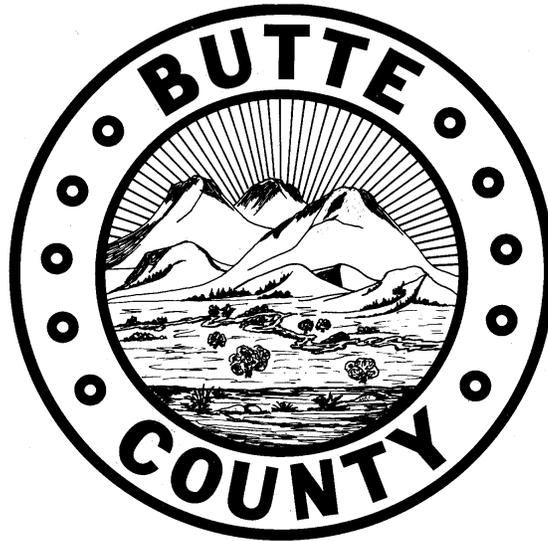


# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

FEBRUARY 12, 2008



### County Supervisors

Bill Connelly, District 1  
Jane Dolan, District 2  
Maureen Kirk, District 3  
Curt Josiassen, District 4  
Kim Yamaguchi, District 5

C. Brian Haddix, 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** \*            Tulare County Office of Education - approval is requested for a revenue agreement with Tulare County for the Friday Night Live mentoring program. The term of the agreement is October 22, 2007 through September 30, 2008 with a maximum amount payable to Butte County of \$20,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.02** \*            Guillon/Brouhard Gen. Part., 1 - approval is requested for a Subordination, Non-Disturbance, and Attornment Agreement and Estoppel Certificate for the property located at 88 Table Mountain Blvd., Oroville between Guillon/Brouhard Gen. Part., 1 and Golden West Bank - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.
- 3.03** \*            Butte County Behavioral Health Board - action requested - APPOINT DAVID WARREN-BAKER, YOUTH MEMBER TO A TERM TO END DECEMBER 31, 2011.

CHIEF  
ADMINISTRATIVE  
OFFICE

- 3.04** \*            Cathi Grams, Director of Department of Employment and Social Services - amendment - approval is requested for an amendment to the employment agreement with Cathi Grams. The term of the amendment is January 1, 2008 through December 31, 2010 with an annual base salary of \$143,760 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

EMPLOYMENT  
AND SOCIAL  
SERVICES

3.05 \* Butte County Department of Public Health (DPH) - approval is requested for an agreement with DPH for up to two Public Health Nurses to provide services to clients of Adult Protective Services and/or recipients of the In-Home Supportive Services/Personal Care Services Programs and for one Public Health Nurse to provide services to clients of Children's Services. The term of the agreement is July 1, 2007 through June 30, 2010 with a maximum amount payable of \$408,500 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 \* Butte-Glenn Community College District - approval is requested for an agreement with the District for the provision of Employability Soft Skills classes for CalWORKS Welfare-to-Work participants. The term of the agreement is January 1, 2008 through June 30, 2008 with a maximum amount payable of \$86,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

GENERAL  
SERVICES

3.07 \* Resolution to Continue the Water Infiltration Remediation at Courthouse Expansion - consideration of a resolution to continue the action taken by Resolution Number 08-009 which was adopted at the January 29, 2008 Board of Supervisors meeting. Section 22050(c) of the Public Contract Code requires that the Board adopt a resolution at each subsequent meeting until the findings of the initial resolution are no longer relevant - action requested - ADOPT RESOLUTION (4/5 vote required) AND AUTHORIZE THE CHAIR TO SIGN.

3.08 \* Donation of Surplus Items to Promotion of Animal Welfare Society (PAWS) of Butte County - approval is requested for Butte County to donate a maximum of ten surplus computers and office furniture items to PAWS. There is currently a surplus of computers and furniture items in excess of public demand - action requested - APPROVE DONATIONS OF SURPLUS ITEMS TO PAWS.

3.09 \* Budget Transfer - approval is requested for a budget transfer of \$60,000 for preliminary engineering services for the Oroville Veterans Hall improvements - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

HUMAN  
RESOURCES

3.10 \* Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: HUMAN RESOURCES - Pursuant to Resolution 06-020, a new base salary shall be established upon the renewal or extension of an appointed department head's contract through a survey of comparison counties. The survey of comparator counties supports a new base salary in the amount of \$143,760 for the Director of Employment and Social Services. Human Resources requests to change the annual base salary of the Director of Employment and Social Services from \$128,495 to \$143,760 effective January 1, 2008 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.11 \* Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: CHIEF ADMINISTRATIVE OFFICE - On November 27, 2007, the Board of Supervisors accepted the Finance Management Options Committee's recommendation to transfer certain responsibilities to the Administration, Human Resources, and General Services departments. The transfer of responsibilities include the creation of a new finance office within Administration and the transfer of payroll administration to the Human Resources Department. The Chief Administrative Office requests to add one position of Administrative Services Officer and five positions of Management Analyst, Associate; Management Analyst; Management Analyst, Senior; or Management Analyst, Principal. HUMAN RESOURCES - the department requests to add one position of Supervisor, Auditor-Accountant and six positions of Auditor-Accountant, Associate; Auditor-Accountant; or Auditor-Accountant, Senior - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.12 \* Accept Unanticipated Revenue - approval is requested to accept and appropriate \$800 in unanticipated revenue received from the California Library Association as reimbursement for travel expenses - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

3.13 \* Library Donation - pursuant to Government Code Section 25355, approval is requested to accept \$2,271.56 from the Chico Friends of the Library for the purchase of wireless computer equipment for the Chico Library Branch - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTER OF APPRECIATION.

3.14 \* Accept Unanticipated Revenue - approval is requested to accept and appropriate \$3,973 in grant funds received from the California State Library. The funds will be used to support the Adult Reading Program expenses - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.15 \* Accept Unanticipated Revenue - approval is requested to accept and appropriate \$41,178 in grant funds received from the Governor's Office of Emergency Services for the Butte Interagency Narcotics Task Force - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

PUBLIC  
HEALTH

3.16 \* California Department of Public Health (CDPH) - approval is requested for a revenue agreement with CDPH for funding the Butte County Public Health Emergency Preparedness Program. The term of the agreement is August 31, 2007 through August 9, 2008 with a maximum amount payable to Butte County of \$404,183. The State also requires Chair's signature on a Non-Supplantation Certification Form - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE NON-SUPPLANTATION CERTIFICATION FORM AND AUTHORIZE THE CHAIR TO SIGN.

3.17 \* Look Ahead Veterinary Hospital - amendment - approval is requested for an amendment to the agreement with Look Ahead Veterinary Hospital for the provision of equine boarding, equine euthanasia, and medical services to animals referred by Butte County Animal Control Division. The amendment increases the maximum amount payable by \$9,000. 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. X16031)

3.18 \* Declaration of Intent - Emergency Medical Services Appropriation (EMSA) - approval is requested for a Declaration of Intent which will authorize the State to directly administer and distribute the County's allocation of Emergency Medical Services funds - action requested - APPROVE OPTION 2 ON THE DECLARATION OF INTENT AUTHORIZE THE CHAIR TO SIGN.

PUBLIC  
WORKS

- 3.19 Adoption of an Ordinance Establishing Speed Limits on Certain Roads - In response to citizens' concerns regarding the speed on Lott Road from Esquon Road to Durham Dayton Highway, the department has performed a speed study and an Engineering & Traffic Survey. Based on these findings, it is recommended that the speed limit be lowered to 25 mph - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-29-2008 [Item 3.37])
- 3.20 \* Aguas Frias Road Bridge Across Butte Creek, Federal Project Number STPLF-5912(014), County Project Number 23201-95-1 - authorization is requested for the Director of Public Works to advertise for bids to replace two County bridges located on Aguas Frias Road with a new, single bridge. The construction portion of this project is 88.53% reimbursable through the Federal Highway Bridge Program, and the remaining 11.47% is reimbursable through the State Transportation Improvement Program - action requested - AUTHORIZE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AUTHORIZE CHAIR AND DIRECTOR TO SIGN PLANS; AND ADOPT WAGE SCALE.
- 3.21 \* Excavation of Module 4, Phase D at the Neal Road Sanitary Landfill - authorization is requested for the Director of Public Works to advertise for bids for the excavation of soil within the limits of Module 4, Phase D. The excavation will allow for the construction of the next phase of lined landfill waste containment modules scheduled for early 2010 Program - action requested - AUTHORIZE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS.
- 3.22 \* Budget Transfers - approval is requested for two budget transfers totaling \$5,100 for County Service Area 90 to allow for the repair of a fire hydrant which was damaged in a traffic accident - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.23 \* Regional Council of Rural Counties Environmental Services Joint Powers Authority (ESJPA) - action requested - APPOINT BILL MANNEL AS ESJPA ALTERNATE DELEGATE.

SHERIFF-  
CORONER

3.24 \*

Accept Donations - approval is requested to accept the donations of an Interstate Cargo Trailer valued at \$5,797 and a 2008 Argo Avenger which is an amphibious vehicle valued at \$17,545. These vehicles were donated by Butte County Search and Rescue. Approval is also requested to accept the donations of a 1974 Gregor boat valued at \$3,600 and boat trailer with an estimated value of \$500. The boat and trailer were donated by Melvin Munsinger - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTER OF APPRECIATION.

3.25 \*

Budget Transfer - approval is requested for a budget transfer of \$2,645 as detailed in the agenda report in order to cover the full cost of a Bomb Squad Truck for the Interagency Bomb unit - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

WATER AND  
RESOURCE  
CONSERVATION

3.26 \*

Butte County Water Advisory Committee (WAC) - Butte County Water Commission submits their recommendations for the WAC - action requested - REAPPOINT HAYDEN WASSER AS AT-LARGE REPRESENTATIVE FOR THE CITY OF BIGGS TO A TERM TO END JUNE 28, 2011; APPOINT ROBIN HUFFMAN AS AT-LARGE REPRESENTATIVE FOR THE TOWN OF PARADISE TO A TERM TO END JANUARY 11, 2009; AND APPOINT TOM NICKELL AS THE AT-LARGE REPRESENTATIVE FOR THE CITY OF CHICO FOR A TERM TO END JANUARY 11, 2009.

---

**4.00**

**REGULAR AGENDA**

BOARDS,  
COMMISSIONS AND  
COMMITTEES

4.01 \*

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

2. Board Member or Committee Reports.

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

BUDGET, LEGISLATIVE  
OR COUNTY RELATED

UPDATES

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

4.03 Update of General Plan 2030 Process by Director-Development Services.

4.04 Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION  
AND DISCUSSION

ITEMS

4.05 \* Revision of Board Meeting Calendar - approval is requested to change the date of the July 2008 Board of Supervisors meeting from July 15<sup>th</sup> to July 22<sup>nd</sup> because of the National Association of Counties' (NACo) annual conference. It is also requested the Board determine if August 12 is an appropriate date to schedule the next General Plan 2030 Board Study Session - action requested - APPROVE AND ADOPT REVISED BOARD MEETING CALENDAR, AMENDING IF NEEDED; AND DETERMINE DATE FOR GENERAL PLAN 2030 STUDY SESSION. (Chief Administrative Office)

4.06 \* Resolution Upholding Appeal of M & T Chico Ranch Mine (MIN 96-03) - consideration of a resolution upholding the appeal, denying the use permit, and denying the certification of the final EIR as directed by motion of the Board at the January 29, 2008 public hearing - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

4.07 \* El Monte and Palermo Sanitary Surveys - The Department of Public Health will provide a report summarizing the surveys - action requested - ACCEPT FOR INFORMATION.

- 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 Public Facilities Financing Corporation Board of Directors

**BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION**

**AGENDA**

**FEBRUARY 12, 2008**

1. **Call to Order** - Board of Supervisors Room, 25 County Center Drive, Oroville.
  
2. **Approval of Minutes** - action requested - APPROVE MINUTES OF FEBRUARY 13, 2007.
  
3. **Appointment of New Officers** - action requested - APPOINT OFFICERS AS FOLLOWS: PRESIDENT - CHAIR JOSIASSEN; VICE PRESIDENT - VICE CHAIR DOLAN; SECRETARY/TREASURER - C. LINDA BARNES; AND LESSEE REPRESENTATIVES - C. LINDA BARNES AND PEGGY MOAK.
  
6. **Public Comment**  
  
Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda.
  
7. **Other Business**

**Adjournment**

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

**5.00 PUBLIC HEARINGS AND TIMED ITEMS**

10:00 A.M. **5.01** \*

Public Hearing - Ordinance Amending Section 3-61 of the Butte County Code - consideration of an ordinance that will amend the type and amount of fees the Agricultural Commissioner may charge Structural Pest Control Operators as required by State Assembly Bill 1717. The proposed fees will provide the County the ability to ensure that local Pest Control Operators have been qualified and licensed by the State - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Agriculture)

---

**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 GOV. CODE SEC. 54956.9(a): ONE CASE

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).

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

7.03 CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: 2400-2450 MONTGOMERY  
AGENCY NEGOTIATOR: BRUCE ALPERT  
NEGOTIATING PARTY: LESA FRANCO/CITY OF OROVILLE  
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](http://www.buttecounty.net/cob).

### **Agenda Information:**

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

### **Agenda Format and Meeting Order:**

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

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

### **Public Participation:**

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

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

For further information contact the: Clerk of the Board of Supervisors  
County Administrative Office  
25 County Center Drive, Oroville, CA 95965  
530-538-7631  
[www.buttecounty.net/cob](http://www.buttecounty.net/cob)