

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

JANUARY 9, 2007



### County Supervisors

Bill Connelly, District 1  
Jane Dolan, District 2  
Maureen Kirk, 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.
- 1.04 Corrections and/or Changes to the Agenda.

**2.00**

BOARD OF SUPERVISORS ORGANIZATION - 2006

- 2.01 Election of Board Chair
- 2.02 Election of Board Vice Chair
- 2.03 Comments by Supervisors:
  - 1. New Chair
  - 2. Board Members

**3.00**

CONSENT AGENDA

BEHAVIORAL  
HEALTH

**3.01 \***

M.C. Horning Jr - amendment - approval is requested for an amendment to the lease agreement with M.C. Horning for the property located at 805 Cedar, Suites A & B, Paradise to allow for annual increases equal to the documented increase in utility and maintenance costs. The term of the lease is July 1, 2003 through December 31, 2008 and increases the maximum payable by \$5,872.32. The amendment provides that the lease amount shall be further increased on an annual basis equal to the increase in utility and maintenance costs. All other terms and provisions remain the same - action requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14365)

- 3.02 \* Michael Hitchko, Ph.D. - amendment - approval is requested for an amendment to the sole source agreement with Michael Hitchko, Ph.D., for the provision of services in the specialized field of Psychology. The term of the agreement is July 1, 2006, through June 30, 2007, with the maximum amount payable of \$42,411.60. This reflects a \$5946.60 increase for Fiscal Year 2006/2007. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16132)
- 3.03 \* Enloe Medical Center - approval is requested for a sole source agreement with Enloe Medical Center for the provision of the Touchstone Perinatal Program. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$513,564 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.04 \* Addus HealthCare, Inc. - approval is requested for a sole source agreement with Addus HealthCare, Inc. to provide client support services for clients placed in an independent living arrangement. The term of the contract shall be from December 1, 2006 through July 30, 2007 with a maximum amount payable of \$28,832 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16367)
- 3.05 \* Clark Road Properties, LLC - amendment - approval is requested for an amendment to the lease agreement with Clark Road Properties, LLC for the property located at 5910 Clark Road, Suites H and I, Paradise. The locations are utilized by the Youth Services Division. The term of the lease will be November 1, 2000 through December 31, 2008 with a maximum payable amount of \$205,004.12 over the multi-year term of the lease. This is an increase of \$84,201.08. 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. X11806)

- 3.06 \* Clark Road Properties, LLC - amendment - approval is requested for an amendment to the lease agreement with Clark Road Properties, LLC for the property located at 5910 Clark Road, Suite T, Paradise. The location is utilized by the Youth Services Division. The term of the lease will be November 1, 2001 through December 31, 2009 with a maximum payable amount of \$201,699.64 over the multi-year term of the lease. This is an increase of \$79,770.28. 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. X13202)
- 3.07 \* Clark Road Properties, LLC - amendment - approval is requested for an amendment to the lease agreement with Clark Road Properties, LLC for the property located at 5910 Clark Road, Suite W, Paradise. The location is utilized by the Youth Services Division. The term of the lease will be June 1, 1998 through June 30, 2009 with a maximum payable amount of \$268,062.25 of the multi-year term. This is an increase of \$80,403.48. 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. X10919)
- 3.08 \* Q Street, LTD - amendment - approval is requested for an amendment to the lease agreement with Q Street, LTD for the property located at 865 Mitchell, Oroville. The location is utilized by the Youth Services Division. The term of the lease will be extended through June 30, 2011 with a maximum amount payable of \$558,486 over the multi-year term. This is an increase of \$300,840. 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. X13174)
- 3.09 \* Caminar, Inc - amendment - approval is requested for an amendment to increase the contract maximum for Fiscal Year 2002/2003. Contractor audit found that vehicle depreciation was done incorrectly. The term of the contract is July 1, 2002 through June 30, 2003 with a maximum payable of \$93,703.40. This is an increase of \$22,199. The contract increase is within the Fiscal Year 2006/2007 budget - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13609)
- 3.10 \* Youth For Change - Amendment - approval is requested

for an amendment to the sublease agreement with Youth For Change for premises located at 5910 Clark Road, Suite T, Paradise. The sublease property is 1,811 square feet of office space. The term of the lease is from October 1, 2004 through June 30, 2008 with a maximum payable of \$98,187.85. This is an increase of \$52,606.64. Monthly lease payments include rent, utilities, phone, janitorial services, and supplies. 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. R40764)

3.11 \*

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, 2006 through June 30, 2007 with the maximum amount payable of \$40,750 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

3.12 \*

Single Jurisdiction Drug Court Enhancement Grant - approval is requested to accept \$41,916 in grant revenue from the US Department of Justice Grant that provides enhanced services to Butte County Drug Court participants with mental health issues. The grant term was scheduled to end August 31, 2006. Approval has been received from the Department of Justice to extend the grant term and expend the remaining funds by March 31, 2007 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

CHIEFADMINISTRATIVEOFFICE

3.13 \*

Public Health Director - amendment - approval is requested for an amendment to the Employment Agreement with Phyllis L. Murdock, Director of Public Health extending the agreement for three years. By Board policy, the base salary for the position is reset with renewal of the contract and remains the base salary for the term of the contract, adjusted annually for inflation. The new base salary is included in a salary ordinance amendment. All other terms and conditions remain the same - action requested - APPROVE AMENDMENT TO EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

3.14 \*

Extra Holiday Pay for Butte County Employees - approval

is requested for the addition of four hours of holiday time for Butte County employees and for ratification of the closure of Butte County offices effective 1:00 p.m. on Friday December 22, 2006 for four hours - action requested - APPROVE THE ADDITION OF FOUR HOURS OF HOLIDAY TIME AND RATIFY CLOSURE OF BUTTE COUNTY OFFICE FOR FOUR HOURS.

3.15 \*

Tri-County Economic Development Corporation - amendment - approval is requested for an amendment to the Master Subrecipient Agreement with Tri-County Economic Development Corporation (TCEDC) for services in support of the Community Development Block Grant (CDBG) Program. The amendments add Exhibits #26 and #27. Exhibit #26 authorizes the submittal of a grant application to provide further funding for the Butte County Business Incubator Program at a cost that will not exceed \$3,000. Exhibit #27 authorizes the submittal of an Over-the-Counter Pre-application which will allow for receipt of grant funds to be loaned to a specific enterprise within Butte County. The total cost for this agreement will not exceed \$5,000. Funding for the additional services and activities is provided by CDBG Program Income. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT, EXHIBITS #26 and #27, AND AUTHORIZE THE CHAIR TO SIGN.

3.16 \*

Sub-grant Agreement with Tri-County Economic Development Corporation (TCEDC)- approval is requested for the County to enter into a Sub-grant agreement to supercede the agreement executed on August 24, 1999 which provided for administration and management of the County's Community Development Block Grant (CDBG) Business Expansion/Retention Loan Fund. A sub-grant agreement is an agreement that allows jurisdictions to execute only with approved nonprofit organizations under United States Statute 501(c)(3). TCEDC is an approved nonprofit corporation. This agreement will allow the repayment of business loans to return to the County as de-federalized funds and will reduce reporting requirements and federal restrictions. The cost for service will be paid with CDBG program income. No budgetary action is required - action requested - APPROVE SUB-GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.17 \*

Donald J. Fraser, Fraser and Associates - amendment - approval is requested for an amendment to the

consulting agreement with Donald J. Fraser, Fraser and Associates, for the provision of financial analysis services on redevelopment matters. The amendment increases the hourly compensation rates to \$180 for President and \$60 for Secretarial/Administrative. Source of funds shall be paid by County Service area 114. 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. X11440)

**3.18** \*

California State University, Chico Research Foundation - amendment - approval is requested for an amendment to the agreement with the California State University, Chico Research Foundation, for the provision of mapping services for the Chico Urban Area Nitrate Compliance Program. The amendment increases the amount payable by \$5,000 for a total contract amount not to exceed \$40,000. Source of funds shall be paid by County Service Area 114. 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. X10964)

CLERK  
RECORDER

**3.19** \*

Fixed Asset Purchase - amendment - approval is requested for an amendment to add four additional closed circuit television cameras to the existing security system in the County Clerk Recorder-Elections Office warehouse in order to provide full coverage at the warehouse facility. The cost of the additional four cameras is \$3,446 bringing the total cost to \$26,178. Sufficient funding is available in the Clerk-Recorder's fixed asset account to cover the increased cost. - action requested - APPROVE INCREASE TO FIXED ASSET PURCHASE. (Contract No. X15993)

COUNTY  
COUNSEL

**3.20** \*

Oroville Cemetery District - Conflict of Interest Code Amendment and Biennial Notice - pursuant to Government Code Section 87306.5, Board approval is requested for an amended Conflict of Interest Code and Biennial Notice for the Oroville Cemetery District. The amended code deletes the position of Operations Manager. The amended code and notice have been reviewed by County Counsel and determined to be proper - action requested - APPROVE AMENDED CONFLICT OF INTEREST CODE; AND ACCEPT BIENNIAL NOTICE.

**3.21** \*

Local Agency Biennial Conflict of Interest Code Report - Non-Exempt School Districts - pursuant to Government Code Section 87306.5, approval is requested for the Local Agency Biennial Conflict of Interest Code

Reports for the following non-exempt school districts: Bangor Unified School District, Butte County Office of Education, Chico Unified School District, Durham Unified School District, Golden Feather Union School District, Gridley Unified School District, Manzanita Elementary School District, Oroville City Elementary School District, Oroville Union High School District, Palermo Union School District, Paradise Unified School District, and Pioneer Union Elementary School District. The reports have been reviewed by County Counsel and determined to be proper - action requested - ACCEPT BIENNIAL REPORTS.

3.22 \*

Local Agency Biennial Conflict of Interest Code Report - Non-Exempt Agencies - pursuant to Government Code Section 87306.5, approval is requested for the Local Agency Biennial Conflict of Interest Code Reports for the following non-exempt agencies: Butte County Housing Authority, Butte County Children and Families Commission, Butte Creek Drainage District, Butte Water District, Durham Mosquito Abatement District, Gridley-Biggs Cemetery District, Paradise Cemetery District, Richardson Springs Community Services District, and Sacramento River Reclamation District. The reports have been reviewed by County Counsel and determined to be proper - action requested - ACCEPT BIENNIAL REPORTS.

3.23 \*

Local Agency Biennial Conflict of Interest Code Report - Non-Exempt Agencies - pursuant to Government Code Section 87306.5, approval is requested for the Local Agency Biennial Conflict of Interest Code Reports for the following non-exempt agencies: Berry Creek Community Services District, Buzztail Community Services District, Chico Area Recreation and Park District, Durham Irrigation District, Durham Recreation and Park District, El Medio Fire District, Feather River Recreation and Park District, Lake Madrone Water District, Lake Oroville Public Utility District, Paradise Irrigation District, Paradise Recreation and Park District, Reclamation District No. 833, Richvale Recreation and Park District, Richvale Sanitary District, Rock Creek Reclamation District, Sewerage Commission-Oroville Region, and Thermalito Irrigation District. The reports have been reviewed by County Counsel and determined to be proper - action requested - ACCEPT BIENNIAL REPORTS.

3.24 \*

Local Agency Biennial Conflict of Interest Code Report - Exempt Agencies - pursuant to Government Code Section 87306.5, approval is requested for the Local Agency Biennial Conflict of Interest Code Reports for the following exempt agencies: Bangor Cemetery



District, Drainage District No. 1, Drainage District No. 2, Drainage District No. 100, Drainage District No. 200, Pine Creek Cemetery District and Thompson Flat Cemetery District. The reports have been reviewed by County Counsel and determined to be proper - action requested - ACCEPT BIENNIAL REPORTS.

**3.25** \*

Butte County Conflict of Interest Code - Amendment - pursuant to Government Code Section 81000 et seq., approval is requested for an amended Conflict of Interest Code. The County's Code was most recently amended by Resolution No. 05-070 on May 24, 2005, and Resolution No. 06-024 on February 14, 2006. Since those amendments were enacted, positions have been created and deleted through amendments to the County's classification plan and salary ordinance. The amended code replaces Attachment A entitled Conflict of Interest Code - County of Butte, Attachment B which is a revised list of Designated Employees, Attachment C which is a list of Committees and Commissions, Attachment D entitled Disclosure Categories for Designated Positions, and Attachment E entitled Place of Filing Statements of Economic Interest. - action requested - ADOPT RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE AND AUTHORIZE THE CHAIR TO SIGN.

**3.26** \*

Ordinance of the County of Butte Amending Section 20-66 of Chapter 20, Subdivisions, of the Butte County Code - adoption an ordinance which will amend the Butte County Code to reference the time specified by State law for holding appeals. The change allows the County to follow the times specified in Government Code Section 66452.5 - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN (From 12/12/2006 3.21)

DEVELOPMENT  
SERVICES

**3.27** \*

Amendment to regulate wireless communication facilities - amendment - submitted is a request to amend Butte County Code Section 24-262 to provide for a ministerial process to replace discretionary permitting process regulation propose installation of "collocation facilities" on, or immediately adjacent to a "wireless telecommunications collocation facility." Board of Supervisors shall take action on the proposed amendment within 90 days or proposed amendment shall be deemed denied - action requested - ACCEPT FOR INFORMATION AND DIRECT THIS ITEM TO RETURN TO THE AGENDA ON JANUARY 23, 2007 FOR FINAL REVIEW AND ACTION.

DISTRICT  
ATTORNEY

**3.28** \*

Supplemental Law Enforcement Services Fund for Fiscal

Year 2006/2007 - the allocation received from the State of California for the Supplemental Law Enforcement Services Fund for fiscal year 2006/2007 has been increased from \$59,913 to \$71,622 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT AND SOCIAL SERVICES

3.29 \*

Butte County Department of Public Health - amendment - approval is requested for an amendment to the Memorandum of Understanding with the Department of Public Health for the provision of public health nursing services for the Differential Response Program. This program is included as part of the Child Welfare System Outcome Improvement Program (CWSOIP) activities. This amendment provides for full funding for Fiscal Year 2006/2007. The maximum payable shall not exceed \$94,617 (\$45,000 for Fiscal Year 2005/2006 and \$49,617 for Fiscal Year 2006/2007). All other terms and provisions remain the same - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15853)

3.30 \*

Refugee Social Services Program Grant - approval is requested to accept and appropriate \$70,125 in unanticipated revenue received from the State of California, Department of Social Services, Refugee Programs Bureau. The funds represent a one-time allocation of Federal Fiscal Year 2006/2007 Refugee Social Services grant funds. These funds are being provided to assist Butte County in providing services, including case management, employability and social adjustment services, and nursing case management with bilingual support for a significant number of unanticipated Hmong refugee arrivals in this county. Funds are available October 1, 2006 and are to be expended by September 30, 2007. Department of Employment and Social Services has received approval of a county refugee plan that includes the services that will be provided and a budget reflecting the allocation amount. No matching County funds are required. - action requested - APPROVE THE REFUGEE SERVICE ANNUAL PLAN FOR 2006/2007; ACCEPT UNANTICIPATED REVENUE AND APPROVE A BUDGET TRANSFER (4/5 vote required) APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

FIRE DEPARTMENT

3.31 \*

FEMA Assistance to Firefighters Grant and the Volunteer Fire Assistance Grant - approval is requested for Fire Department to apply for two grants. The first grant for FEMA Assistance in the amount of \$200,000 is needed to acquire personal protective clothing for the rescue

team. The County match portion is 20% (\$40,000). The second grant for the Volunteer Fire Assistance in the amount of \$40,000 is needed to acquire 4 Thermal Imaging Cameras which will be placed on Butte County Fire Engines. The County match portion is 50% (\$20,000). Both County match portions will be budgeted as expansion items in 2007/2008 budget but due to the grants' deadlines, applications need to be submitted now. - action requested - APPROVE APPLICATION FOR TWO GRANTS

3.32 \*

Accept Grant of Fixed Asset Polaris - Butte County Fire Department has received a grant for a Polaris Ranger from the US Smokeless Tobacco Company. This new vehicle will be located at the Kelly Ridge Fire Station and will be use in the remote area rescues in the surrounding areas. This grant is 100% funded - action requested - ACCEPT GRANT AND ENTER THE POLARIS RANGER IN THE FIRE DEPARTMENTS FIXED ASSET LEDGER

3.33 \*

Accept donation of \$2,000 from Walmart for Four Combustible Gas Detectors - Butte County Fire Department received this grant from Walmart. The funds have been deposited into the Fire Departments misc. revenue account. The detectors will be utilized by the Fire Investigators to eliminate combustible liquids as a fire cause. There is no match needed to make this purchase - action requested - ACCEPT THE \$2,000 DONATION AND APPROPRIATE FUNDS INTO THE FIRE DEPARTMENT'S BUDGET

HUMAN  
RESOURCES

3.34 \*

Resolution to Implement Butte County Hard to Recruit Referral and Reward Program - in an effort to attract well qualified and experienced candidates to fill vacancies for Deputy Sheriff, Correctional Officer and Public Safety Dispatcher positions, it is requested that the Board adopt this resolution that will provide \$500 to employees of the Sheriff's Department who recruit successful lateral candidates. Affected unions have no objections to the implementation of this program - action requested - ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN

3.35 \*

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: PURCHASING - adds one newly created position of Contracts Manager. PROBATION - adds one flexibly staffed sunset position of Probation Officer III, Probation Officer II, or Probation Officer I (position end date 06/30/09).

FACILITIES SERVICES - adds one newly created position of Property Manager. PUBLIC HEALTH - Adds one position of Animal Control Officer. BEHAVIORAL HEALTH - adds two flexibly staffed sunset positions of Behavioral Health Counselor, Senior, Behavioral Health Counselor, or Mental Health Worker (position end date 11/30/07) and one flexibly staffed position of Administrative Analyst, Senior, Administrative Analyst, or Administrative Analyst, Associate; and deletes one flexibly staffed position of Psychologist (licensed), Psychologist. SHERIFF - adds two positions of Correctional Officer and one position of Sheriff's Sergeant. SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS, REFERENCE K NON-REPRESENTED CLASSIFICATIONS by adding/amending the following: Assistant Assessor at Salary Range 68, Assistant Auditor-Controller at Salary Range 72, Assistant County Clerk-Recorder and Assistant County Clerk-Registrar of Voters both at Salary Range 67, Assistant Treasurer-Tax Collector at Salary Range 70, and Chief Deputy District Attorney at Salary Range 85. SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS, REFERENCE D, APPOINTED OFFICIAL WITH BI-WEEKLY RANGE ASSIGNMENTS by adding Undersheriff at Salary Range 78. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY (BCMEA) UNIT CLASSIFICATIONS adds Contracts Manager and Property Manager at Salary Range 63 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.36 \*

Butte County Library Advisory Board - appointments - action requested - APPOINT FRED D. ANTONOWICH AND RE-APPOINT MARIAN MILLING, RAMONA FLYNN AND RUTHMARIE FERRIS TO TERMS ENDING DECEMBER 31, 2010.

3.37 \*

Library Donations - pursuant to Government Code Section 25355, donations of \$1660.70 from Oroville Friends of the Library, \$1,000 from Ms. Lois Berney of the Raymond Foundation, \$2,182.03 from Paradise Friends of the Library, \$500 Gridley Friends of the Library and \$125 from Chico Host Lions have been received for the purchase of books. Donations of \$417.34 from the Paradise Friends of the Library and \$100 from Fawzi Morrar of Discount Books were received for operation costs - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.38 \*

Early Learning with Families Targeted Grant Program - approval is requested to accept and appropriate \$5,000 in unanticipated Library Services and Technology grant revenue that will be used primarily for services for children ages 0-5 and their families and caregivers - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.39 \*

Anti-Drug Abuse Enforcement Program Increase - approval is requested to accept \$12,856 in unanticipated funds from the Governor's Office of Emergency Services to assist with Butte County's participation in the Butte Interagency Narcotics Task Force for Fiscal Year 2006/2007 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC  
HEALTH

3.40 \*

Butte County Children & Families Commission - amendment - approval is requested for an amendment to the grant agreement with the Butte County Children & Families Commission for funds to support the Butte County Breastfeeding Center. The amendment extends the term of the agreement through June 30, 2007, increases the maximum amount payable to the County by \$75,000, 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. (Contract No. X15155)

3.41 \*

HLP, Inc. - amendment - approval is requested for an amendment to the contract with HLP, Inc. to pay the required annual fee for support and maintenance of the Chameleon Computer Program, the web-based animal control and shelter management program that allows for collection and organization of data. The annual fee is \$4,800 plus applicable California State sales tax. This amendment would allow for payment of the annual fee to continue until the contract is terminated by the contractor or the County. 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. X15748)

3.42 \*

APPOINTMENTS TO THE SOLID WASTE HEARING PANEL - Requested appointments are: BOARD OF SUPERVISORS: appoint a new primary and alternate member; Doug Speicher for primary Position One, Rikki Journey for alternate Position Two, Myles Pustejovski for a second term of primary Position Three, and D.C. Jones as alternate for Position Three - action requested - APPOINT NEW PRIMARY AND ALTERNATE MEMBER FROM BOARD; AUTHORIZE APPOINTMENTS AND AUTHORIZE BOARD CHAIR TO SIGN.

PUBLIC  
WORKS

3.43 \*

Peterson Tractor Company - amendment - approval is requested for an amendment to the agreement with Peterson Tractor Company for regular maintenance of Neal Road Landfill Caterpillar Equipment. Due to higher than anticipated hours of usage of equipment, the maintenance schedule has been advanced. The amendment increases the contract price by \$40,000 for fiscal year 2006-2007. All other terms and provisions remain the

same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14257)

3.44 \*

Resolution for Summary Vacation of an unnamed right of way in Lot 4 of Centennial Tract - the department has received an owner request to vacate an unnamed right of way and public utility easement along the northerly 30 feet of her property to allow for future development. This right of way was offered for dedication on the map of the Centennial Tract, filed for record on April 4, 1950 in Book 17 of Maps, pages 38 and 39 of Butte County Official records. However, it was never accepted or rejected by the Board of Supervisors. The utility companies have confirmed there are no facilities within the said right of way and do not need a reservation for future facilities - action requested - FIND THAT THE UNNAMED RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT DESCRIBED IN THE RESOLUTION FOR SUMMARY VACATION ARE NO LONGER NECESSARY OR REQUIRED; ADOPT A RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE A QUITCLAIM DEED AND AUTHORIZE THE CHAIR TO SIGN.

3.45 \*

Adoption of An Ordinance Amending Butte County Code Section 3-103 (C) to eliminate an ambiguity in the drainage collection fee - Butte County Code Section 3-103 (C) is written to allow for drainage fees for only area being developed, not the entire property (i.e developing 1.5 acres of a 10 acre parcel). The ambiguity allows an individual developing a vacant parcel that is greater than one acre to pay a lower fee than an individual proposing the same development on a parcel that is one acre or less. The new language proposed in the Ordinance would eliminate this ambiguity and would provide that an individual developing a vacant parcel larger than one acre would pay, as a minimum, for one acre of development - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (From 12/12/2006 [3.46])

3.46 \*

Budget Transfer for County Service Area (CSA) #23 - Pleasant Valley Drainage - approval is requested for a budget transfer in the amount of \$20,600 from F-0340 Designations (Pleasant Valley Drainage) to F-0030 Revenue Code 4611800 for project #923. Public Works should have been reimbursed by the CSA for the clean up work done in October 2005 but funds were not

transferred before the end of Fiscal Year 2005/2006 due to accounting timing errors - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) AND APPROVE APPROPRIATION OF THOSE FUNDS AS DETAILED IN THE AGENDA REPORT.

3.47 \*

Resolution Approving a Perpetual Conservation Easement Grant, Authorization to Record Easement Grant, and Fund Endowment Associated with Wetland Mitigation - as part of the expansion of the Neal Road Landfill, the permit issued by the US Army Corps of Engineers required the establishment of a long term management plan for those portions of the project that contain preserved or mitigation wetlands or areas to be restored, and the recordation of a Conservation Easement over these areas. California Open Lands is the non-profit organization selected to hold the conservation easement - action requested - ADOPT RESOLUTION APPROVING PERPETUAL CONSERVATION EASEMENT GRANT AND AUTHORIZE THE DIRECTOR -PUBLIC WORKS TO SIGN AND APPROVE BUDGET TRANSFER (4/5 vote required) APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.48 \*

Resolution Directing Commencement of Procedures to Impose Increased Annual Service Charge in Conty Service Area (CSA) 78, Woodside Lighting - CSA 78 provide lighting services to 49 parcels in North Chico. The current maximum service charge of \$48.60 per parcel is insufficient to pay the costs of lighting the 16 streetlights in this area. Without the increase, several streetlights will need to be de-energized in order to fully fund the services provided within the CSA - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A PROTEST HEARING BE SET FOR FEBRUARY 27, 2007 AT 10:30 A.M.

3.49 \*

Resolution Authorizing Execution of Administering Agency-State Agreement for Federal-Aid Project, Master Agreement No. 03-5912R - this agreement has been prepared by the State Department of Transportation (Caltrans) to incorporate and conform to recent changes in State and federal statutes, regulations, and policies. This Master Agreement will replace and supercede the current agreement between the County and Caltrans. The proposed Master Agreement cannot be altered and must be executed and returned to Caltrans

no later than February 1, 2007. No further reimbursable work can be authorized and no invoices for reimbursement can be processed until agreement is fully executed. If it is not executed, currently programmed Federal-Aid funding for County Projects will be deobligated - action requested - ADOPT RESOLUTION APPROVING MASTER AGREEMENT AND AUTHORIZE CHAIR TO SIGN.

3.50 \*

Resolution Authorizing the Director of Public Works to Execute Program Supplements to Administering Agency-State Agreement for Federal-Aid Project, Master Agreement No. 03-5912R - this resolution is recommended in order to process Program Supplements in an expeditious manner as required by recent "Timely Use of Funds" regulations set by the Federal Highway Administration and Caltrans to deobligate lapsed programmed funds and make them eligible for new projects - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

3.51 \*

Resolution Approving and Adopting the Disadvantaged Business Enterprise (DBE) implementation Agreement - amendment - as a condition of receipt of federal funding for transportation projects, the County must adopt a DBE program in compliance with Title 49 CFR, Part 26. Caltrans Civil Rights program has made technical changes to Caltrans DBE Program Plan to read identically to the Federal Code of Regulations, 49 CFR, Part 26.51. Caltrans Division of Local Assistance is requiring all local agencies also adopt on amended Exhibit 9-A to reflect these changes - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN AND AUTHORIZE DIRECTOR OF PUBLIC WORKS TO EXECUTE SUCH ADOPTION IN ORDER TO FACILITATE SUBMISSION TO CALTRANS FOR APPROVAL ON BEHALF OF BUTTE COUNTY.

SHERIFF

3.52 \*

James M. Callas - amendment - approval is requested for an amendment to the employment agreement with James M. Callas for the position of Undersheriff. The amendment extends his contract through December 31, 2009, and provides for an annual salary of \$125,887.58 in accordance with the Butte County Salary Ordinance - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.53 \*

Budget Transfer and Equipment Purchase - approval is requested for a budget transfer of \$6,955 from the Rural County Supplemental Funding budget to the Office of Emergency Services (OES) fixed asset budget to provide appropriation needed to acquire a Special Purpose Emergency Response Vehicle for the county inter-agency bomb squad. The fiscal year 2006 grant funds available are \$147,000. The estimated cost of the vehicle is \$153,955 - action requested - APPROVE A BUDGET TRANSFER ADJUSTING OES BUDGET AS DETAILED IN THE AGENDA REPORT.



**3.54** \* Butte County Superior Court - The Butte County Sheriff's office provides court security to the Butte County Superior Court. The court will be requesting and providing funding for three additional staff: two correctional officers and one sergeant for court operations. The term of the contract is July 1, 2006, through June 30, 2008, with a total dollar award up to \$3,691.365 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER, AUTHORIZE CREATION OF THREE NEW POSITIONS AS DETAILED, AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.

TREASURER-  
TAX COLLECTOR **3.55** \*

Monthly Investment Report - submitted is the Monthly Investment Report dated November 30, 2006, in accordance with the Butte County Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

OTHER  
DEPARTMENTS  
AND AGENCIES **3.56** \*

Oroville Cemetery District - action requested - APPOINT MR. DONALD SILVA TO A TERM ENDING JANUARY 1, 2008, AND RE-APPOINT MR. GORDON ANDOE AND MR. STEPHEN HERR TO TERMS ENDING JANUARY 1, 2011 - action requested - AUTHORIZE APPOINTMENTS

**3.57** \* Butte County Mosquito and Vector Control District - action requested - RE-APPOINT MR. DAN HUTFLESS AND MR. JACK BEQUETTE TO TERMS ENDING DECEMBER 31, 2008.

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**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.
  3. Oral Presentation by FERC Subcommittee

BUDGET, LEGISLATIVE  
OR COUNTY RELATED  
UPDATES **4.02**

1. Update on Current Budget and Legislative Issues by the Chief Administrative Officer.
2. Presentation by County Clerk-Recorder/Registrar of Voters on the implementation of the electronic voting system and progress made through 2006

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General Election

- 4.03 Update of General Plan Process by Director-Development Services.

PRESENTATION  
AND DISCUSSION  
ITEMS

- 4.04 \* Northwest SPCA - a letter was received from the Board President of Northwest SPCA inviting the Board of Supervisors to tour their new facility followed by a lunch hosted at the facility - action requested - DISCUSSION AND DIRECTION TO ADMINISTRATION STAFF REGARDING INVITATION.

- 4.05 \* Just Ask: Identifying People in Addiction - Report to the Board - presentation by Enloe Hospital regarding a grant from the Butte County Children and Families Commission - action requested - ACCEPT FOR INFORMATION. (STAFF FROM ENLOE HOSPITAL)

- 4.06 \* North Chico Specific Plan M-1 (Light Industrial) Zone Code to allow similar or like uses as conditionally permitted uses - consideration of proposed resolution to allow conditional uses, similar to those specified on Chapter 1, pages 7-19 and 7-20 of the North Chico Specific Plan - action requested - ADOPT RESOLUTION DIRECTING STAFF TO INITIATE A SPECIFIC PLAN AMENDMENT AND AUTHORIZE CHAIR TO SIGN.

- 4.07 \* Wastewater Pond Policy Recommendations - Board of Supervisors Resolution 87-108 restricted the use of wastewater ponds due to growing concerns about their possible interference with provision of municipal service near existing urban areas. In August of 2005 the Public Health Department presented to the Board a set of tentative recommendations for changes to the resolution with the intent of allowing resumed use of wastewater ponds on a limited basis. The Board tabled the matter pending completion of the On-Site Wastewater Program Evaluation, referenced as the Questa Report. An informal advisory group, using the Questa Report as a framework developed a set of policy recommendations

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for the Board to consider. These recommendations would serve as the basis for development of an ordinance regulating wastewater ponds - action requested - PROVIDE DIRECTION TO PUBLIC HEALTH DEPARTMENT REGARDING POLICY RECOMMENDATIONS.

**4.08** \* Award of Contract for Excavation of Module 4, Phase C at the Neal Road Sanitary Landfill - action requested- The development of Phase C is required to continue to provide uninterrupted waste burial capacity. Bids to be received on January 3, 2007. Department will present the bids orally - action requested - AWARD CONTRACT TO APPARENT LOW BIDDER AND AUTHORIZE CHAIR TO SIGN AND APPROVE BUDGET TRANSFER AS DETAILED IN THE AGENDA REPORT.

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

**4.10** \* 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**  
**DECEMBER 12, 2006**

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

2.00 **Agenda Items**

**2.01** \* At-will employment Contract for Public Authority

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Services Specialist Aide Position - Department of Employment and Social Services recommends Pamela Hospers as the Manager of the Butte County IHSS Public Authority. This position is approved in the current Public Authority budget - action requested - APPROVE THE AT WILL EMPLOYMENT CONTRACT FOR PUBLIC AUTHORITY MANGER POSITION AND AUTHORIZE THE CHAIR TO SIGN

3.00

Public Comment

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

Adjournment

Adjourn as the Butte County In-Home Supportive Services Public Authority Board and Reconvene as the Butte County Board of Supervisors.

5.00

PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. 5.01

Hearing on the Itemized Cost of Nuisance Abatement for Property located at 10 Berryessa Lane, Berry Creek. This property was abated on September 6, 2006 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$17,997.30; DIRECT RECORDATION OF THE LIEN; AND ORDER 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. 5.02

Paradise Recreation and Park District (PRPD), Park Facility Fees - Ordinance 3886 was adopted by the Board of Supervisors on 10/26/2004. The ordinance allows for

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an annual adjustment to park facility fees upon submittal by the District that there has been an increase in the cost of acquiring and/or developing park acilities within the district - action requested - APPROVE RESOLUTION INCREASING FEES AS DETAILED IN AGENDA REPORT.

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**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.

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**7.00**            **CLOSED SESSION**

7.01            CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): LAKE OROVILLE INTERVENTION (FERC 2100).

7.02            CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): TWO POTENTIAL CASES.

7.03.            CONFERENCE WITH COUNTY COUNSEL REGARDING FISHER V. COUNTY OF BUTTE; USDC 2:05-CV-00598-WBS-KJM

7.04            CONFERENCE WITH COUNTY COUNSEL REGARDING FISHER V. COUNTY OF BUTTE; USDC 2:05-CV-00600-WBS-JFM

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

1. Chief Administrative Officer
2. County Counsel



## **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](http://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  
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