

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MAY 8, 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** * Resolution Recognizing May 2007 as Mental Health Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.02** * Youth for Change - approval is requested for an agreement with Youth for Change for the provision of services associated with the Mental Health Services Act Link program. Services will include acquisition and operation of a Multi-Service Center for youth ages 14-24 who are experiencing mental health issues related to homelessness and a 6-Bed Shelter for homeless youths ages 14-17. Youth for Change's Proposal was chosen based on program content and price. The term of the agreement is March 1, 2007 through June 30, 2007, with a maximum payable of \$390,973 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.03** * Modesto Residential Living Center, LLC - amendment - approval is requested for an amendment to the agreement with Modesto Residential Living Center, LLC, a residential board and care home facility for Behavioral Health clients. The term of the agreement is December 11, 2006 through June 30, 2007. The amendment increases the maximum payable to \$26,875 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16344)
- 3.04** * Robert D. Barram, Ph.D. - amendment - approval is requested for an amendment to the agreement with Robert

D. Barram, Ph.D. He provides medical services in the field of psychology for minor clients of Behavioral Health. The term of the agreement is August 1, 2006 through June 30, 2007. The amendment increases the maximum payable to \$30,406.20 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16154)

3.05 *

Housing Authority of The County of Butte - amendment - approval is requested for an amendment to the agreement with the Housing Authority for the provision of housing assistance to consumers participating in the Adult System of Care. Additional funding in the amount of \$30,000 through the Mental Health Services Act will be used to support housing services for homeless/mentally ill South County clients. The long term goal is for consumers to maintain permanent housing as independently as possible. The Department of Behavioral Health will reimburse the Housing Authority \$50 per unit for basic housing quality inspections which will verify housing is safe and sanitary. The term of the agreement is July 1, 2006 through June 30, 2007, with a maximum payable of \$90,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. 16133)

BOARD OF SUPERVISORS

3.06 *

Code Enforcement Advisory Committee - Supervisor Connelly submits a recommendation for the vacant position for District One - action requested - APPOINT T. C. DENNIS AS DISTRICT ONE CODE ENFORCEMENT ADVISORY COMMITTEE BOARD MEMBER.

CHIEF ADMINISTRATIVE

OFFICE

3.07 *

Budget Transfers and Fixed Asset Purchase - a special project was funded in the Fiscal Year 2006/2007 Adopted Budget to upgrade the communications and data infrastructure in the Emergency Operations Center. The \$100,000 in expenditures for the project was budgeted in the Communications budget, but a \$100,000 transfer from General Fund was not completed. This item provides the funding necessary to implement the upgrades. Approval is also requested for the fixed asset purchase of wireless access switching equipment in the amount of \$14,000 - action requested - APPROVE TWO BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF WIRELESS ACCESS SWITCHING EQUIPMENT.

3.08 *

Retirement of Toccoy Dudley, Director of Water and Resource Conservation - Toccoy Dudley has announced his intention to retire effective June 30, 2007. He will be on vacation effective June 1, 2007 through his retirement date. Mr. Dudley has been invaluable to Butte County and his tenure has been productive. The Chief Administrative Officer (CAO) has begun recruitment for a new department director, but it is anticipated that the new director will not be able to join the agency until August at the earliest. Therefore, it is recommended that the CAO act as the interim Director of Water and Resource Conservation - action requested - ACKNOWLEDGE THE RETIREMENT OF TOCCOY DUDLEY AS DIRECTOR OF WATER AND RESOURCE CONSERVATION EFFECTIVE JUNE 30, 2007; APPOINT CAO AS INTERIM DIRECTOR EFFECTIVE JUNE 1, 2007; AND AUTHORIZE THE CAO TO APPOINT DESIGNEES WITH THE DEPARTMENT AS APPROPRIATE.

CLERK-
RECORDER/
ELECTIONS

3.09 *

Authorization for Payment of Unauthorized Purchases - approval is requested for authorization of payment of a Field Purchase Order (FPO) totaling \$8,155.43 payable to Hewlett-Packard. The County Elections Office purchased 7 computers and 9 computer monitors from Hewlett-Packard exceeding the department FPO limit of \$2,500. These purchases circumvent the County's Purchasing authority and requires Board approval of unauthorized purchases - action requested - AUTHORIZE PAYMENT OF FPO TOTALING \$8,155.43.

DEVELOPMENT
SERVICES

3.10 *

Budget Transfer - on July 25, 2006, the Board authorized an amendment to a third party EIR agreement

for West Coast Environmental and Engineering (consultant) and Meridian Aggregates (applicant) increasing the amount of the consultant's agreement by \$23,221.20 which was funded by a check from the applicant. The funds were erroneously made part of the General Fund at the close of the Fiscal Year 2005/2006 instead of being designated for the intended purpose. The budget transfer is requested to correct the error - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

- 3.11 * Butte County Abandoned Vehicle Abatement Service Authority Report - the department submits the "Service Authority Report on the Effectiveness of the Joint Powers Authority" for Fiscal Year (FY) 2003/2004 through FY 2005/2006 in accordance with the by-laws of the Abandoned Vehicle Abatement Joint Powers Authority - action requested - ACCEPT FOR INFORMATION.

DISTRICT
ATTORNEY

- 3.12 * Budget Transfer and Fixed Asset Purchase - approval is requested for the purchase of modular furniture for \$5,303.27 (department budget) - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT AND APPROVE FIXED ASSET PURCHASE OF MODULAR FURNITURE.

GENERAL
SERVICES

- 3.13 * Budget Transfer - approval is requested for a transfer of \$25,000 to provide appropriation for a contract with William S. Curry to assist the department with the completion of a number of pending projects including the preparation for a presentation on the first solar project and on-going litigation - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

HUMAN
RESOURCES

- 3.14 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend

the salary ordinance as follows: TREASURER-TAX COLLECTOR - deletes one position of Account Clerk, Senior and adds one flexibly staffed position of Account Clerk, Account Clerk, Senior, Accounting Specialist. SHERIFF - adds one sunset position of Deputy Sheriff to start May 1, 2007 and end April 30, 2009. This position will be funded by the Department of Justice. The Sheriff also requests to delete two flexibly staffed positions of Information Systems Technician, Information Systems Technician, Associate and add two flexibly staffed positions of Information Systems Technician, Information Systems Technician, Senior, Information Systems Analyst, Associate - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

FIRE
DEPARTMENT

3.15 *

California Department of Forestry and Fire Protection (CDF) - approval is requested for a contract with CDF for the provision of fire protection for the unincorporated area of Butte County. The term of the agreement is July 1, 2006 through June 30, 2007 with a maximum amount payable of \$13,242,006 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11590)

PROBATION

3.16 *

Butte County Department of Behavioral Health - approval is requested for a Memorandum of Understanding with the Butte County Department of Behavioral Health for the provision of funding certain expenses for Live Spot, Oroville's Youth Center. The funding will cover salaries of Live Spot staff, site visits with minors, and monthly off-site events. The term of the agreement is July 1, 2006 through June 30, 2007, with a maximum amount payable to the Behavioral Health Department of \$9,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING DEPARTMENT FUNDS AS DETAILED IN THE AGENDA REPORT.

3.17 *

Butte County Department of Behavioral Health - amendment - approval is requested for a Memorandum of

Understanding with the Butte County Department of Behavioral Health for the provision of Juvenile Justice Coordinating Council funding for Live Spot, Oroville's Youth Center. The term of the agreement is July 1, 2005 through June 30, 2007, with a maximum amount payable to the Behavioral Health Department of \$50,000. This is an increase of \$25,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING DEPARTMENT FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X159958)

PUBLIC
HEALTH

3.18 *

Budget Transfer and Fixed Asset Purchase - approval is requested for the purchase of modular furniture for two Public Health programs as follows: \$30,000 to replace furniture in the California Childrens Services offices in Chico and \$45,000 to provide furnishings for the Senior Health Improvement Program at the new building at 82 Table Mountain Blvd, Oroville (department budget) - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED PURCHASES OF MODULAR FURNITURE.

3.19 *

Waiver of Fees - approval is requested to waive approximately \$700 in Environmental Health Fees. GEI Consultants will be performing a number of soil borings in the Feather River Levee, located within Maintenance Area 7 of Butte County. The exploratory geotechnical drilling program will assess the stability of the levee that provides protection for agriculture in Butte County and Yuba City - action requested - FIND THAT THE PROJECT IS IN THE PUBLIC INTEREST AND APPROVE A WAIVER OF ENVIRONMENTAL HEALTH FEES.

PUBLIC

WORKS

3.20 *

Budget Transfer and Fixed Asset Purchases - approval is requested to purchase a heavy-duty equipment transport trailer and a 4x4 tractor loader/backhoe for use in maintaining the levees within County Service Area 25, known as the Shasta Union Drainage Area. The two purchases total \$110,000. In prior years, the County equipment was rented by CSA 25 for levee maintenance, but the rental equipment is not always readily available during times of need. Flood fighting and maintenance activities within CSA 25 require immediate access to machinery that can operate within the narrow ditches and levees. The new equipment would also be rented out by Public Works for use in other CSAs or for road operations, thereby producing some rental income for CSA 25. There are sufficient funds available for these purchases in the fund - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVED FIXED ASSET PURCHASES OF TRANSPORT TRAILER AND 4X4 LOADER/BACKHOE.

3.21 *

Resolution Declaring Intention to Lease Property and Sell Aggregate - consideration of a Resolution of Intent to lease the Almond Avenue Pit which is located adjacent to and south of Almond Avenue, identified as APNs 025-130-047, 025-130-048, and 025-130-035. The County also intends to sell the aggregate on site for a minimum of \$.40 per ton of material. Bids will be opened at a public meeting of the Board of Supervisors on June 26, 2007 at 10:00 A.M. In accordance with California Government Code Section 25539, the acceptance of any bid shall be subject to approval by the Board of Supervisors. Acceptance or rejection of all bids shall be made during the August 14, 2007 Board of Supervisors meeting - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.22 *

Contract Change Order No. 2 for Phase 2, Final Closure of Modules 1 and 3 at the Neal Road Sanitary Landfill - County Project No. 757-5857 - approval is requested for Contract Change Order No. 2 with Wood Bros, Inc. The change order provides funding for the following: 1) additional drainage facilities; 2) Extra Work performed during the drilling of the Landfill Gas Extraction Wells and Vadoze Zone Wells; 3) increase in Contract Items at Contract Unit Prices; and 4) decrease in Contract Items at Contract Unit Prices. This contract change order results in a \$24,802.74 decrease to the contract - action requested - APPROVE CONTRACT CHANGE ORDER NO. 2 AND AUTHORIZE CHAIR TO SIGN.

3.23 *

Notice of Completion for Phase 2, Final Closure of

Modules 1 and 3 at the Neal Road Sanitary Landfill - County Project No. 757-5857 - Wood Bros., Inc. has completed all of the contract work for Phase 2 which consisted of constructing a landfill closure cap and installing landfill gas components pursuant to California Code of Regulation Title 27 - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.

3.24 * Letter of Support for Senate Bill (SB) 286 - approval is requested for a letter addressed to State Senator Sam Aanestad supporting SB 286. In November 2006, the voters of California passed Proposition 1B which will provide funding for transportation projects statewide. The main points of SB 286 promote timely and efficient use of Proposition 1B funds - action requested - AUTHORIZE CHAIR TO SIGN LETTER OF SUPPORT FOR SENATE BILL 286.

3.25 * Budget Transfer - approval is requested for an additional appropriation of \$45,102.20 for the purchase of a striping truck. On December 12, 2006, the Board approved the fixed asset purchase of a striping truck and the appropriation of \$395,000 for the purchase based on estimates from Spring 2006. After all bids were received, the lowest bid came from Easy Liner at a total purchase price of \$440,102.20, therefore requiring the additional appropriation - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

SHERIFF -
CORONER

3.26 * Resolution Recognizing May 15, 2007 as Peace Officers' Memorial Day and the Week of May 13-19, 2007 as Police Week - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT ALL COUNTY GOVERNMENT FLAGS TO BE FLOWN AT HALF-STAFF ON MAY 15, 2007.

3.27 * Budget Transfer - Extradition Account - approval is

requested for a transfer of \$40,000 to the extradition account maintained by the Sheriff's Office. Through legislation, the State of California intended to reimburse counties for the cost of extradition of defendants with active warrants. The State has consistently under-funded the reimbursement account causing counties to be obligated for expenses longer than anticipated or budgeted. The Department of Corrections continues to reimburse prior year expenses with current year funding. This budget transfer is requested to continue operations now and into the near future. The State owes Butte County a total of \$55,000 to the Extradition Account and another \$5,000 to the revolving account, but reimbursement is not anticipated prior to the State's adoption of their Fiscal Year 2007/2008 budget in October 2007 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.28 *

Budget Transfer and Fixed Asset Purchases - approval is requested for the purchase of a dish machine and heater booster for the Butte County Jail. The jail division currently leases a dish machine for \$250 per month with an agreement to purchase a minimum of \$300 in chemicals. The Sheriff's office has determined it is more cost effective to purchase a dish machine and sign a contract for supplies that includes maintenance services. The existing heater is old and no longer heats water to the required temperature. The Sheriff's Office intends to go to bid for the fixed asset purchases and to find a supplier for chemicals and service. The estimated costs are \$12,335 for the dish machine and \$7,400 for the heater booster (department budget) - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASES OF DISH MACHINE AND HEATER BOOSTER.

TREASURER-

TAX COLLECTOR

3.29 *

Annual Statement of Investment Policy - approval is requested, pursuant to Government Code Sections 27133 and 53601, for the Annual Statement of Investment Policy which sets forth policies regarding the investment of surplus funds and funds under the custodianship of the Treasurer. The policy has been reviewed by the Butte County Treasury Oversight Committee and will become effective July 1, 2007 - action requested - APPROVE ANNUAL STATEMENT OF INVESTMENT POLICY.

3.30 *

Monthly Investment Report - submitted is the Monthly

Investment Report dated March 30, 2007 in accordance with the Butte County Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

3.31 * Introduction of An Ordinance Amending Butte County Code Section 2-166 Delegating Investment Authority to the Butte County Treasurer-Tax Collector - pursuant to Government Code Section 53607, approval is requested for an ordinance which will delegate investment authority to the Treasurer-Tax Collector for Fiscal Year 2007/2008. This ordinance will replace No. 3935 which expires June 30, 2007 - action requested - WAIVE READING OF THE ORDINANCE.

3.32 * Budget Transfer - approval is requested for a budget transfer of \$4,500 to cover the cost of replacing computer server that provides title companies access to the Megabyte Property Tax System. The existing server is more than five years old and must be replaced as soon as possible - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.33 * Budget Transfer - approval is requested for a budget transfer of \$21,500 to cover the costs associated with an office reconfiguration project. The goal of the project is to better utilize office space and to improve the ergonomic design of several work stations. Additional workstation parts will need to be purchased and an outside contractor hired to reconfigure the work areas - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

WATER AND
RESOURCE
CONSERVATION

3.34 * Recommendation for Appointment to the Butte County Water Advisory Committee (WAC) - the department submits a recommendation for the City of Chico at-large representative to the WAC - action requested - APPOINT ANN SCHWAB TO A TERM TO END JANUARY 11, 2009.

3.35 * Kennedy/Jenks Consultants, Engineers and Scientists - amendment - approval is requested for an amendment to the contract with Kennedy/Jenks Consultants for the creation and implementation of the Basin Management Objective Information Center (BMOIC). The implementation of the BMOIC as defined in the original Scope of Work has been completed, but there is additional funding left from the grant. The department plans to utilize the remaining funds to expand the BMOIC to enhance internal capabilities and encompass available corresponding data from Glenn and Tehama Counties. The term of the agreement amendment is from May 15, 2007 through March 1, 2008, with a maximum payable of \$29,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15837)

OTHER DEPARTMENTS AND AGENCIES

3.36 * Resolution Recognizing May 7, 2007 National Children's Mental Health Awareness Day in Butte County - 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 Appointments to Local Agency Formation Commission (LAFCo) - action requested - APPOINT TWO REGULAR MEMBERS AND ONE ALTERNATE MEMBER TO LAFCo TO FOUR-YEAR TERMS ENDING MAY 2011.
3. 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 2030 Process by Director-Development Services.

PRESENTATION
AND DISCUSSION
ITEMS

- 4.04 * Sacramento Valley Integrated Regional Water Management Plan (Sac Valley IRWMP) - consideration of a resolution that supports the IRWMP. The County submitted a consolidated application with the Joint Exercise of Power to receive funding under Proposition 50 in June 2006. Under the guidelines of the grant, the County must support the IRWMP to be eligible to accept the funding. After a motion to support the IRWMP failed on November 21, 2006, the Board of Supervisors voted unanimously to refer the discussion back to the Water Commission. Subsequently, the approval for funding the application at \$12.5 million has been obtained from the funding agencies with \$2.9 million designated for Butte County projects. At their April 3, 2007 meeting, the Water Commission voted unanimously to recommend the Board of Supervisors support the IRWMP - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT STAFF TO PARTICIPATE IN THE PROPOSITION 50 GRANT AWARD.
- 4.05 * Butte County Children and Families Commission - presentation of the Fiscal Year 2005/2006 Annual Report - action requested - ACCEPT FOR INFORMATION.
- 4.06 * Project Report Regarding the Substance Abuse Mental Health Services Administration (SAMHSA) and Connecting Circles of Care (CCOC) - presentation regarding the SAMHSA CCOC grant which is designed to create and expand services for Severally Emotionally Disturbed Children - action requested - ACCEPT FOR INFORMATION.

4.07 * Discussion Regarding Right to Farm Ordinance - During recent discussions on Program 2.2 of the Agricultural Element of the Butte County General Plan, the Board requested County Counsel review the Right to Farm Ordinance contained in Chapter 35 of the Butte County Code and bring back a stronger ordinance for Board consideration. County Counsel reviewed 17 similar ordinances enacted in numerous California counties with significant agricultural production and policies of protection of agricultural lands. The current Chapter 35, Protection of Agricultural Land ordinance was originally adopted in July 1981 and is very limited in scope and protection for agricultural lands, therefore County Counsel has drafted an entirely new Chapter 35 - action requested - RECEIVE COMMENTS FROM THE PUBLIC; PROVIDE DIRECTION TO COUNTY COUNSEL ON THE NEWLY PROPOSED ORDINANCE; AND DIRECT COUNTY COUNSEL TO RETURN TO BOARD FOR ADOPTION OF FINAL ORDINANCE.

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

4.09 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
MAY 8, 2007

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

2.00 **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.

3.00 **CLOSED SESSION**

3.01 * CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOV. CODE SECTION 54957.6:

AGENCY NEGOTIATOR: JEANNE GRAVETTE
EMPLOYEE ORGANIZATION: CUHW

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

10:00 A.M. 5.01 *

Timed Item - Stewardship Council Programs - the Land Conservation Manager and the Youth Investment Manager for the Stewardship Council will make a presentation regarding some of the opportunities available through the Stewardship Council and how they may benefit Butte County. The Council is a private non-profit organization. One of its primary goals is to ensure that over 140,000 acres of watershed lands throughout California are conserved for a broad range of beneficial public values - action requested - ACCEPT FOR INFORMATION. (Water and Resource Conservation)

10:20 A.M. 5.02 *

Public Hearing - consideration of an Ordinance Amending Article VII of Chapter 3 of the Butte County Code Adjusting Specific Gate Fees at the Neal Road Sanitary Landfill - Neal Road Landfill gate fees fund landfill operations and associated programs. In recent years, staff and solid waste committee developed an approach to review program expenses annually and adjust gate fees accordingly in order to minimize increase to landfill customers. A \$2.00 gate fee increase is requested for Fiscal Year 2007/2008 -action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

10:25 A.M. 5.03 * Public Hearing - consideration of an Ordinance Amending Chapter 31, entitled "Solid Waste Collection, Management and Recycling," of the Butte County Code by adding Definitions Thereto, Increasing the Waste Diversion Goal and Requiring Solid Waste Collector Licensees to Offer Curbside Collection of Recyclable Materials in Identified Recycling Zones -Butte County, in conjunction with the Town of Paradise and the Cities of Biggs and Gridley, make up the Butte Regional Waste Management Authority (Authority). The Authority was formed in part to simplify reporting of AB939 compliance to the California Integrated Waste Management Board (CIWMB). As reported previously, the Authority has not achieved the diversion goals mandated by the state and submitted a Time Extension Request and Plan of Correction (SB1066) that detailed additional diversion programs to be implemented in the Authority's area. Public Works has evaluated diversion program options that would be consistent with those proposed to the CIWMB in the Authority's Plan of Correction. Staff has proposed an ordinance amendment to Chapter 31 establishing provisions that licensed solid waste collectors offer curbside recycling programs in urban unincorporated areas identified as Recycling Zones. The proposed amendment also increases the diversion requirement criteria for licensees seeking annual licence renewal from 20 to 30 percent - action requested - WAIVE READING OF THE ORDINANCE. (Public Works)

10:30 A.M. 5.04 * Public Hearing - Tentative Subdivision Map (TSM) 05-08 (Richard Ball) - consideration of an appeal of a Planning Commission approval of an application for a TSM to divide a 4.25-acre parcel into 17 residential lots ranging in size from 6,500 to 9,909 square feet, and a detention pond. All lots will be serviced by public sewer and water. The property is located on the west side of 18th Street, Oroville, approximately 750 feet north of Grand Avenue in the Thermalito Area. Access to the proposed subdivision will be from 18th Street - action requested - ADOPT RESOLUTION DENYING THE APPEAL, ADOPTING THE MITIGATED NEGATIVE DECLARATION WITH FINDINGS, AND APPROVING THE TSM WITH CONDITIONS. (Development Services)

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

Butte County General Plan 2030 - Existing Conditions and Issue Identification - Board of Supervisors Study Session to review and build upon all of the information that has been received from the General Plan 2030 Public Workshop held on March 15, 2007, the Citizens Advisory Committee held on December 7, 2006, and the Planning Commission Study Session held on April 13, 2007. This is the fourth meeting in the first Workshop Series - action requested - RECEIVE AND CONSIDER ALL INFORMATION, INCLUDE ANY ADDITIONAL ISSUES AS APPROPRIATE, AND PROVIDE DIRECTION TO STAFF FOR THE UPCOMING MEETING SERIES. (Development Services)

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)
2. FIRST RESPONDER V. NORCAL EMS, COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT 137303.

7.02 INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (C) - ONE POTENTIAL CASE.

7.03 CONFERENCES WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: A.P. NO. 012-041-004
AGENCY NEGOTIATOR: BRUCE ALPERT
NEGOTIATING PARTY: LESA FRANCO
NEGOTIATIONS: PRICE AND TERMS OF PAYMENT

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

54957:

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

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
www.buttecounty.net/cob