

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

FEBRUARY 27, 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.

3.00 CONSENT AGENDA

**BEHAVIORAL
HEALTH**

3.01 * Reduction to CalWORKS Program - Butte County Department of Behavioral Health recently renewed its Revenue Agreement with the Department of Employment and Social Services for its CalWORKS program. Under this agreement, funding received from the State was reduced for the Mental Health treatment portion of CalWORKS allocation for Fiscal Year 2006/2007 by \$137,683. Budget reductions are requested - action requested - APPROVE BUDGET REDUCTION PER AGENDA REPORT.

3.02 * Drug Free Communities (DFC) Grant - approval is requested to accept and appropriate \$33,856 in unanticipated revenue from the Substance Abuse Mental Health Services Administration for a DFC program. The department's Prevention Unit will work with Butte Youth Now Coalition to reduce substance abuse among youth and adults by addressing community factors that increase the risk of substance abuse - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.03 * Department of Employment and Social Services (DESS) for Youth Placement - amendment - approval is requested to amend the Memorandum of Understanding (MOU) with DESS

for the provision of behavioral health services to children placed in group homes as authorized by the Senate Bill 933 (SB 933) Inter-Agency Unit that is made up of staff from the Butte County Department of Behavioral Health (BCDBH), DESS, Probation, Education, and Public Health. DESS will follow placement procedures set by the SB 933 Inter-Agency Unit and reimburse BCDBH for the provision of non-Medi-Cal or non-recoverable services. The term of the MOU will be from July 1, 2003 through June 30, 2007, and DESS will reimburse BCDBH as follows: up to \$15,000 for both Fiscal Year (FY) 2003/2004 and FY 2004/2005; \$50,000 for both FY 2005/2006 and FY 2006/2007. The maximum compensation of the MOU is \$130,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14432)

CHIEF
ADMINISTRATIVE
OFFICE

3.04 *

Additional Appropriation for Federal Energy Regulatory Commission (FERC) and Consulting Services - approval is requested for additional appropriations for the payment of consulting and analytical services that have been approved to assist the Board's response to various State Agencies and State Water Contractors' filings with FERC as related to the re-licensing of the Oroville Facilities Project - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.05 *

Tri-County Economic Development Corporation (TCEDC) - amendment - approval is requested for an amendment to the Master Subrecipient Agreement with TCEDC. Butte County entered into the agreement on February 1, 2001 to provide staff services related to the Community Development Block Grant Program. The amendment adds language to Section II, "Time of Performance" which allows for an extension of TCEDC's services through January 31, 2010. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 *

Cash Advance Request for Community Development Block

Grant (CDBG) Program - approval is requested for a cash advance of \$100,000 from the General Fund. The funding for each grant is secured by an agreement with the California Department of Housing and Community Development (HCD) and funds can be requested as advances or reimbursements. Currently, the County requests funds as advances by anticipating future months' billings. This system is cumbersome and time consuming, and it is difficult to predict receipt of HCD's payments, therefore restricting the County's ability to pay vendors timely. By utilizing the reimbursement method, invoices could be paid each month ensuring timely payment to vendors, then a reimbursement request is made to HCD. The cash advance would allow for implementation of the reimbursement method - action requested - AUTHORIZE CASH ADVANCE OF \$100,000 APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.07 * Tracy Tully-Davis - approval is requested for an agreement with Tracy Tully-Davis for Public Defender Services. The Indigent Defense Policy Board recommends the appointment as nominated by the Public Defender Consortium - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.08 * Budget Transfer of Fiscal Year 2005 State Homeland Security Grant Program (HSGP) Funds - approval is requested by the Office of Emergency Services for the transfer of \$2,088 in unobligated funds from the 2005 State Homeland Security Grant Program. The funds will be used to purchase additional HSGP authorized items - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

COUNTY
COUNSEL

3.09 * Dickinson Wright PLLC - approval is requested for an agreement to retain attorney services with Dickinson Wright PLLC. The hourly billing rates are from \$95 to \$520 and cannot be adjusted prior to January 1, 2008 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

DEVELOPMENT
SERVICES

3.10 *

TCI, a Division of Ray Morgan Company - approval is requested for the purchase of a laser fiche document management system that will work with the County's permit processing software and the new web based system. A document management system will eliminate the need to send documents off site for scanning and will increase efficiencies of staff when researching documents associated with permits, parcels, and maps. A Request for Proposals was sent to forty-six computer software companies, and four responses were received with TCI submitting the lowest responsive proposal of \$65,542 for the document management system and the first year of maintenance. The department requests to utilize \$30,000 originally budgeted for the purchase of an Interactive Voice Response system and for a budget transfer of \$35,542 to cover the cost of this fixed asset purchase - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

3.11 *

Budget Transfer and Fixed Asset Purchase for Two SQL Server Licenses - approval is requested for a budget transfer for the purchase of components and software programs needed to maintain and upgrade the department's computer system. In Fiscal Year 2006/2007 budget, funds were appropriated for the purchase of various computer hardware components and software programs as non-fixed asset purchases. The purchase price of the two SQL server licenses needed now fall within the County's fixed asset guidelines - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE.

3.12 *

Uniting Families Program - approval is requested to accept and appropriate \$50,000 in unanticipated revenue from Youth for Change. These funds will be used for the Uniting Families Program. This program utilizes funds to help offset the cost associated with a child returning to his or her home and to help pay for items of need - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.13 *

Acceptance of Donations Pursuant to Government Code

Section 25355 - consideration of a resolution acknowledging the coordination and oversight provided by Culp and Tanner for the complete remodel of the David Fulbright Room (Children's Services "Transition Room") located at 78 Table Mountain Blvd, Oroville. Culp and Tanner chose to help children in our community by collaborating with and receiving donations from LHP Interiors, Hignell Development, Inc, and Gaylene's Art. Total fixed asset donations for this project total \$9,673. - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.14 * Resolution Proclaiming March 2007 as Social Worker Month - consideration of a resolution proclaiming March 2007 as Social Worker Month in Butte County -action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.15 * Appointment of In-Home Supportive Services (IHSS) Advisory Committee Member - the IHSS Advisory Committee is recommending the appointment of Pamela Perry -action requested - APPOINT PAMELA PERRY TO A TERM TO END DECEMBER 19, 2009.

FIRE
DEPARTMENT

3.16 * Williamson Properties, Inc. - amendment - approval is requested for an amendment to the lease agreement with Williamson Properties, Inc. for the property located at 2334 Fair Street, Chico. This property currently houses Fire Station 44. The lease amendment is needed due to structural issues with one of the buildings on the property, inadequate space in the original relief quarters, and the need for a short-term solution until a new permanent Station 44 can be constructed. Additional funding is requested for the purchase and installation of a new modular structure on the premises. Out of its existing budget, the department will demolish and remove the uninhabitable office building, obtain permits and contract for hazardous material abatement prior to demolition. The amount requested in the agenda report is an estimate that includes all known project costs. Any project balance will be returned to the General Fund upon project completion. A contract for the purchase of the modular structure will be brought to the Board at a future meeting - 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.

GENERAL

SERVICES

3.17 *

Solar Project Phase II Budget Transfer - approval is requested for a budget transfer from contingencies for the application fee of \$32,709 paid to PG&E for Phase II of the Butte County Solar Project and for \$10,000 of preliminary project costs. The Board approved the application fee at the February 13, 2007 Board of Supervisors meeting, and it was paid out of the Administrative Office Budget. The preliminary project costs will include charges for finalizing project design, reviewing the final proposal, meeting with contractors, negotiating contracts and other miscellaneous costs - action requested - APPROVE BUDGET TRANSFER FROM CONTINGENCIES (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

HUMANRESOURCES

3.18 *

Advanced Step Hire - pursuant to Personnel Rule 11.13, the department is requesting the Board approve the Advanced Step Hire of an Administrative Analyst Associate candidate for the Local Area Formation Commission to step 5 of the salary range based on the candidate's knowledge and experience - action requested - APPROVE ADVANCED STEP HIRE OF ADMINISTRATIVE ANALYST ASSOCIATE CANDIDATE TO STEP 5 OF THE SALARY RANGE.

3.19 *

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATIVE - adds one sunset position of Administrative Assistant. Due to long term absence of an employee, the department has a need to backfill the position currently held by that employee. The position end date is September 7, 2007. SHERIFF-CORONER - adds one sunset position of Deputy Sheriff and one sunset position of Sheriff's Sergeant. The department has been awarded a grant from the California Multi-Jurisdictional Enforcement Team that will fund these positions. The end date for both positions is June 30, 2007. DISTRICT ATTORNEY - deletes five flexibly staffed positions of Legal Secretary or Legal Clerk and adds five positions of Legal Secretary. Due to reorganization in the District Attorney's Office, the classification of Legal Clerk is not utilized. HUMAN RESOURCES - amends Section 68K "Non-Represented Classifications" to change the salary range of the Assistant Director, Public Health. This change is necessary to set the top step of the Assistant Department Head salary range at the range that is closest to 20% differential to the Department Head, pursuant to Board Resolution 06-062 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PROBATION

3.20 *

Juvenile Justice Crime Prevention Act (JJCPA)

Funds - approval is requested to accept and appropriate an additional allocation of \$70,533 in unanticipated JJCPA revenue to be used for juvenile crime prevention programs - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

PUBLIC
HEALTH

3.21 *

Garian Partnership/Ridgewood Plaza - amendment - approval is requested for an amendment to the lease agreement with the Garian Partnership/Ridgewood Plaza for the property located at 1370 Ridgewood Drive, Suites 21 and 22, Chico. The location is utilized by the California Children's Services (CCS) Program. The amendment will make the following changes: effective March 1, 2007, Suite 20A which has an additional 1,320 square feet will be added to the agreement; the lease will be extended by one year to October 31, 2008; and the additional space will increase the monthly rent by \$1,148.40 (department budget). All other terms and provisions remain the same - action requested -APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14430)

3.22 *

California Family Health Council (CFHC) Grant - amendment - approval is requested to accept and appropriate \$15,500 in unanticipated funds made available to cover medical supply purchases related to family planning. The revised maximum obligation of CFHC under this agreement will not exceed \$162,570. All other terms and provisions remain the same - 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 UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.23 *

Appointments of Animal Control Advisory Board

Members - the department recommends the following appointments: Maureen Milligan to replace Danny Nichols as representative of the North Valley Animal Disaster Group; Janice Titensor to replace Emily Williams as the representative of Promotion of Animal Welfare Society; and Sue Bernard to replace Barbara St. John as the public member - action requested - APPOINT MAUREEN MILLIGAN, JANICE TITENSOR AND SUE BERNARD TO THE ANIMAL CONTROL ADVISORY BOARD; AUTHORIZE LETTERS OF APPRECIATION FOR OUTGOING MEMBERS; AND AUTHORIZE LETTER OF APPRECIATION FOR SUE BERNARD FOR HER CONTINUED COMMITMENT AND SUPPORT OF THE ANIMAL CONTROL PROGRAM.

PUBLIC
WORKS

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

3.25 * Palm Crest Village Subdivision Reimbursement Agreement - the Community Housing Improvement Program (CHIP), as owner of a majority of the lots within the interior of the Palm Crest Village Subdivision in Thermalito, has constructed Park Way, West Way and portions of Crest Drive and Mountain Vista Drive to County standards and formed County Service Area No. 181 for maintenance of the drainage systems and street lighting. These improvements serve two lots (11 and 12) within the subdivision which are not owned by CHIP. CHIP is requesting approval of the agreement in order to be reimbursed by the property owners of Lots 11 and 12 prior to the issuance of development permits - action requested -APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.26 * Caltrans Highway 70-Ophir Road Signal Project - in

preparation for the widening of the Highway 70-Ophir Road intersection and the installation of traffic signals at the intersection, Caltrans has requested dedication of a County right of way as described in Exhibit A in the agenda report - action requested - APPROVE QUITCLAIM DEED AND AUTHORIZE THE CHAIR TO SIGN.

- 3.27 * Budget Transfers for County Service Area (CSA) 169 (Pheasant Landing Subdivision) - approval is requested for budget transfers for Zones 1, 2, and 3 within CSA 169. On January 23, 2007, the Board approved the cost for repairs and installation of a well pump protection sand separator and additional well column piping, but it has been determined that there is a need to install additional well casing steel piping to avoid well collapse - action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.28 * Contract Change Order for Lower Honcut Road Bridge Painting Project across Wyandotte Creek - approval is requested for a Contract Change Order that provides funding for de-watering the channel during the project which was not anticipated at the time of the award of the contract. This change increases the contract by \$12,836.81 - action requested - APPROVE CHANGE ORDER AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16130)
- 3.29 * Lower Honcut Road Bridge Painting Project across Wyandotte Creek - Notice of Completion - the project consisted of removing the existing coating(s) and corrosion down to bare metal and applying a new paint coating system - 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. X16130)
- 3.30 * Resolution Regarding the Kennedy Avenue Closure -Right of Way Exchange - consideration of a resolution regarding the County vacating and exchanging real property with the Chapman Family Trust for the new cul-de-sac right of way - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; APPROVE QUITCLAIM DEEDS AND AUTHORIZE THE CHAIR TO SIGN; AND ACCEPT GRANT DEED AND AUTHORIZE THE CHAIR TO SIGN.

- 3.31 * Gallaway Consulting, Inc. - approval is requested for a sole source agreement with Gallaway Consulting, Inc. to perform necessary services for the 2006 Federal Emergency Management Agency (FEMA) Flood Repair Projects to repair the areas of Concow Road, River Road, Pulga Road, and Bardees Road which were damaged during the severe storms in the winter of 2005/2006 - action requested - APPROVE SOLE SOURCE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16430)
- 3.32 * Resolution Recognizing the Contribution of the Paradise Irrigation District - consideration of a resolution recognizing the contributions the Paradise Irrigation District has made toward the future Skyway widening project and the cost savings provided by the construction of the Magalia Reservoir Bypass Project. This project will provide significant savings during any future work on Magalia Dam that will be necessary to widen the Skyway to four lanes - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.33 * Introduction of an Ordinance Establishing Speed Limits on Certain Roads within the County of Butte -proposed is an ordinance which will set the following speed zones: Kennedy Avenue from Meridian Road to Hwy 32 - 35 mph; Meridian Road from West Sacramento Avenue to Wilson Landing Road - 45 mph; Nord Highway from Carmen Lane to City Limits - 50 mph; Oak Way from Meridian Road to City Limits - 35 mph; West Sacramento Avenue from Meridian Road to City Limits - 45 mph; Lincoln Boulevard from Palermo Road to Monte Vista Avenue - 40 mph; Ophir Road from Lincoln Boulevard to 0.2 miles east and from Upper Palermo Road to 0.2 miles west - 45 mph - action requested - WAIVE READING OF THE ORDINANCE.
- 3.34 * Creation of a Parcel by Union Pacific Railroad -

William Kelso is in negotiations with Union Pacific Railroad for the purchase of a portion of their operating right of way within parcel 040-200-076 in Durham. The portion in question will be at the southeast corner of Midway and Durham Dayton Highway. After the acquisition, Mr. Kelso is proposing to improve the property and County road frontages to County Standards. The proposed parcel is zoned M-1 and complies with Environmental Health requirements. Creation of a parcel by a government agency, public entity or public utility is allowed pursuant to Government Code Section 66428 - action requested - FIND THAT PURSUANT TO GOVERNMENT CODE 66428(a)(2), PUBLIC POLICY DOES NOT REQUIRE THE FILING OF A PARCEL MAP FOR UNION PACIFIC RAILROAD TO CREATE A NEW PARCEL.

- 3.35 * Introduction of an Ordinance Amending Sections 20-50, 20-50.5, 20-51, 20-52, and 20-53 of Chapter 20, Subdivisions of the Butte County Code - proposed is an ordinance which will amend the Butte County Code to reference the County's policy on the acceptance of roads into the County Maintained Mileage. The department will bring an application fee recommendation back before the Board at a noticed public hearing at a subsequent meeting - action requested - WAIVE READING OF THE ORDINANCE.

SHERIFF-
CORONER

- 3.36 * Fiscal Year 2006 Buffer Zone Protection Program Grant Acceptance and Fixed Asset Purchases - the Butte County Sheriff's Department and Office of Emergency Services have been awarded the Governor's Office of Homeland Security (OHS) grant under the Fiscal Year 2006 Buffer Zone Protection Program. This award provides funds to build security and risk management capabilities at the State and local levels to protect critical infrastructure and key resources from terrorism. OHS granted \$950,000 for the purchase of security enhanced equipment, including water barrier protection equipment and thermal imaging cameras for the Oroville Lake project and for anti-terrorism training and exercises - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

- 3.37 * Fixed Asset Purchase - approval is requested for the purchase of new workstations for deputies serving in the North County. The Sheriff's Office has received a

bid from Esplanade Furniture for just under \$6,000. The new workstations are interchangeable with the workstations currently located in other Sheriff office facilities - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF NEW WORKSTATIONS.

TREASURER

TAX COLLECTOR

3.38 *

Monthly Investment Report - submitted is the Monthly Investment Report dated January 31, 2007 in accordance with the Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

3.39 *

Renewal of Memorandum of Understanding (MOU) between the County of Butte and Butte County Superior Court - Enhanced Collection and Compliance Program - approval is requested for an update to the MOU that defines the responsibilities of the County and the Court in administering the collaborative effort to enhance revenue generation, improve compliance with court orders, and manage both current and delinquent accounts. Both Central Collections Division and the Court Compliance Unit have increased staff and both intend to contract with the California State Court Ordered Debt program for the collection of old and/or difficult accounts. An increase in costs of \$23,000 per year in the first two years, and an agreed upon amount, determined by production results, for year three is needed to support the additional overhead. The term of the MOU will be extended through December 31, 2009 - action requested - APPROVE RENEWAL OF MOU AND APPROVE (4/5 vote required) AND APPROPRIATE AN ADDITIONAL \$23,000 IN UNANTICIPATED REVENUE FOR FISCAL YEAR 2006/2007.

WATER AND

RESOURCE

CONSERVATION

3.40 *

Butte County Water Advisory Committee - the department makes the following recommendations -MUNICIPAL AT-LARGE, CITY OF CHICO - APPOINT MARY FLYNN TO A TERM TO END JANUARY 11, 2009; BUTTE CREEK CONSERVANCY WATERSHED AT-LARGE - APPOINT CHUCK KUTZ TO A TERM TO END JANUARY 11, 2009; ANGEL SLOUGH SUB UNIT - REAPPOINT CATHERINE COTTLE TO A TERM TO END JANUARY 25, 2011; ESQUON SUB-UNIT - REAPPOINT RICK PONCIANO TO A TERM TO END APRIL 27, 2011; WESTERN CANAL SUB UNIT - REAPPOINT TED TRIMBLE TO A TERM TO END JANUARY 11, 2011; FOOTHILL MOUNTAIN AREA - REAPPOINT JIM BROBECK TO A TERM TO END JANUARY 11, 2011; AND WATERSHED AT-LARGE - REAPPOINT GARY COLE TO A TERM TO END JANUARY 11, 2011.

OTHER

DEPARTMENTS

AND AGENCIES **3.41** * Resolution of Appreciation to Supporters of the Tenth Annual Community Wide True Love Waits Campaign - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (SUPERVISOR CONNELLY)

3.42 * Resolution Recognizing Community Action Agency, Inc's 40 Years of Service to Butte County Communities -action requested - action requested - ADOPT RESOLUTION 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.

BUDGET , LEGISLATIVE
OR COUNTY RELATED
UPDATES

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

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

PRESENTATION
AND DISCUSSION
ITEMS

4.04 * CalWORKS Employment Services Progress Report - the Director of the Department of Employment and Social Services will be presenting information highlighting the changes and challenges resulting from Temporary Assistance for Needy Families Reauthorization and the Deficit Reduction Act of 2005. Information on the CalWORKS County Plan Addendum required by Assembly Bill 1808 will also be presented - action requested -ACCEPT FOR INFORMATION

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

5.00**PUBLIC HEARINGS AND TIMED ITEMS**

- 10:25 A.M. **5.01** * Public Hearing - Adoption of an Ordinance Amending Chapter 43, Public Health Department Fees, of the Butte County Code - approval is requested to amend Butte County Code to add a new charge in the amount of \$187.15 for the issuance of Medical Marijuana Identification Cards pursuant to Health and Safety Code Sections 11362.7 through 11362.83. As detailed in the agenda report, \$45.15 of the fee is to cover administrative costs and the remaining \$142 is the State mandated surcharge per card - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.
- 10:30 A.M. **5.02** * Public Hearing - Establishment of Services Charges in County Service Area (CSA) 78, Woodside Lighting - on January 9, 2007, the Board adopted Resolution 07-006 directing commencement of procedures to impose an increase of \$26.40 to the current annual service charge in CSA 78, Woodside Lighting and to set a protest hearing and ballot proceeding. The new total annual service charge if passed will be \$75 - action requested - OPEN AND CLOSE PUBLIC HEARING; IF THERE IS A MAJORITY PROTEST AGAINST IMPOSING THE INCREASED CHARGE, DIRECT PUBLIC WORKS TO INITIATE THE DE-ENERGIZING OF SEVERAL STREETLIGHTS TO MEET AVAILABLE REVENUE; IF NO MAJORITY PROTEST, ADOPT RESOLUTION DIRECTING THE COMMENCEMENT OF A BALLOT PROCEEDING TO IMPOSE INCREASE SERVICE CHARGES IN CSA 78 FOR FISCAL YEAR 2007/2008 AND FUTURE YEARS AND AUTHORIZE THE CHAIR TO SIGN.
- 10:35 A.M. **5.03** * Public Hearing - Smucker Quality Beverage - Two

Appeals of Planning Commission's Approval of Use Permit (UP) 06-0020 which was for the expansion of the existing Smucker Quality Beverage facility. The expansion includes a new 22,000 square foot cold storage building, a new truck access drive, and a relocated employee parking area, less than 100 feet from a residential zone. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. The appeal from the applicant (appellant #1) is regarding Condition 24 added by the Planning Commission that requires the installation of an 8-foot masonry sound wall along the entire north boundary. The applicant proposes instead to provide an 8-foot masonry sound wall along the boundary of APN 040-340-027 based on the proximity (approximately 22 feet) of a dwelling unit to the parcel boundary. The second appellant is appealing the approval of the UP stating the concerns of the neighbors were not understood thoroughly - action requested - STAFF RECOMMENDS THE BOARD CONSIDER THE APPEALS AND ADOPT A MOTION OF INTENT PROVIDING STAFF WITH DIRECTION.

6.00**PUBLIC COMMENT**

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

7.00

CLOSED SESSION

7.01

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. HAUSELT V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 122288;
3. FIRST RESPONDER, ET AL V. NORCAL-EMS, COUNTY OF BUTTE, ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.

7.02

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

7.03

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

1. CHIEF ADMINISTRATIVE OFFICER
2. DIRECTOR OF PUBLIC HEALTH
3. DIRECTOR OF DEVELOPMENT SERVICES
4. 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.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and Meeting Order:

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. **Consent Agenda:** these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. **Regular Agenda:** this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. **Public Hearing and Timed Items:** this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. **Public Comment:** this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. **Closed Session:** the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the: Clerk of the Board of Supervisors
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530-538-7631