of parent education classes to Children's Services clients. The term of the agreement is July 1, 2006, through June 30, 2008, with a maximum amount payable of \$57,658 (\$28,829 per fiscal year [department budget]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16324)
- 3.28 * Regents of the University of California - UC Davis, - approval is requested for an agreement with the Regents of the University of California - UC Davis, for the provision of Eligibility Services Training. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$30,600 (\$4,590 UC Davis in-kind contribution/\$26,010 federal and state funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.29 * Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for the property located at 78 Table Mountain Boulevard, Oroville. The amendment provides for the addition of 1,160 square feet of office space, adds language to increase the overall occupancy for utilities, services and maintenance charges, and increases the maximum amount payable for fiscal year 2006-2007 by \$10,600.80 (department 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. X11404)

3.30 * Private Industry Council - Amendment - approval is requested for an amendment to the agreement with the Private Industry Council for the provision of assessment testing, work experience site development and enhancement services, supportive services, youth programs, and maintenance of HelpCentral.org. The amendment reduces the maximum amount payable by \$16,000 for services related to HelpCentral.org. All other terms and provisions remain the same. Board approval is also requested to reduce the CalWORKs expenditure and federal revenue accounts to reflect the \$16,000 reduction - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER ADJUSTING REVENUE AND EXPENDITURE ACCOUNTS AS DETAILED IN THE AGENDA REPORT.

FIRE
DEPARTMENT

3.31 * Relief of Accountability - approval is requested for relief of accountability for the mobile home (fixed asset number 17094) formerly used as living quarters and office space for Station 42. The mobile home was beyond economic repair and was dismantled and disposed of when the new modular structure was acquired. The District Attorney's Office has reviewed the request - action requested - APPROVE RELIEF OF ACCOUNTABILITY FOR FIXED ASSET MOBILE HOME AS DETAILED IN THE AGENDA REPORT.

3.32 * Hazardous Materials Trust Fund Budget Transfer - approval is requested to transfer \$136 from the Hazardous Materials Trust Fund to the department's budget to provide the appropriation for the purchase of a digital camera for use by the Hazardous Materials Team - action requested - APPROVE A BUDGET TRANSFER ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

GENERAL
SERVICES

3.33 * Computers for Classrooms Donation - pursuant to Government Code Section 25372, approval is requested to declare surplus computer equipment no longer in use by County departments and to donate the surplus equipment to Computers for Classrooms. Computers for Classrooms is a nonprofit corporation - action requested - DECLARE EQUIPMENT DETAILED IN THE AGENDA REPORT SURPLUS TO THE NEEDS OF THE COUNTY; AND AUTHORIZE DONATION OF EQUIPMENT TO COMPUTERS FOR CLASSROOMS.

- 3.34 * Superior Court of California, County of Butte - Basement Infill Project Budget Transfer - approval is requested to accept and appropriate \$24,600 received from the Superior Court of California, County of Butte, to provide appropriations needed for the Basement Infill project. The Court has provided funding for an architectural services contract (\$15,100) and for County support services (\$9,500) - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

- 3.35 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-IHSS FRAUD - extends the position end date of 1 sunset position of Investigative Assistant to June 30, 2007. LOCAL AGENCY FORMATION COMMISSION - deletes 1 position of Commission Clerk. Adds 1 flexibly staffed position of Administrative Analyst, Associate/Commission Clerk. BEHAVIORAL HEALTH-SUBSTANCE ABUSE - adds 1 position of Behavioral Health Education Specialist, Senior/Behavioral Health Education Specialist/Behavioral Health Education Specialist, Associate. BEHAVIORAL HEALTH-GENERAL SERVICES - adds 1 position of Certified Nurse Practitioner. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL, AND SUPERVISORY (BCMEA) UNIT CLASSIFICATIONS - revises the salary range for the position of Program Manager, Child Support Services from Range 50 to Range 56. HUMAN RESOURCES - deletes 2 flexibly staffed positions of Office Specialist, Senior/Office Specialist/Office Assistant. Adds 2 flexibly staffed positions of Administrative Assistant/Office Specialist, Senior/Office Specialist/Office Assistant. PROBATION - extends the position end date of 1 sunset position of Probation Officer III/II/I to September 30, 2008. Adds 1 sunset position of Probation Technician (position end date September 30, 2008). PUBLIC HEALTH-GENERAL SERVICES - deletes 1 quarter-time (.25) flexibly staffed sunset position of Certified Nurse Practitioner/Physician's Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate (position end date September 30, 2006) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.36 * Butte County Employees Association Side Letter Agreement - approval is requested for a Side Letter Agreement with the Butte County Employees Association relating to the inter-jurisdictional employee exchange agreement between the County of Butte and the State of California, Department of Child Support Services. The Side Letter Agreement addresses the employee's employment, salary, and return/incumbency status during, and following the term of the inter-jurisdictional agreement - action requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.37 * Employee Relations, Inc. - approval is requested for an agreement with Employee Relations, Inc., for the provision of employment related background investigation services. The term of the agreement is July 1, 2006, through October 31, 2008, with a maximum annual amount payable of \$14,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16313)

INFORMATIONSYSTEMS

3.38 * Proofpoint, Inc. - Amendment - approval is requested for an amendment to the agreement with Proofpoint, Inc., for the annual license and support costs for the anti-spam/anti-virus product used by the County. The amendment increases the maximum amount payable by \$11,750 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15256)

LIBRARIES

3.39 * Request to Close Libraries on Saturday, December 23, 2006 - approval is requested to close the Chico Branch Library on Saturday, December 23, 2006. The Chico Branch Library is open six days a week which requires split scheduling. Because the Christmas holiday falls on Monday this year, staff assigned to work Tuesday through Saturday will have to work on Saturday and receive deferred holiday credit instead. The affected staff is requesting the ability to observe the holiday on the preceding work day (Saturday) as allowed by the Personnel Rules - action requested - AUTHORIZE THE CHICO BRANCH LIBRARY TO CLOSE ON SATURDAY, DECEMBER 23, 2006.

3.40 * Library Donations - pursuant to Government Code Section 25355, donations of \$3,800 from Hobbie Auto Center of Oroville, \$1,500 from the Paradise Friends of the Library, \$603.39 from the Chico Friends of the Library, and \$100 from Ellen Babb of Palermo, have been received for the Butte County Trust Fund for the purchase of books. A donation of \$436.69 from the Paradise Friends of the Library has been received for staff support hours at the Paradise Branch Library - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.41 * California State Library Revenue - approval is requested to accept and appropriate an additional allocation in the amount of \$1,958 received from the California State Library. The funds will be used for instructional and outreach materials in support of Literacy Services' Adult Reading Program - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.42 * High Intensity Driving Under the Influence Enforcement Grant Funds - approval is requested to accept and appropriate grant funds in the amount of \$248,336 received from the State of California, Office of Traffic Safety, to expand Driving Under the Influence (DUI) supervision programs. The funds will be used to add a Probation Officer and Probation Technician position to support the programs. The department is requesting \$103,557 be appropriated into the current fiscal year - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

3.43 * Juvenile Justice Crime Prevention Act - Prior Year Funds - approval is requested to reappropriate \$55,458.30 in unexpended fiscal year 2005-2006 Juvenile Justice Crime Prevention Act funds. The funds were unexpended at the end of the fiscal year and the encumbrance was subsequently released. Pursuant to Juvenile Justice Crime Prevention Act funding regulations, the period of time to expend the fiscal year 2005-2006 funds can be extended to June 30, 2007. Pursuant to funding guidelines, \$15,726.68 of unexpended fiscal year 2004-2005 funds are to be returned to the Corrections Standards Authority - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS AS DETAILED IN THE AGENDA REPORT; AND DIRECT \$15,726.68 BE RETURNED TO THE CORRECTIONS STANDARDS AUTHORITY.

3.44 * Butte County Office of Education and the Oroville Union High School District - approval is requested for a Memorandum of Understanding with the Butte County Office of Education and the Oroville Union High School District for participation in the Safe Schools Healthy Students Grant Program. A Probation Officer will work with youth at Prospect High School. The term of the agreement is August 1, 2006, through June 30, 2007, with a maximum amount payable to the County of \$45,500. Board approval is also requested to accept and appropriate agreement 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.

PUBLIC
WORKS

3.45 * Resolution Accepting Offer of Dedication of Portions of Crest Drive and Mountain Vista Drive Within the Palm Crest Village Subdivision - the Community Housing Improvement Program (CHIP), as owner of a majority of the lots within the interior of the Palm Crest Village Subdivision in Thermalito, has constructed a portion of Crest Drive and Mountain Vista Drive to County standards and formed County Service Area No. 181 for maintenance of the drainage systems and street lighting. CHIP has requested the County accept those portions of Crest Drive and Mountain Vista Drive as dedicated for County maintenance - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.46 * David Culp - Subdivision Map - TSM 05-11, Subdivision map for David Culp, located at the southeasterly end of Contentment Lane, approximately 465 feet south of Forest Ranch Road in the Forest Ranch area, was a conditionally approved map to divide Parcel 4 of Map Book 139 Pages 26 through 28 into two parcels of 1.09 acres each with David Culp being the original developer of the four parcels on Contentment Lane. The developer has complied with the Conditions of Approval and has constructed the requirement improvements - action requested - APPROVE FINAL MAP TSM 05-11 SUBDIVISION MAP FOR DAVID CULP.

3.47 * Slurry Seal and Micro-Surfacing 2006; County Project No. SC-2006-2 - Contract Change Order (CCO) No. 1 - CCO No. 1, in the overall decreasing amount of \$28,396.67, provides for increases and decreases to various contract items at contract unit prices to reflect the actual quantities used on the project - action requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN.

3.48 * Slurry Seal and Micro-Surfacing 2006; County Project No. SC-2006-2 - Notice of Completion - the project consisted of the application of a Slurry Seal coating on the newly placed Scrub Seal roadway surfaces in the Kelly Ridge area of Oroville, and the Estates Drive area of Chico. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

SHERIFF'S
OFFICE

3.49 * Resolution Recognizing November 30, 2006, as National Methamphetamine Awareness Day in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.50 * Butte County Office of Education and the Oroville Union High School District - approval is requested for a Memorandum of Understanding with the Butte County Office of Education and the Oroville Union High School District for participation in the Safe Schools Healthy Students Grant Program. A School Resource Officer will work with youth at Las Plumas High School. The term of the agreement is August 28, 2006, through June 29, 2007, with a maximum amount payable to the County of \$82,000. Board approval is also requested to accept and appropriate agreement revenue - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.51 * 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 purchase a new patrol boat and trailer. The term of the agreement is fifteen years from the date of execution, and requires the Sheriff's Office to maintain the boat as a term of the grant. All costs for insurance, maintenance, fuel and equipment upgrades will be paid for by local and state boat enforcement grants the Sheriff's Office receives - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE SHERIFF TO EXECUTE ALL DOCUMENTS RELATED TO THE GRANT AND THE PURCHASE OF GRANT EQUIPMENT; APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET PURCHASE OF GRANT EQUIPMENT.
- 3.52 * Increase of Fixed Asset Purchase Authority - approval is requested to increase the fixed asset purchase authority for a commercial salad bar refrigerator steam table for the jail facilities by \$1,446.93. Fixed asset approval for the purchase was included in the Fiscal Year 2006-2007 Final Budget, but the cost of the equipment exceeds the estimated budget amount by \$1,446.93. Funding for the increase is available within the department's fixed asset budget - action requested - APPROVE INCREASE TO FIXED ASSET PURCHASE AUTHORITY FOR A SALAD BAR REFRIGERATOR STEAM TABLE TO \$12,875; AND APPROVE THE FIXED ASSET PURCHASE OF THE EQUIPMENT.

3.53 * Resolution Granting County Application to the Corrections Standards Authority Mentally Ill Offender Crime Reduction (MIOCR) Grant - approval is requested for a resolution authorizing the Sheriff to submit the MIOCR grant application on behalf of the County. If awarded, the grant will provide \$1,000,000 over an 18-month period - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER-
TAX COLLECTOR

3.54 * Monthly Investment Report - submitted is the Monthly Investment Report dated September 29, 2006, in accordance with the Butte County Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE
CONSERVATION

3.55 * Resolution in Support of the City of Chico Restoration Project on Big Chico Creek Adjacent to Bidwell River Park Immediately Downstream from the Nord Avenue Bridge in Chico - consideration of a resolution of support for the City of Chico and other grant partners to accept grant funds for a restoration and bank stabilization project that includes work in the unincorporated area of the County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.56 * State of California, Department of Water Resources - Amendment No. 19 to Water Supply Contract - approval is requested, at the recommendation of the Entitlement Subcommittee, to approve Amendment No. 19 to the Water Supply contract with the State of California, Department of Water Resources. The amendment will extend the Table A Reduction to the current amount (1,200 acre-feet) through 2007. The amendment will allow the County time to prepare a long-term plan assessing the County's future demand for Table A water - action requested - ACCEPT THE RECOMMENDATION OF THE ENTITLEMENT SUBCOMMITTEE AND APPROVE THE AGREEMENT AMENDMENT SUBJECT TO REVIEW BY COUNTY COUNSEL; AND DIRECT THE DEPARTMENT TO DEVELOP A PLAN ASSESSING THE COUNTY'S FUTURE DEMAND FOR TABLE A WATER AND RETURN THE PLAN TO THE BOARD FOR CONSIDERATION.

OTHER
DEPARTMENTS
AND AGENCIES

3.57 Kimshew Cemetery District - action requested - REAPPOINT NIGEL PARKHURST, TRUSTEE, TO A TERM TO END JULY 1, 2010.

3.58 * Paradise Cemetery District - action requested - REAPPOINT T.E. (NAN) JOHNSON, TRUSTEE, TO A TERM TO END JULY 1, 2010.

3.59 * Upham Cemetery District - action requested - REAPPOINT RAMON M. LEFEVRE, TRUSTEE, TO A TERM TO END JULY 1, 2010.

- 3.60 * Tri-County Economic Development Corporation Revolving Loan Fund Administration Board - action requested - APPOINT CARLA M. HELD TO A TERM TO END JUNE 30, 2010.
- 3.61 * 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 the amount distributed to the Butte County Law Library Fund from the State Uniform Filing Fee be increased by \$3.00 effective January 1, 2007 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.62 * 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 2007. 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.

4.00

REGULAR AGENDA

**BOARDS,
COMMISSIONS AND
COMMITTEES**

4.01 *

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.
2. California State Association of Counties State Fire Safe Council Representative - action requested - APPOINT BOARD MEMBER REPRESENTATIVE. (SUPERVISOR YAMAGUCHI)
3. Board Member or Committee Reports.
4. Biggs-Gridley Hospital Agency - action requested - APPOINT TWO BOARD MEMBERS TO SERVE AS BOARD OF DIRECTORS MEMBERS.

BUDGET, LEGISLATIVE
OR COUNTY RELATED
UPDATES

4.02

Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

4.03

Update on General Plan Process by Director-Development Services.

- * 1. Consideration of a Special Meeting - consideration of setting a special meeting to conduct a County/City/Town Summit on the General Plan Process on Saturday, January 27, 2007, 9:00 a.m. to 1:00 p.m - action requested - SET SPECIAL MEETING; AND/OR PROVIDE STAFF DIRECTION.

PRESENTATION
AND DISCUSSION
ITEMS

4.04 *

Program 2.2 of the General Plan Agricultural Element - 300-Foot Agricultural Buffer - consideration of proposed resolutions which will clarify the applicability of the 300-foot buffer requirement in Program 2.2 of the General Plan Agricultural Element - action requested:

- 1. ADOPT A RESOLUTION ACCEPTING THE MODIFIED PLANNING COMMISSION VERSION OF THE PROGRAM 2.2 CLARIFICATION MEMORANDUM, REFERENCED AS ATTACHMENT A TO THE STAFF REPORT DATED NOVEMBER 7, 2006, AND AUTHORIZE THE CHAIR TO SIGN; OR
- 2. ADOPT A RESOLUTION ACCEPTING THE DEPARTMENT'S VERSION OF THE PROGRAM 2.2 CLARIFICATION MEMORANDUM, REFERENCED AS ATTACHMENT B TO THE STAFF REPORT DATED NOVEMBER 7, 2006, AND AUTHORIZE THE CHAIR TO SIGN; OR
- 3. ADOPT A RESOLUTION OUTLINING THE APPLICATION OF PROGRAM 2.2 AND DIRECTING DEPARTMENTS TO COORDINATE WITH THE LOCAL AGENCY FORMATION COMMISSION ON SPHERE OF INFLUENCE REVIEWS EARLY IN THE PROCESS, REFERENCED AS ATTACHMENT C TO THE STAFF REPORT DATED NOVEMBER 7, 2006, AND AUTHORIZE THE CHAIR TO SIGN. (DEVELOPMENT SERVICES [FROM 10-10-06 (4.04)])

- 4.05 * Sacramento Valley Integrated Regional Water Management Plan - consideration of a resolution of support for the Sacramento Valley Integrated Regional Water Management Plan - action requested - WITH THE UNDERSTANDING THAT THIS PLANNING DOCUMENT IS A LIVING DOCUMENT AND HAS BEEN DESIGNED TO BE PERIODICALLY UPDATED TO REFLECT LOCAL INPUT AND CHANGING CIRCUMSTANCES THROUGHOUT THE REGION, STAFF RECOMMENDS THE BOARD ADOPT THE RESOLUTION OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (WATER AND RESOURCE CONSERVATION [FROM 10-24-06 (4.09)])
- 4.06 * Regulation of Water Wells - consideration of an ordinance amending Chapter 23B of the Butte County Code entitled "Water Wells" to incorporate the requirements of the Department of Water Resources' Bulletin 74-90, to include provisions for cathodic protection and monitoring wells. Also submitted for consideration is a proposed Butte County Well Construction Manual to address interpretational issues arising from the implementation of Bulletin 74-81 and its supplement 74-90 - action requested - WAIVE READING OF THE ORDINANCE; AND REVIEW THE PROPOSED WELL CONSTRUCTION MANUAL AND PROVIDE STAFF DIRECTION AS NEEDED. (PUBLIC HEALTH/ENVIRONMENTAL HEALTH)
- 4.07 * Butte/Glenn Community College District/California Department of Forestry and Fire Protection/Butte County Partnership - consideration of a partnership with the Butte/Glenn Community College District (Butte College) and the California Department of Forestry and Fire Protection (CDF) for the development and construction of a joint fire station, training facility and vehicle maintenance shop on property owned by Butte College - action requested - DIRECT STAFF TO WORK WITH BUTTE COLLEGE AND CDF ON THE PROPOSED PROJECT AND RETURN TO THE BOARD FOR FURTHER ACTION LEASE DOCUMENTS, A MEMORANDUM OF UNDERSTANDING, AND INFORMATION REGARDING PROJECT COSTS AND FINANCING. (FIRE DEPARTMENT AND CHIEF ADMINISTRATIVE OFFICE)

4.08 * Community Facilities Districts Goals and Policies - consideration of the goals and policies required to allow the use of Community Facilities Districts to fund backbone infrastructure and certain County services. Pursuant to the Mello-Roos Community Facility Act of 1982 (California Government Code Section 53311 et seq.) proposed are local Goals and Policies - action requested - ADOPT THE COUNTY OF BUTTE LOCAL PUBLIC FINANCING GOALS AND POLICIES AS RECOMMENDED. (CHIEF ADMINISTRATIVE OFFICE)

4.09 * Consideration of a Joint Meeting with the Paradise Town Council - consideration of a request for a joint meeting with the Paradise Town Council, to be held on Thursday, December 7, 2006, at 2:00 p.m., in Paradise (at a place to be determined) for the purpose of considering recommendations regarding the provision of solid waste collection services in the Town of Paradise and on the Ridge - action requested - SCHEDULE A SPECIAL JOINT MEETING WITH THE PARADISE TOWN COUNCIL ON THURSDAY, DECEMBER 7, 2006, COMMENCING AT 2:00 P.M. (CHIEF ADMINISTRATIVE OFFICE)

4.10 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 - An Ordinance Amending Various Fees - consideration of a proposed ordinance amending Butte County Code Chapter 3-Fees; Chapter 11-Junk Dealers, Pawnbrokers and Secondhand Dealers; Chapter 23C-Registration Requirements for Commercial Weighing and Measuring Instruments; Chapter 36-Incarceration; and Chapter 43-Public Health Department Fees. The ordinance will revise the fees chargeable by the following departments: Agriculture, Fire, Public Health, Probation, Sheriff, Treasurer-Tax Collector, the Planning Division of the Development Services Department, and the Land Development Division of the Public Works Department - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.

10:45 A.M. 5.02 * Public Hearing - Zoning Code Amendment - consideration of a County-wide Zoning Code Amendment to Section 24-95 of the Butte County Code to allow medical and dental clinics and offices as conditional uses in the AR (Agricultural Residential) zones with the issuance of a Use Permit to better serve residential areas. The Planning Commission held a public hearing on October 26, 2006, to consider the proposed zoning code amendment and recommends approval to the Board - action requested:

1. FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER THE GENERAL RULE EXEMPTION SECTION 15061(b)(3); AND
2. SUBJECT TO FINDINGS I AND III (A AND B) AS DETAILED IN THE STAFF REPORT DATED NOVEMBER 21, 2006, ADOPT AN ORDINANCE AMENDING SECTION 24-95 - AGRICULTURAL RESIDENTIAL, OF CHAPTER 24 OF THE BUTTE COUNTY CODE TO ALLOW MEDICAL AND DENTAL CLINICS AND OFFICES AS CONDITIONALLY PERMITTED USES AND AUTHORIZE THE CHAIR TO SIGN.

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 COUNCIL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a) :

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. FISHER V. COUNTY OF BUTTE;
(USDC 2:05-CV-00598-WBS-KJM)
3. FISHER V. COUNTY OF BUTTE;
(USDC 2:05-CV-00600-WBS-JFM)
4. COUNTY OF BUTTE V. TRENT CONSTRUCTION
(BUTTE COUNTY SUPERIOR COURT CASE NO. 138544).

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 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.

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.

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For further information contact the: Clerk of the Board of Supervisors
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