

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MAY 22, 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

AGRICULTURE

3.01 * United States Department of Agriculture, Animal and Plant Health Inspection Service, and Wildlife Services (APHIS-WS) - approval is requested for a cooperative agreement with APHIS-WS for the provision of non-domestic animal control services for depredating wild animals. The wildlife specialist addresses the problem of loss of livestock, wildlife rabies and prevention of property damage. The term of the agreement is July 1, 2007 through June 30, 2008, with a maximum amount payable of \$49,803 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE AGRICULTURAL COMMISSIONER TO SIGN THE AGREEMENT. (Contract No. 14933)

3.02 * State of California, Department of Pesticide Regulation - approval is requested for a revenue agreement with the State of California, Department of Pesticide Regulation, for funds to provide electronic submittal of quarterly pesticide use report records to the State. The term of the agreement is July 1, 2007 through June 30, 2008, with a maximum amount payable to the County of \$16,844 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE AGRICULTURAL COMMISSIONER TO SIGN THE AGREEMENT. (Contract No. R40491)

BEHAVIORAL
HEALTH

- 3.03 * Northern Valley Catholic Social Services - approval is requested for a sole source agreement with Northern Valley Catholic Social Services for the provision of mental health services to children with full scope Medi-Cal who meet the criteria of medical necessity or children without Medi-Cal who have pre-authorization by Butte County. The term of the agreement is March 1, 2007 through June 30, 2007, with a maximum amount payable of \$30,315.52 (department budget) - action requested -APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.04 * Clean King by DeHart - amendment - approval is requested for an amendment to the sole source agreement with Clean King by DeHart for the provision of janitorial services for various department facilities. The amendment extends the term of the agreement through June 30, 2008, increases the maximum amount payable by \$19,240 (proposed department budget) for the extended term, and revises the agreement's exhibits to reflect the changes. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15647)
- 3.05 * J & S Office Maintenance - amendment - approval is requested for an amendment to the agreement with J & S Office Maintenance for the provision of janitorial services at various department facilities. The amendment extends the term of the agreement through June 30, 2008, increases the maximum amount payable by \$8,700 (proposed department budget) for the extended term, and revises the agreement's exhibit to reflect the changes. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15650)

- 3.06 * Cherokee Restoration Fellowship - amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services and Alcohol and Drug Free Housing for clients referred by Behavioral Health. The amendment decreases the maximum amount payable by \$17,206.96 (department budget) and revises the agreement's exhibit to reflect the change. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16284)
- 3.07 * Substance Abuse and Crime Prevention Act (SACPA)/Proposition 36 Revenue - approval is requested to accept and appropriate \$24,400 of unanticipated SACPA revenue. The Proposition 36 Program diverts nonviolent persons convicted of drug possession or drug use into treatment and supervision instead of incarceration - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.08 * Budget Transfer and Fixed Asset Purchase - approval is requested for the purchase of a color copier to be used by the Community Services Division at a cost of \$14,000 - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE FOR A COLOR COPIER.
- 3.09 * Tulare County Superintendent of Schools/California Friday Night Live Partnership (CFNLP) - approval is requested for a revenue agreement with CFNLP for funds to participate in the Methamphetamine Prevention Initiative project. The project's goals are to raise community awareness of methamphetamine problems and to establish and strengthen collaboration among members, communities, partners, and local coalitions. The term of the agreement is April 15, 2007 through September 30, 2008. The unanticipated revenue for Fiscal Year 2006/2007 is \$17,000 - action requested -APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

CHIEFADMINISTRATIVEOFFICE

3.10 * Butte County Health and Outcome Indicators Report - acceptance of the Butte County Health and Outcome Indicators Report which is designed to show the health and condition of Butte County and its residents - action requested - ACCEPT FOR INFORMATION.

3.11 * CSU, Chico Research Foundation - amendment - approval is requested for an amendment to the agreement with CSU, Chico Research Foundation for mapping services for the Chico Urban Area Nitrate Compliance Program. The amendment extends the term of the agreement through June 30, 2008 and approves Exhibit B-4 which updates the Foundation's rates for service. No additional appropriation is needed - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No.X10964)

CLERK OF
THE BOARD

3.12 * Approval of Minutes - action requested - APPROVE MINUTES OF April 10, 2007 and May 8, 2007.

3.13 * Approval of Revised Resolution for Sacramento Valley Integrated Regional Water Management Plan (Sac Valley IRWMP) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (From 5-8-2007 [Item 4.01])

COUNTY
COUNSEL

3.14 * Introduction of an Ordinance Amending Chapter 35 Protection of Agricultural Land of the Butte County Code - approval is requested for an ordinance that establishes an entirely new Chapter 35 to add additional Right to Farm disclosure requirements. The ordinance was brought to the Board on May 8, 2007 for discussion and Board directed that the ordinance return for adoption - action requested - WAIVE READING OF THE ORDINANCE.

DEVELOPMENT
SERVICES

3.15 * Introduction of An Ordinance Amending Butte County Code Sections 32A-5(a) and 32A-7 of Chapter 32A in Order to Recover Attorney's Fees Incurred by the County Through the Nuisance Abatement Program - approval is requested for an ordinance that will provide for recovery of attorney fees related to nuisance abatement activities. The amendments also include a minor revision adding a requirement to list the ordinance sections in the nuisance abatement hearing notice - action requested - WAIVE READING OF THE ORDINANCE.

DISTRICT
ATTORNEY

3.16 *

Harold Thomas - amendment - approval is requested for an amendment to the agreement with Harold Thomas which provides for payment of various expenses associated with his assignment to the District Attorney's Office to prosecute environmental crimes. The California Department of Fish and Game pays Mr. Thomas' salary and benefit costs, and the County pays for mileage, training, and other business related expenses. The proposed amendment extends the term of the agreement to June 30, 2008 and increases the maximum amount payable by \$12,000. All other terms and provisions remain the same. The funds for Mr. Thomas' expenses are from monetary settlements of environmental cases - 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. (Contract No. X15184)

EMPLOYMENT
AND SOCIAL
SERVICES

3.17 *

Refugee Employment and Social Services (RESS) Grant - approval is requested to accept a special allocation of \$64,959 from the Federal Fiscal Year 2005 RESS grant. Approval is also requested for amendments to the RESS Plan Agreements with Butte-Glenn Community College District, Thermalito Union School District, and Butte County Department of Public Health. Each amendment increases the maximum amount payable by \$20,000. The terms of each agreement remain October 1, 2006 through September 30, 2007. The agreements are for the provision of services to the Hmong refugee population in Butte County. The remaining balance of \$4,959 from the grant will be used for supportive services - action requested - APPROVE AGREEMENT AMENDMENTS (3) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract Nos. X16404, X16425, X16411)

- 3.18 * Department of Public Health - amendment - approval is requested for an amendment to the agreement with the Department of Public Health for the provision of alcohol and drug testing. The amendment increases the maximum amount payable for Fiscal Year 2006/2007 by \$60,000 (department budget) and revises the agreement's exhibit to reflect the change. The term of the contract remains July 1, 2006 through June 30, 2009. All other terms and conditions 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. X16303)

FIRE
DEPARTMENT

- 3.19 * California Department of Forestry and Fire Protection - approval is requested for an agreement with the State of California for the provision of fire hazard inspections within Butte County. The term of the agreement is July 1, 2006 through June 30, 2007, with a maximum payable of \$32,185 (department budget). Approval is also requested for a resolution regarding the same agreement as required by the State - 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.

GENERAL
SERVICES

- 3.20 * Budget Transfer - approval is requested for a replacement of the existing Heating, Ventilation, and Air Conditioning (HVAC) controls and the Energy Management System (EMS). The HVAC for most County buildings are operated from the EMS. The system now suffers from the natural effects of aging and the debilities of outmoded technology. Replacement parts for the current system are difficult to impossible to obtain - action requested - APPROVE A BUDGET TRANSFER OF \$113,605 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS FROM CONTINGENCIES AS DETAILED IN THE AGENDA REPORT FOR THE COST OF REPLACING THE EMS CONTROLS.

HUMAN
RESOURCES

- 3.21 * Resolution Honoring a Butte County Employee for Dedicated Years of Service - presentation of award to Brian Anderson who has 30 years of service to the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND PRESENT AWARD TO BRIAN ANDERSON.

3.22 * Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: PROBATION - the department requests to extend the end date from June 30, 2007 to June 30, 2008 for the following positions: 1) one position of Supervisor Probation Officer, 2) three positions of Probation Officer. 3) two positions of Probation Technician, 4) one position of Accountant. HUMAN RESOURCES - the department requests to amend Section 62 of the Salary Ordinance to correct a typographical error in Board Resolution 07-076. The Child Support Department's request to delete one Legal Secretary position and add one Child Support Specialist position should have amended Section 50, not Section 62 as written. SHERIFF - the department requests to delete one position of Pre-Trial Release Specialist (Class Code 6853) and adds one position of Pre-Trial Release, Supervisor. The reclassification is retroactive to March 3, 2007 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.23 * Library Donations - pursuant to Government Code Section 25355, donations of \$125 from Ruthmarie Ferris, \$1,362.32 from Paradise Friends of the Library, \$100 from Maudie Penney, \$500 from Energistics Consortium, Inc., \$100 from Jeannot and Alexis Lorenz, \$500 from Mooretown Rancheria, \$300 from Beta Chapter of Omega Nu, \$259.80 from an anonymous donor, \$1449.80 from Oroville Friends of the Library, \$427.98 from Chico Friends of the Library, \$100 from Annette Ellis, \$100 from Gold Country Casino, and \$1,000 from Vera Burton-Siebert have been received for the purchase of books; \$462.40 from Paradise Friends of the Library for operations; and \$500 from Paradise Friends of the Library for the Literacy Program - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.24 * Budget Transfer - The estate of Mary Anne Houx included a bequest to the Chico Library in the amount of \$10,000. The bequest is to be used for the enhancement of the children's reading room. The department has developed a spending plan to purchase children's furniture for \$2,451, flame retardant drapes for \$1,126, children's books for \$6,123, and a memorial plaque for \$300 - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.25 *

Rapidtext, Inc. - amendment - approval is requested for an amendment to the agreement with Rapidtext, Inc. for the provision of transcription services. The amendment extends the term of the agreement through June 30, 2008 and increases the maximum amount payable by \$30,000 (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. X13973)

3.26 *

Michelle Miller - amendment - approval is requested for an amendment to the sole source agreement with Michelle Miller for the provision of counseling services to juveniles in support of the Minor Adjustments Program. The amendment extends the term of the agreement to May 31, 2008 and increases the maximum amount payable by \$57,584.32 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16058)

PUBLIC
HEALTH

3.27 *

Accept Donation - the Public Health Department received a donation from Wal-Mart Store, Inc. in the amount of \$200 that was designated for the purchase of prizes for the Community Baby Shower held April 28, 2007. The shower is a collaborative event with Enloe Medical Center, Butte County Breastfeeding Support Center, and Growing Up Chico. Items purchased were safety and bath items, books, and toys - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION.

3.28 *

Medifax-EDI, LLC - amendment - approval is requested for an amendment to the agreement with Medifax-EDI, LLC for the provision of electronic billing services. The amendment extends the term of the agreement through June 30, 2008, with a maximum amount payable of \$90,000 (department budget). All other terms and conditions 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. X11682)

- 3.29 * Oroville Animal Health Center - amendment - approval is requested for an amendment to the agreement with the Oroville Animal Health Center for the provision of boarding, quarantine, and medical services to animals referred by the Butte County Animal Control Division. The amendment extends the term of the agreement through June 30, 2008 and increases the maximum amount payable by \$24,999 (department budget). All other terms and conditions 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. X16029)
- 3.30 * CSU, Chico Research Foundation, California State University, Chico - approval is requested for a grant agreement with the Foundation. The grant will allow Public Health Nurses and Public Health Assistants to attend education trainings and provide educational materials to individuals during home visits and community health promotion events. The goals of the grant are to promote healthy eating and exercise and to increase public participation in federal nutrition assistance programs among low-income residents served by Sierra Cascade Nutrition and Activity Consortium partnering agencies. The term of the agreement is October 1, 2006 through September 30, 2007, with a maximum payable to Butte County in the amount of \$37,487 (department budget) - action requested - APPROVE AGREEMENT AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.31 * The California Endowment - approval is requested for a grant agreement with The California Endowment to support an integrated and comprehensive community planning project to assess and determine the goals and objectives for improved public health response regarding the affects of methamphetamine in Butte County. The grant provides for the establishment of a Planning Advisory Group as a subset of the Butte County Methamphetamine Strike Force. The term of the agreement is May 1, 2007 through April 30, 2008, with a grant amount of \$150,000. The funds related to this grant will be allocated in the Fiscal Year 2007/2008 department budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.32 * Resolution Recognizing the Week of May 23-28, 2007 as National Public Health Week - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
WORKS

- 3.33 * Fixed Asset Purchases - approval is requested for the purchase of modular office furniture and fixtures in the amount of \$10,000. The fixed assets are for the Solid Waste Division at the Neal Road Landfill - action requested - APPROVE FIXED ASSET PURCHASES OF MODULAR FURNITURE AND FIXTURES.

- 3.34 * Letter in Support of Collaboration in Butte Creek Watershed Plan Implementation - approval is requested for support for a letter to the Butte County Resource Conservation District (RCD). RCD and the Butte Creek Watershed Conservancy are partnering in an effort to implement watershed restoration projects described in the Butte Creek Watershed Management Strategy. Public Works can support RCD by providing a crew and equipment to help meet the local match of funds required by the program - action requested - The main points of SB 286 promote timely and efficient use of Proposition 1B funds - action requested - AUTHORIZE CHAIR TO SIGN LETTER OF SUPPORT.

- 3.35 * Notice of Completion for Excavation of Module 4, Phase C at the Neal Road Sanitary Landfill - County Project No. 757-5879 - Santillan Earthmover, Inc. has completed all of the contract work for Phase C, which consisted of excavating and grading native sandstones and hauling the excavated material to designated spoil area 27 - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.

- 3.36 * Resolution Honoring Mark D. Dasch upon his retirement from the Department of Public Works after 18 years - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.37 * Permission to Cross a One Foot No-Access Strip on Skyway - approval is requested by RHL Design Group, Inc., on behalf of Rite Aid to cross the Skyway one foot no-access strip, at a different location than is shown on the southwest corner of lot 45, of the map of the Skyway Plaza which was recorded February 28, 1973, in Book 43 of Maps, pages 8-11 (APN 066-310-011, 020 and 021). No driveway was constructed in the original access location. The new driveway location would be on lot 46 of said map. The primary purpose is to construct a driveway at a more suitable location which is further from the intersection of Skyway and Lakeridge Circle. The Department of Public Works has no objection to the request - action requested - APPROVE REQUEST TO CONSTRUCT NEW DRIVEWAY ACROSS THE ONE FOOT NO-ACCESS STRIP.
- 3.38 * Butte County Sheriff's Office - Sheriff's Inmate Labor Program - approval is requested for 2 agreements between the Sheriff's Office and the Public Works Department. The Inmate Labor Program provides vital services in maintaining the county road right-of-way, cleaning up illegal dump sites, and providing assistance to the Solid Waste Division at the Neal Road Landfill with debris cleanup. Under this program, Public Works funds one Correctional Officer position who supervises an inmate crew of 10-15 inmates. Both of the agreements' (Roads Division and Solid Waste Division) renewal rates take into account an inflation factor for higher costs of fuel, maintenance, salaries and benefits and worker's compensation insurance (proposed 2007/2008 department budgets) - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.39 * Resolution to Set a Public Hearing Regarding the Intention to Rename a Private Road in Butte County - consideration of a resolution, in conformance with the California Street and Highways Code, that would set a Public Hearing to rename "Flodin's Court" in Forest Ranch to "Dear Abby Road." If adopted, the hearing would be held at the Board of Supervisors meeting on June 26, 2007 at 10:25 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.40 * Budget Transfers and Fixed Asset Purchases - the Public Works Department currently uses a Cost Accounting Management System to distribute and track costs in order to comply with the State Controller's Office Accounting Standards and Procedures for Road Funds Accounting. The department also uses an Accounts Receivable program to invoice Solid Waste customers at the landfill. The department would like to purchase additional programs at a total cost of \$18,250 as follows: 1) Signs, Pavement Markers, & Stripings to allow Traffic Control Division to track all signs and pavement markings, 2) Road Module to track road details, cost distribution, and maintenance and road condition information, 3) Solid Waste Accounts Receivable & Budget Revenue Ledger to invoice landfill customers, and 4) Service Requests to document citizen requests for road maintenance. The acquisition of the programs will streamline data entry in a consistent manner - action requested - APPROVE BUDGET TRANSFERS ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASES AS DETAILED IN THE AGENDA REPORT.

3.41 * Resolution Authorizing the Submittal of the Butte County Regional Used Oil Block Grant Recycling Program Grant Applications - approval is requested for a resolution approving regional grant applications to the California Integrated Waste Management Board for funds under the next four cycles of Used Oil Block Grants. The funds will be used to continue and expand used oil education programs. Current fiscal year funding is estimated at \$40,000 - action requested - ADOPT RESOLUTION APPROVING GRANT APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATIONS.

SHERIFF -
CORONER

3.42 *

United States Department of Justice, Drug Enforcement Administration - approval is requested for a grant agreement with the United States Department of Justice, Drug Enforcement Administration, for funds to support the investigation and eradication of illegal cultivation of marijuana. The term of the agreement is January 1, 2007 through December 31, 2007 with a maximum amount payable to the County of \$35,000. No matching funds are required - action requested - ACCEPT GRANT FUNDS; APPROVE GRANT AGREEMENT AND AUTHORIZE THE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE SHERIFF, OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT.

3.43 *

California Forensics Medical Group, Inc. - amendment - approval is requested for an amendment to the agreement with California Forensics Medical Group, Inc. for the provision of medical services to individuals housed in the Butte County Jail and Butte County Juvenile Hall. The amendment extends the term of the agreement through June 30, 2008, increases the maximum amount payable by \$142,707, and revises paragraphs 1 and 2 in Section 4.2 to reflect the change. 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.

3.44 *

Superior Court of California, County of Butte - amendment - approval is requested for amendment to the agreement with Superior Court of California, County of Butte. The court desires to add another Deputy Sheriff dedicated to court security. The amendment provides for the additional Deputy Sheriff with a term to end June 30, 2008, with a maximum amount payable of \$91,797 for the term of the contract -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. (Contract No. R40923)

- 3.45 * California Department of Boating and Waterways - approval is requested for an agreement with California Department of Boating and Waterways for the purpose of performing boating safety and enforcement on waterways in Butte County. The term of the agreement is July 1, 2007 through June 30, 2008, with a maximum amount payable of \$159,342 to the County. No appropriation or match is needed at this time. Approval is also requested for a resolution regarding the same agreement as required by the State - action requested - APPROVE AGREEMENT AND AUTHORIZE SHERIFF TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE SHERIFF, OR HIS DESIGNEE FROM THE SHERIFF'S AND AUDITOR'S OFFICE TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURPOSES OF SECURING THE GRANT FUNDS AND CARRYING OUT THE PURPOSES SPECIFIED IN THE GRANT; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

TREASURER-TAX COLLECTOR 3.46

Adoption 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 - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-8-07 [3.31])

- 3.47 * Monthly Investment Report - submitted is the Monthly Investment Report dated April 30, 2007 in accordance with the Butte County Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE
CONSERVATION

3.48 *

Recommendation of the Butte County Water Commission for Submittal of a Full Proposal Application to the CALFED Watershed Program - approval is requested for the submittal of a full proposal to the CALFED Watershed Program in cooperation with the Big Chico Creek Watershed Alliance for watershed modeling. Funding is anticipated from the CALFED Watershed Program which has \$10 million for disbursement under their 2007 Proposal Solicitation Package (PSP). The PSP is a two step process. The first step required submittal of a concept proposal which was approved by the Board on March 13, 2007. The department was notified on May 1, 2007 that they have been invited to submit a full proposal which is due on June 1, 2007 - action requested - APPROVE SUBMITTAL OF FULL PROPOSAL AND AUTHORIZE CHAIR TO SIGN A LETTER OF INTENT; AND AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO SIGN APPROPRIATE APPLICATION DOCUMENTS.

OTHER
DEPARTMENTS
AND AGENCIES

3.49 *

Resolution Recognizing the Year 2007 as the 500th Birthday of the Geographical Naming of America - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.50 *

Butte County Indian Gaming Local Community Benefit Committee - APPOINT MICHAEL HOWARD TO A TERM TO END JUNE 30, 2008.

3.51

Gridley-Biggs Cemetery District - REAPPOINT LOWELL P. KING TO A TERM TO END MAY 1, 2011.

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. Discussion of Board Calendar to determine meeting dates for General Plan 2030 Board Study Sessions.

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.
- 4.04 Update of Lake Oroville License Renewal by County Counsel.

PRESENTATION
AND DISCUSSION
ITEMS

- 4.05 * Award of Bid for 2007 Scrub Seal/Micro-Surfacing Project, County Project No. SC-2007-1 - On March 13, 2007, the Board authorized the Director of Public Works to solicit bids for the 2007 Scrub Seal/Micro-Surfacing Project. The project was advertised starting April 20, 2007 for bids to be submitted on May 11, 2007. The bid opening was subsequently extended to May 15, 2007 due to issuance of an addendum to revise pavement treatments and reduce bid quantities to reflect the conditions discovered in the field. Once bids have been reviewed and the lowest responsible and responsive bidder determined, the department will prepare a staff report to be presented at the May 22, 2007 Board of Supervisors meeting - action requested - AWARD CONTRACT TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER AS RECOMMENDED AND PRESENTED TO THE BOARD. (Public Works)

- 4.06 * Waiver of Appeal Fee - TSM 05-08 - consideration of a request for a waiver of the \$50 fee paid to the County for the appeal of TSM 05-08. Supervisor Connelly asked for Board consideration of the waiver. The appellant seeks the waiver because he is a 100% disabled veteran. The appellant does not qualify for a waiver as a public entity or a non-profit organization as required by Butte County Code Section 3-40.5. The Board would have to find that it is otherwise in the public's interest to approve the waiver request. The fee, if divided among those signing the appeal, amounts to \$2.08 per individual - action requested - THE CHIEF ADMINISTRATIVE OFFICER RECOMMENDS THE BOARD DENY THIS REQUEST FOR WAIVER.

- 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 In-Home Supportive Services Public Authority Board

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
AGENDA
MAY 22, 2007

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

2.00 **CONSENT AGENDA**

2.01 * Craig L Jory, Jory HR - amendment - approval is requested for an amendment to the agreement with Craig L Jory, Jory HR for the provision of negotiation and consultant services. The amendment extends the term of the agreement through June 30, 2007 and increase the maximum amount payable by \$6,000 (department budget). All other terms and provisions remain the same. Approval is also requested for a new agreement with a term from July 1, 2007 through June 30, 2008 with a maximum amount payable not to exceed \$24,000 (proposed department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE NEW AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract Nos. X14913 and X16499)

3.00 **Public Comment**

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

Adjournment

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

5.00**PUBLIC HEARINGS AND TIMED ITEMS**11:00 A.M. **5.01** *

Timed Item - Presentation of Butte County Septage Management Plan - Public Works contracted with Kennedy Jenks Consultants to prepare a Septage Management Plan. The plan addressed long range septage disposal planning in order to meet future demands in the growing service area. The primary objectives of the study were to 1) review current septage handling strategies in Butte County, 2) determine the affect future population growth will have on septage production within the County, 3) develop long-term management solutions for the treatment and disposal of septage, and 4) develop a strategy to decommission the existing ponds at the Neal Road Landfill - action requested - ACCEPT FOR INFORMATION; DIRECT SOLID WASTE COMMITTEE AND PUBLIC WORKS STAFF TO MEET WITH MUNICIPAL OFFICIALS TO EXPLORE POTENTIAL SEPTAGE MANAGEMENT OPTIONS AND REPORT BACK TO THE BOARD.

1:30 P.M. **5.02** *

Continued Public Hearing - M & T Chico Ranch Mine (MIN 96-03) - consideration of two appeals of the Planning Commission's certification of the Final Environmental Impact Report (EIR) and approval of the M & T Chico Ranch Mine. The project consists of a long-term gravel mining operation proposal by Baldwin Construction. The mining would take place on 193-acres of a 235-acre site over a 20-30 year period. Reclamation would occur incrementally and would consist of the creation of open-water wetland wildlife habitat and agricultural uses. The aggregate would be processed on a 40-acre area of the site. The project is located on a portion of the Ranch approximately 1.5 miles east of the Sacramento River and approximately 5 miles southwest of Chico. Access to the site would be from River Road, Chico. The APNs are 039-530-023 and 039-530-025 (formerly 036-530-019 and 039-530-020) - action requested - OPEN HEARING AND CONTINUE TO AUGUST 14, 2007, AT 1:30 P.M. (FROM 4-24-07 [5.04])

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. POE INTERVENTION
3. BURDICK V. BUTTE COUNTY; BUTTE COUNTY SUPERIOR COURT 136838.

7.02 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

PROPERTY: A.P. NO. 017-190-040
AGENCY NEGOTIATOR: MIKE CRUMP, DIRECTOR, PUBLIC WORKS
NEGOTIATING PARTY: REPRESENTATIVE, JOHN F. GUERRERO TRUST
NEGOTIATIONS: PRICE AND TERMS OF PAYMENT

7.03 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
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530-538-7631
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