

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

**FEBRUARY 13, 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.

**2.00                    CORRECTIONS AND/OR CHANGES TO THE AGENDA.**

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**3.00                    CONSENT AGENDA**

**AGRICULTURE**

**3.01** \* Department of Food and Agriculture - approval is requested for an agreement with the Department of Food and Agriculture to carry out the Pierce's Disease Control Program/Glassy-Winged Sharpshooter Program. The purpose of the program is to intensify efforts to prevent the introduction of and maintain control of the Glassy-Winged Sharpshooters that can potentially spread disease to agricultural crops. The term of the agreement is July 1, 2006 through June 30, 2007 with a maximum amount payable to the County of \$98,206.86. The California Department of Agriculture will reimburse the County upon submittal of monthly invoices - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40925)

**AUDITOR**

**3.02** \* Annual Audit Report for Fiscal Year 2005/2006 - the department is submitting the Comprehensive Annual Financial Report, the Single Audit Report, the Management Report, and the Independent Accountant's Report for the Appropriations Limit Calculation for Fiscal Year 2005/2006. The reports were audited by the firm Bartig, Basler & Ray, LLP - action requested - ACCEPT FOR INFORMATION.

**BEHAVIORAL**

**HEALTH**

**3.03** \* Butte County Behavioral Health Board - action requested - APPOINT SUSAN BHOJAK, CONSUMER MEMBER, TO A TERM TO END DECEMBER 31, 2010.

- 3.04 \* Franco and Rossana Giannecchini Family Trust - amendment - approval is requested for an amendment to the lease agreement with the Franco and Rossana Giannecchini Family Trust for the Oroville Professional Arts Center located at 2854 Olive Highway, Suite A, Oroville. The location is utilized by the Youth Services Division. The term of the lease is from July 1, 2000 through February 28, 2007 with a maximum payable amount of \$54,770 over the multi-year term of the lease. This is an increase of \$9,200. All other terms and provisions remain the same (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11827)
- 3.05 \* Franco and Rossana Giannecchini Family Trust - amendment - approval is requested for an amendment to the lease agreement with the Franco and Rossana Giannecchini Family Trust for the Oroville Professional Arts Center located at 2856 Olive Highway, Suites A, B, and C, Oroville. The location is utilized by the Youth Services Division. The term of the lease is from July 1, 2000 through February 28, 2007 with a maximum payable amount of \$140,892.48 over the multi-year term of the lease. This is an increase of \$22,852.80. All other terms and provisions remain the same (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11836)
- 3.06 \* Franco and Rossana Giannecchini Family Trust - amendment - approval is requested for an amendment to the lease agreement with the Franco and Rossana Giannecchini Family Trust for the Oroville Professional Arts Center located at 2858 Olive Highway, Suites A, B, and C, Oroville. The location is utilized by the Youth Services Division. The term of the lease is from July 1, 2000 through February 28, 2007 with a maximum payable amount of \$170,810 over the multi-year term of the lease. This is an increase of \$27,600. All other terms and provisions remain the same (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract NO. X11826)

- 3.07 \* Franco and Rossana Giannecchini Family Trust - amendment - approval is requested for an amendment to the lease agreement with the Franco and Rossana Giannecchini Family Trust for the Oroville Professional Arts Center located at 2860 Olive Highway, Suites B and C, Oroville. The location is utilized by the Youth Services Division. The term of the lease is from July 1, 2000 through February 28, 2007 with a maximum payable amount of \$57,391.45 over the multi-year term of the lease. This is an increase of \$8,142. All other terms and provisions remain the same (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract NO. X11825)
- 3.08 \* Franco and Rossana Giannecchini Family Trust - amendment - approval is requested for an amendment to the lease agreement with the Franco and Rossana Giannecchini Family Trust for the Oroville Professional Arts Center located at 2860 Olive Highway, Suites D and E, Oroville. The location is utilized by the Youth Services Division. The term of the lease is from July 1, 2000 through February 28, 2007 with a maximum payable amount of \$79,408 over the multi-year term of the lease. This is an increase of \$12,880. All other terms and provisions remain the same (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract NO. X11824)
- 3.09 \* County of Shasta - approval is requested for a renewal of a revenue agreement with the County of Shasta for the provision of acute psychiatric inpatient care at the Butte County Psychiatric Health Facility to residents of Shasta County. The term of the agreement is July 1, 2006 through June 30, 2007 with a maximum payable amount of \$35,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40914)

- 3.10 \* State Department of Mental Health Agreement and Resolution - approval is requested for an agreement with the State Department of Mental Health that provides for professional and inpatient hospital services to persons who are acutely mentally ill and those persons requiring health care services. Behavioral Health is required to establish a community mental health service to cover the entire area of the county and to reimburse the State Department of Mental Health for its use of state hospital beds. The term of the agreement is July 1, 2006 through June 30, 2007. It is a zero dollar contract as County realignment funds are offset to pay the State for the use of the hospital beds - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

BOARD OF  
SUPERVISORS

- 3.11 \* Code Enforcement Advisory Board - Supervisor Kirk submits her nomination for District 3 Representative to the Butte County Code Enforcement Advisory Board - action requested - APPOINT ED MCLAUGHLIN, DISTRICT 3 REPRESENTATIVE.

- 3.12 \* Economic Development Corporation of Butte County/Industrial Development Authority - Supervisor Kirk submits her nomination for District 3 Representative to Economic Development Corporation of Butte County/Industrial Development Authority - action requested - APPOINT CHUCK LOHSE, DISTRICT 3 REPRESENTATIVE.

CHIEF  
ADMINISTRATIVE  
OFFICE

- 3.13 \* Board Calendar Adjustments - to accommodate vacation schedules, it is recommended that the July 24, 2007 Board of Supervisors meeting be cancelled and that the meetings scheduled for August be moved forward one week to August 7, 2007 and August 21, 2007 - action requested - AUTHORIZE CHANGES TO THE BOARD'S CALENDAR TO CANCEL THE MEETINGS FOR JULY 24, AUGUST 14, AND AUGUST 28 AND SET MEETINGS FOR AUGUST 7 AND AUGUST 21.

- 3.14 \* Waiver of Fees - the Palermo Bible Family Church is requesting the Board waive \$2,435.50 in development fees associated with a legal lot determination necessary for the permitting of building a new residence for pastoral staff. The Church is a non-profit organization that qualifies for such a waiver under Butte County Code Section 3-40.5 - action requested - PURSUANT TO THE BUTTE COUNTY CODE SECTION 3-40.5, FIND THAT THE PROJECT IS IN THE PUBLIC INTEREST AND APPROVE A WAIVER OF DEVELOPMENT FEES.

- 3.15 \* Resolution in Support of Funding California Department of Forestry and Fire Protection (CDF) - consideration of a resolution to support the return of state funding to CDF for staffing of fire lookout towers - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

DEVELOPMENT  
SERVICES

- 3.16 \* Compatibility of "Ballou" (aka - Camelot Equestrian Park) Use Permit (UP) 05-10 with the Williamson Act - final determination is requested that the "Ballou" UP 05-10 is compatible with the Williamson Act. The UP would allow for equestrian training, education, and an event park. The property is subject to a 1976 "Leah Martin" Williamson Act contract and is a 160 acre portion of a 352 acre parcel located on the west side of Clark Road (SR 191) approximately 1.8 miles north of SR 70, northeast of Oroville. The APN is 041-190-051. UP 05-10 was conditionally approved by the Planning Commission on November 30, 2006, subject to a determination by the Board of Supervisors that the proposed uses are compatible with the Williamson Act. This action is pursuant to the Board's motion of intent for adoption at the January 23, 2007 Board of Supervisors meeting - action requested - DETERMINE THAT THE USES APPROVED AND CONDITIONED BY THE "BALLOU" UP 05-10 ARE COMPATIBLE WITH THE WILLIAMSON ACT. (From 1-23-2007 [3.10])

DISTRICT  
ATTORNEY

- 3.17 \* George E. Hargrave, Ph.D. - amendment - approval is requested for an amendment to the agreement with George E. Hargrave, Ph.D. for the administration of professional law enforcement pre-employment psychological assessments. The amendment extends the term of the contract through December 31, 2009 with a maximum amount payable not to exceed \$30,683 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14742)

- 3.18 \* Addition of Required Light Fixtures to Safety Vehicles - approval is requested for the purchase of safety lights which will be added to the department's safety vehicles as the California standard for safety lighting on law enforcement and safety vehicles was recently changed to require a dual red/blue fixture. Sixteen District Attorney safety vehicles need to be upgraded to meet the standard. The estimated value of each fixture is \$230 based on bids received. Public Works will install the lights. Funding is available in the department's budget - action requested - APPROVE BUDGET TRANSFER APPROPRIATING FUNDS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT  
AND SOCIAL

SERVICES

3.19 \*

Extension of a Temporary Assignment to Higher Level Classification - approval is requested for an extension of a current out-of-class assignment for an employee assigned to the duties of Program Manager due to the long term medical leave of the incumbent. Temporary assignments to a higher level classification may be approved by the Department for ninety days and the Director of Human Resources for an additional ninety days. The current assignment began on August 28, 2006 and was extended by the Director of Human Resources for an additional ninety day period that will end February 28, 2007 - action requested - APPROVE EXTENSION OF TEMPORARY ASSIGNMENT TO A HIGHER CLASSIFICATION FOR AN ADDITIONAL ONE HUNDRED AND EIGHTY DAYS OR UNTIL THE INCUMBENT RETURNS TO WORK, WHICHEVER OCCURS FIRST.

GENERALSERVICES

3.20 \*

Americans with Disabilities Act (ADA) Accessible Walkway - Notice of Completion - the project consisted of the construction of an ADA accessible walkway from 25 County Center Drive to 1 Court Street. All work on subject property has been completed in accordance with the plans and specifications - action requested - ACCEPT THE WORK CONTRACT AS COMPLETE; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION. (Contract No. X16243)

HUMANRESOURCES

3.21 \*

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS, REFERENCE A, APPOINTED DEPARTMENT HEADS - amendment represents 100% median salary in place of the 97% median salary for each appointed position effective July 1, 2006 as previously approved by Board on February 14, 2006; SALARY PLAN FOR CLASSIFICATIONS WITH FLAT RATE ASSIGNMENTS - increases flat rates for the classifications of File Clerk, Mental Health Intern, and Weights and Measures Inspection Aide in order to comply with the new California minimum wage of \$7.50 per hour effective January 1, 2007. DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES (DESS) - deletes one position of Manager, DESS Program Development and adds one position of Program Manager, Employment and Social Services. This reclassification is retroactive to January 13, 2007 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.22 \*

Donation and Special Request from the Estate of Mary

Anne Houx - pursuant to Government Code Section 25355, a donation of \$10,000 from the estate of Mary Anne Houx has been received for the enhancement of the children's reading room. The bequest requires that the room be renamed the "Phillip and Mary Anne Houx Reading Room." The department will develop a spending plan for the funds and will return to the Board for approval of that plan and the appropriation of funds - action requested - APPROVE AGREEMENT ACCEPTING THE DONATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE LETTER OF APPRECIATION.

3.23 \* Library Donations - pursuant to Government Code Section 25355, donations of \$1,660.70 from Muhammed and Effat Khaki, \$1,128.83 from the Paradise Friends of the Library, \$100 from Maudie Penney, \$292 from the Chico Friends of the Library, \$1588.95 from Oroville Friends of the Library, \$1,000 from the Cosmos Club, and \$525.56 from an anonymous donor have been received for the Butte County Trust Fund. The donated funds will be used for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.24 \* Book Trust Fund Transfer - approval is requested to transfer \$50,000 from the Book Trust Fund to the Library's budget to provide the appropriation to purchase books - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC  
HEALTH

3.25 \* Northwest Society for the Prevention of Cruelty to Animals - approval is requested for an agreement with the Northwest Society for the Prevention of Cruelty to Animals for the sheltering of animals impounded by Butte County Animal Control. The term of the agreement is July 1, 2006 through June 30, 2007 with a maximum payable amount of \$394,440. Partial funding for this agreement is included in the department's budget for Fiscal Year 2006/2007 with additional funding from department realignment funds and/or County funds - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.26 \* Guillon, Incorporated - amendment - approval is



requested for an amendment to the lease agreement for the property located at 82 Table Mountain Boulevard, Oroville (currently under construction). The majority of the office space will be used by federally subvented programs. The amendment reflects the following changes: amends lease to show Guillon Incorporated as the Lessor; modifies the Tenant Improvement Floor Plan for Suites 1 through 4 as designated in Exhibit B-2 of agenda report; amends lease commencement date to March 1, 2007; and adds Exhibit D which allows Guillon, Inc. to provide and install data and communication improvements - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16285)

PUBLIC  
WORKS

3.27 \* Budget Transfer Regarding Equipment Maintenance Agreement Amendment - approval is requested for a budget transfer in the amount of \$40,000 from the Neal Road Landfill Fund. On January 9, 2007, the Board approved the agreement amendment with Peterson Tractor Company for regular maintenance of the Neal Road Landfill Caterpillar Equipment, however the budget transfer was not requested - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.28 \* Resolution for the Acquisition of Real Property for Public Road Purposes, Agreements for Temporary Construction Easements, and Permits to Enter and Construct Improvements - consideration of a resolution authorizing the Director of Public Works to negotiate and enter into right of way agreements. Pursuant to the project agreement between Butte County, the Federal Highway Administration, USDA Forest Service, and the Butte County Association of Governments to participate in the construction of the Skyway between Inskip and Butte Meadows, Butte County is responsible for right of way acquisition - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.29 \* California Air Resources Board (CARB) Heavy Duty Diesel Emissions Standards - CARB has adopted new diesel engine emissions standards that require different categories of vehicles be re-powered, replaced, or modified. The department requests authorization to apply as a Low Population County to have more time to comply with this mandate - action requested - AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO APPLY FOR AND ACCEPT DESIGNATION AS A LOW POPULATION COUNTY.

3.30 \* Resolution Authorizing the County of Butte to Act as

Lead Agency for the Submittal of the Regional Local Government Waste Tire Cleanup and Amnesty Day Grant Application for Fiscal Year 2006/2007 - the department is requesting authorization to act as lead agency on behalf of the County and the cities of Biggs, Chico, Gridley, Oroville and the Town of Paradise for the purpose of applying for and administering funds from the Fiscal Year 2006/2007 Local Government Waste Tire Cleanup and Amnesty Event Grant. The cities/town are currently drafting letters of support stating they authorize the County to act as lead agency on their behalf. Applications are due February 23, 2007, with awards to be announced by June. If funded, the department will plan at least two tire amnesty events to be held in Fiscal Year 2007/2008. Matching funds are not required - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE BUTTE COUNTY PUBLIC WORKS DEPARTMENT TO ACT AS THE LEAD AGENCY FOR THE PURPOSE OF APPLYING FOR AND ADMINISTERING THE GRANT; AND AUTHORIZE PUBLIC WORKS DIRECTOR, OR DESIGNEE, TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH SECURING THE GRANT FUNDING AND IMPLEMENTING THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

3.31 \*

Budget Transfer for County Service Area (CSA) 97 - Stoneybrook Estates Subdivision - approval is requested for a budget transfer of \$1,180 from CSA 97 Designated Fund as water level probes and wires need replacement due to exposure. The transfer is required in order to make payment for the repairs - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.32 \*

Resolution Regarding High Risk Rural Roads (HR3) Program - consideration of a resolution to authorize the Director of Public Works to submit grant applications for HR3, which has been introduced under the new federal transportation act called Safe, Accountable, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU was enacted in August of 2005 and will provide \$23.4 billion in federal funds to California through 2009. California's annual funding share which will be administered by the State Department of Transportation is approximately \$8.25 million. The HR3 program was developed to address hazardous roadway locations or features to reduce the frequency and severity of collisions on rural roads - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.33 \*

Quincy Engineering Inc. - Aguas Frias Road Bridge,

Project No. 23201-95-1 - amendment - approval is requested for an amendment to the agreement with Quincy Engineering Inc. for the review, redevelopment, and modification of plans, specifications, and estimate required to construct the Aguas Frias Road Bridge over Butte Creek at a cost not to exceed \$89,400.34. The project is funded through the Federal Highway Bridge Program which provides 80% reimbursement for preliminary engineering - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10382A)

3.34 \*

Durham-Dayton Highway Bridge Replacement Project - approval is requested to authorize the Director of Public Works to advertise for bids to replace the Durham-Dayton Highway Bridge at the Hamlin Slough, approximately 1.5 miles west of State Route 99. The construction portion of this project is 88.53% reimbursable through the Federal Highway Bridge Program. The remaining 11.47% will be paid with local highway funds. The engineer's estimate for this construction contract is approximately \$1.4 million - action requested - AUTHORIZE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AUTHORIZE THE CHAIR AND DIRECTOR TO SIGN PLANS; AND ADOPT WAGE SCALE.

3.35 \*

Holdrege & Kull - amendment - approval is requested for an amendment to the agreement with Holdrege & Kull which is for the provision of construction quality assurance monitoring services required during the construction of Phase 2 Final Closures of Modules 1 and 3 at the Neal Road Sanitary Landfill (Project No. 757-5857). Due to extended construction activities, the amendment is for an increase of \$55,000 and a total not to exceed \$157,991.95 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

SHERIFF

3.36 \*

Accept Unanticipated Revenue and Fixed Asset Purchase -

approval is requested to accept and appropriate unanticipated revenue for Fiscal Year 2006/2007 from the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET). The State Office of Emergency Services is now dividing grant funding into two teams: North State and South State. Shasta County Sheriff's Office, the lead agency for North State Cal-MMET, is appropriating \$144,458 in grant funds to Butte County Sheriff's Office. Yolo County Sheriff's Office, the lead agency for South State Cal-MMET, is appropriating \$104,367 to Butte County Sheriff's Office - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT, INCLUDING A FIXED ASSET PURCHASE OF A NEW VEHICLE.

3.37 \* Butte County Department of Behavioral Health - Mentally Ill Offender Crime Reduction (MIOCR) Program known locally as Forensic Team Research (FOREST) - approval is requested for an agreement between the Sheriff's office and the Department of Behavioral Health to administer the MIOCR III and FOREST II programs which are programs that provide services to mentally ill and dually diagnosed offenders who are booked in the Butte County Jail. The programs will implement strategies to reduce recidivism and encourage independence. The Sheriff's office and Behavioral Health were awarded \$999,995 in grant funds to commence the FOREST II program. The term of the agreement is from January 1, 2007 through June 30, 2008 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.38 \* Resolution in Honor of C.H. Jones Upon His Retirement from the Butte County Sheriff's Office - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.39 \* Citizens' Option for Public Safety (COPS) Revenue and Fixed Asset Purchase - approval is requested to accept and appropriate an additional allocation of \$18,802 in unanticipated COPS revenue. The department is also requesting a budget transfer of \$64,000 to purchase two patrol cars - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET PURCHASE OF TWO PATROL VEHICLES.

- TAX COLLECTOR 3.40 \* Treasury Compliance Audit - the Butte County Treasury Oversight Committee is required to have an annual compliance audit performed to ensure County compliance with Government Code Article 6, Section 27130 et seq. Submitted is the Audit Report for Fiscal Year 2005/2006 and the Treasurer's response as required by Government Code Section 27134 - action requested - ACCEPT FOR INFORMATION.
- 3.41 \* Monthly Investment Report - submitted is the Monthly Investment Report dated December 29, 2006, in accordance with the Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.
- 3.42 \* Butte County Treasury Oversight Committee Appointment - pursuant to Resolution 96-43, and Government Code Section 27131 the Treasurer has nominated, and is requesting the Board confirm, the appointment of Maureen Kirk as the Board of Supervisors' representative to the Butte County Treasury Oversight Committee - action requested - CONFIRM APPOINTMENT.
- 3.43 \* Budget Transfer and Fixed Asset Purchase for Collections Systems Server Upgrade - approval is requested to transfer \$17,235 from the Tax Collector's Cost Charge Trust Fund in order to purchase a new server, a server/software upgrade package, and an additional software module to support the revenue generation efforts of the Central Collections Division. According to Butte County Information Systems Department, the current, five-year-old server needs to be replaced as soon as possible - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE FOR THE COLLECTIONS SYSTEMS SERVER UPGRADES.

WATER AND  
RESOURCE  
CONSERVATION

- 3.44 \* Butte County Water Advisory Committee, Thermalito Sub-Inventory Unit - APPOINT MICHAEL L EDWARDS TO A TERM TO END JUNE 28, 2007.
- 3.45 \* Resolution Honoring Lance Tennis for his sixteen year tenure on the Butte County Water Commission - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.46 \* Letter to State Legislature Regarding Local Groundwater

Assistance Program (AB303) - approval is requested by the Butte County Water Commission for a letter to be sent to the state legislature encouraging support of funding in the 2007/2008 state budget for AB303 - action requested - APPROVE THE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

OTHER

DEPARTMENTS  
AND AGENCIES

- 3.47 Paradise Cemetery District - action requested - APPOINT PETE FREITAG, TRUSTEE TO A TERM TO END JULY 1, 2008.
- 3.48 Surface Mining Aggregate Operations - action requested - APPOINT JAMIE JOHANSSON TO A TERM TO END JANUARY 10, 2010.
- 3.49 \* Children and Family Commission - action requested - APPOINT GER VANG TO A TERM TO END JULY 1, 2007.
- 3.50 Law Library Board of Trustees - action requested - REAPPOINT RAOUL LECLERC AND GARY KNIPPEN TO TERMS TO END JANUARY 2008.
- 3.51 Fish and Game Commission - action requested - APPOINT MARTI LEICESTER TO A TERM TO END JANUARY 10, 2010.
- 3.52 \* Resolution Designating the Friends of the Arts-Butte County, a Program of the 501C Upstate Community Enhancement Foundation, as the Local Partner for the California Arts Council's State-Local Partnership Program - consideration of a request from the California Arts Council that the Board renew its designation of the Friends of the Arts-Butte County as the local arts agency for the purpose of participating in the State-Local Partnership Program - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.53 \* Local Child Care Planning Council and Needs Assessment - pursuant to California Education Code Section 8499.3, the Butte County Office of Education submits for approval the Local Child Care Planning Council Certification Statement and 2006 Butte County Child Care Needs Assessment - action requested - ACCEPT AND APPROVE THE CERTIFICATION STATEMENT REGARDING COMPOSITION OF THE LOCAL CHILD CARE PLANNING COUNCIL AND THE 2006 CHILD CARE NEEDS ASSESSMENT 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. Board Member or Committee Reports.

\* 3. Board of Supervisors Committee and Subcommittee Assignments - consideration of the various board, commission, committee and subcommittee assignments for Board members - action requested - ALTER OR REAFFIRM CURRENT ASSIGNMENTS LISTING; AND MAKE NEEDED APPOINTMENTS.

BUDGET, LEGISLATIVE  
OR COUNTY RELATED  
UPDATES

4.02

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

\* 1. Ratification of Proposed Resolution for National Association of Counties (NACo) Environment, Energy and Land Use Committee (EELU) - the EELU makes recommendations to the NACo Executive Board regarding policy positions. The Committee is soliciting resolutions for consideration at the March Legislative Conference. Federal Energy Regulatory Commission (FERC) has published draft Policy Settlement Guidelines and has sought comment on those guidelines. The resolution encourages NACo to take a policy position that host communities, such as Butte County, should be fully compensated for the human environmental impacts of hydropower projects - action requested - RATIFY SUBMITTAL OF PROPOSED RESOLUTION ON CONSIDERATION OF HOST COMMUNITY IMPACTS IN THE LICENSING OR RE-LICENSING OF HYDROELECTRIC PROJECTS.

\* 2. Solar Project, Phase II - at the Board's January

23, 2007 meeting, authorization was given to explore whether or not changes in state regulations and the CA Communities Program made Phase II of the Solar Project cost-effective. Based on that authorization, staff filed applications with Pacific Gas and Electric (PG&E) for the California Solar Initiative (CSI) program and CA Communities. Reserved status for the CSI program requires an application fee. That fee for Butte County is \$32,790 which is due within thirty days of receipt of an invoice from PG&E. The application fee is refundable only if the project is cancelled before receiving a conditional reservation notice or if the project does not qualify. There is a potential risk that the application fee will be due before a formal proposal for Go Solar is received and analyzed, therefore Butte County could pay the fee and not agree with the proposal. Staff recommends that the failure of Butte County to pursue this project that could save taxpayers millions of dollars over the life of the project outweighs the risk of losing the application fee - action requested - AUTHORIZE PAYMENT OF THE APPLICATION FEE TO PG&E WHEN THE INVOICE IS RECEIVED.

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

\*

1.

Working Draft Framework of Guiding Principles - General Plan - final approval is requested for the Working Draft Framework of Guiding Principles which was initially reviewed and edited by the Board on May 23 and July 25, 2006. The Draft document was then reviewed by the Citizens Advisory Committee on December 7, 2006 and the Planning Commission on January 11, 2007. The comments, changes, and information from the Citizen's Advisory Committee and the Planning Commission are included with the agenda report - action requested -APPROVE THE BUTTE COUNTY GENERAL PLAN GUIDING PRINCIPLES TO PROVIDE GUIDANCE DURING THE GENERAL PLAN 2030 UPDATE PROCESS AND ADOPT "BUTTE COUNTY GENERAL PLAN 2030" AS THE OFFICIAL NAME FOR BUTTE COUNTY'S GENERAL PLAN UPDATE, NEW ZONING ORDINANCE, AND ENVIRONMENTAL IMPACT REPORT.



PRESENTATION  
AND DISCUSSION  
ITEMS

- 4.04 Amendment of Section 3-41 of Chapter 3 (Fees) of the Butte County Code - approval is requested for an ordinance that adds cost escalator language to Section 3-41 to allow for periodic changes to the Building Division Fee Schedule based on the same cost escalators used in various sections of the County Code for other user fees - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-23-2007 [4.07])
- 4.05 \* "Handi-Riders" Use Permit 05-06 - Supervisor Connelly requests the Board make a determination whether to hear an appeal of a Planning Commission decision that was filed after the ten day appeal period. Butte County Code enables a supervisor to bring an issue before the Board to determine if a majority of all members agree to consider the appeal - action requested - DETERMINE WHETHER THIS APPEAL FILED OUTSIDE OF THE 10 DAY APPEAL PERIOD SHALL BE HEARD BY THE BOARD; BOARD MAY WANT TO DISCUSS TIME LINES CONTAINED IN THE BUTTE COUNTY CODE REGARDING APPEALS.
- 4.06 \* Project Report - Homeless Continuum of Care Analysis - presentation by Dr. Bradford Luz, PhD. regarding the status of the project and current developments, including the program design and scope of work for the Homeless Continuum of Care - action requested - ACCEPT FOR INFORMATION AND APPOINT A BOARD MEMBER TO THE HOMELESS TASK FORCE.
- 4.07 Items Removed from the Consent Agenda for Board Consideration and Action.
- 4.08 Recess as the Butte County Board of Supervisors and Convene as the Butte County Public Facilities Financing Corporation Board of Directors

**BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION**

**AGENDA**

**FEBRUARY 13, 2007**

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

2. **Approval of Minutes** - action requested - APPROVE MINUTES OF FEBRUARY 14, 2006.

3. **Appointment of New Officers** - action requested - APPOINT OFFICERS AS FOLLOWS: PRESIDENT - CHAIR DOLAN; VICE PRESIDENT - VICE CHAIR YAMAGUCHI; SECRETARY/TREASURER - IMMEDIATE PAST PRESIDENT SUPERVISOR JOSIASSEN; AND LESSEE REPRESENTATIVES - DICK PUELICHER, LINDA BARNES AND PEGGY MOAK.

6. **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.

7. **Other Business**

**Adjournment**

Adjourn as the Butte County Public Facilities Financing Corporation Board of Directors and reconvene as the Board of Supervisors

5.00PUBLIC HEARINGS AND TIMED ITEMS

- 10:25 A.M. **5.01** \* Public Hearing - Adoption of an Ordinance Amending Section 1 of Chapter 44 of the Butte County Code Entitled Juvenile Hall Charges - approval is requested to amend Butte County Code to increase the Juvenile Hall daily fee to \$29.28 which is the maximum allowable rate per Welfare and Institutions Code Sections 903-904. As detailed in the agenda report, the primary reasons for the increase are due to significantly higher costs for medical care and utilities at Juvenile Hall - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.
- 10:30 A.M. **5.02** \* Public Hearing - Appeal of Planning Commission's approval of Use Permit (UP) 06-07 to allow a private kennel for up to twelve Australian Shepard dogs owned by Allan and Lisa Renville - consideration of an appeal by a neighbor citing multiple concerns, including the proximity of kennel to property line and noise issues. The project site has an existing kennel structure and outdoor dog run and is on a 7.01 acre parcel on the private, unpaved Lake Hills Road in a rural residential area of Butte Valley. The APN is 041-120-130 - action requested - DENY THE APPEAL AND SUPPORT THE PLANNING COMMISSION'S APPROVAL OF UP 06-07 WITH CONDITIONS.
- 10:45 A.M. **5.03** \* Public Hearing - Adoption of an Ordinance Adding Section 24-286 and Deleting Section 24-285 of Chapter 24 (Zoning) of the Butte County Code - approval is requested to amend Chapter 24 (Zoning) to include an agricultural buffer and setback requirement (300 ft) and to delete Section 24-285 for agricultural segregations of homesites for the purpose of implementing portions of the General Plan Agricultural Element - action requested - SUBJECT TO ITEMS A, B, C, AND D ON STAFF REPORT ADOPT NEGATIVE DECLARATION; ADOPT ORDINANCE ADDING SECTION 24-286 AND DELETING SECTION 24-285 OF ARTICLE V OF CHAPTER 24 (ZONING) OF THE BUTTE COUNTY CODE AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT RESOLUTION APPROVING EXHIBIT A, AUTHORIZE THE CHAIR TO SIGN AND AUTHORIZE THE DIRECTOR OF DEVELOPMENT SERVICES TO MAINTAIN THIS EXHIBIT.
- 11:15 A.M. **5.04** \* Public Hearing - Wireless Communications Zoning Code Amendment 06-0003 and Adoption of an Ordinance Amending

Section 24-262 of Article V of Chapter 24 (Zoning) of the Butte County Code - approval is requested to amend Butte County Code Section 24-262 regarding wireless telecommunications facilities consistent with the requirements of Government Code sections 65850.6 and 65964. The Planning Commission held a public hearing on November 30, 2006 and recommends approval to the Board - action requested - FIND PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS DETAILED IN THE AGENDA REPORT AND ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-9-07 [3.27]) AND (FROM 1-23-07 [3.12])

1:30 P.M. **5.05** \*

Work Session - Capital Improvement Program (CIP) - the Administration staff gave a presentation to the Board on August 10, 2006 regarding efforts to improve the County process for capital improvement, equipment and major maintenance budgeting, and long term financial planning. Since that report, staff has received input from County departments, facilities staff, and outside experts and has analyzed needs, capacities, systems, feasibility and opportunities in preparation for this work session and for the drafting of the CIP report. The results and preliminary facility recommendations from six months of research and analysis will be presented and discussed in an effort to encourage feedback from the Board and others interested in this effort in order to assist in drafting a CIP that best addresses the service infrastructure needs of Butte County - action requested - HOLD A WORK SESSION ON THE CIP; RECEIVE BACKGROUND INFORMATION; SOLICIT INPUT FROM THE PUBLIC AND COUNTY DEPARTMENTS; AND PROVIDE FEEDBACK TO ADMINISTRATION STAFF PRIOR TO PREPARATION OF A DRAFT CIP DOCUMENT.

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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**

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- 7.01 CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:  
PROPERTY: APN 007-240-078  
AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES  
  
NEGOTIATING PARTY: GREG JONES, CITY OF CHICO  
  
UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT.
- 7.02 CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a): LAKE OROVILLE INTERVENTION (FERC PROJECT 2110).
- 7.03 CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54965.9 (c): THREE POTENTIAL CASES.
- 7.04 PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:  
1. DIRECTOR OF PUBLIC WORKS  
2. DIRECTOR OF PUBLIC HEALTH  
3. DIRECTOR OF DEVELOPMENT SERVICES

**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  
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