

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

MAY 20, 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**

AGRICULTURE

- 3.01 *** Ratify Letter Requesting Agricultural Disaster Designation - approval is requested to ratify a letter to the State Director of the Office of Emergency Services requesting assistance in obtaining an Agricultural Disaster Designation for Butte County from the United States Department of Agriculture. The designation is requested because of crop damage resulting from freezing temperatures on April 19 and 20, 2008 - action requested - RATIFY LETTER.

BEHAVIORAL
HEALTH

- 3.02 *** State Department of Mental Health (DMH) - approval is requested for an assignment agreement with DMH which will allow the department to participate in the Mental Health Services Act (MHSA) Housing Program which develops supportive housing projects and provides housing assistance for individuals with mental illness. The State Fiscal Year 2007/2008 Planning Estimate specified for the MHSA Housing Program is \$2,173,000 which will be transferred by DMH on behalf of Butte County to California Housing and Finance Agency - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPTED RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.03 *

State Department of Mental Health (DMH) - amendment - approval is requested for an amendment to the Mental Health Services Act (MHSA) agreement with DMH. The department was allocated \$10,417,657 for the MHSA program for Fiscal Years 2004/2005 through 2007/2008 and has been awarded \$5,577,345 of the total allocation. This amendment extends the term in which the \$5,577,345 allocation can be spent. Plans are currently in progress, working within the state schedule and the allowable usage of funds, for the remaining \$4,840,312. As the additional plans are approved and funds allocated, the State will incorporate the remaining funds into the agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPTED RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.04 *

Budget Transfer - approval is requested for a budget transfer of \$239,834 in appropriations from the mental health division of the department to the alcohol and drug division of the budget as detailed in the agenda report. The department has a revenue agreement with the Department of Employment and Social Services to provide service to CalWorks clients. As the services have primarily been alcohol and drug services, this transfer will allow the department to better account for these services - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.05 *

James R. Glover, M.D. - approval is requested for a sole source agreement with James R. Glover M.D. for the provision of psychiatric services and medical treatment. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$227,500 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 *

Oroville Hospital - approval is requested for a sole source agreement with Oroville Hospital for the provision of initial medical evaluations for persons with urgent/emergency conditions prior to their admission to Butte County Behavioral Health Psychiatric Health Facility or within 24 hours thereafter, as required by law. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$50,050 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.07 *

Thomas Lancaster, M.D. - approval is requested for a sole source agreement with Thomas Lancaster, M.D. for the provision of psychiatric services and medical treatment of Behavioral Health clients. The term of the agreement is July 1, 2008 through June 20, 2009 with a maximum amount payable of \$209,780 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.08 *

Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for the provision of services associated with the Mental Health Services Act (MHSA) Link Program. The amendment increases the maximum amount payable by \$186,441.03. Approval is also requested for a budget transfer of \$61,444 in unexpended Fiscal Year 2006/2007 MHSA funds that are available for use through June 30, 2009 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

CHIEFADMINISTRATIVEOFFICE

3.09 *

Approval of Minutes - action requested - APPROVE MINUTES OF APRIL 22, 2008 AND MAY 6, 2008.

3.10 *

NBS - amendment - approval is requested for an amendment to the agreement with NBS for the provision of financial advisor services. The amendment expands the Scope of Work to include specific studies with no changes to the term or the maximum amount payable - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

COUNTYCOUNSEL

3.11 *

Butte County Conflict of Interest Code - amendment - pursuant to Government Code Section 81000 et seq., approval is requested for an amended Conflict of Interest Code. The County's Code was most recently amended by Resolution No. 07-001 on January 9, 2007. Since that amendment was enacted, positions have been created and deleted through amendments to the County's classification plan and salary ordinance. The amended code replaces Attachment A entitled Conflict of Interest Code - County of Butte, Attachment B which is a revised list of Designated Employees, Attachment C which is a list of Committees and Commissions, Attachment D entitled Disclosure Categories for Designated Positions, and Attachment E entitled Place of Filing Statements of Economic Interest. - action requested - ADOPT RESOLUTION AMENDING THE CONFLICT OF INTEREST CODE AND AUTHORIZE THE CHAIR TO SIGN.

DEVELOPMENT
SERVICES

3.12 *

Relief of Accountability - approval is requested for relief of accountability for a \$9.70 loss from the change fund drawer on April 21, 2008. An investigation by the Auditor's office found no evidence of identifiable disregard or procedure or undue lack of care and could not identify the exact reason for the shortage - action requested - RELIEVE ACCOUNTABILITY IN THE AMOUNT OF \$9.70.

3.13 *

Determination of Williamson Act Compatibility of Lot Line Adjustment (LLA07-0034) - Ronald Boeger requests determination that LLA07-0034 is compatible with the Williamson Act and also requests approval of simultaneous rescission of the existing Williamson Act contract on APNs 041-250-026, 096, 099 and 102 while executing a new contract to reflect the boundaries of the reconfigured parcels. The property is located approximately 5 miles north of Oroville on the west side of Cherokee Road - action requested - DETERMINE THAT LLA07-0034 IS COMPATIBLE WITH THE WILLIAMSON ACT; APPROVE RESCISSION OF EXISTING WILLIAMSON ACT CONTRACT WHILE EXECUTING NEW CONTRACT; AND DETERMINE THAT PROJECT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15305(a) AND SECTION 15317.

3.14 *

Determination of Williamson Act Compatibility of Lot Line Adjustment (LLA07-0029) - SEK Landcorp, Inc. requests determination that LLA07-0029 is compatible with the Williamson Act and also requests approval of simultaneous rescission of the existing Williamson Act contract on APNs 047-190-005, 047-190-006, and 047-150-032 while executing a new contract to reflect the boundaries of the reconfigured parcels. The property is located approximately one mile southeast of the community of Nord, bounded by the Union Pacific Railroad on the northeast and Bell Road on the south - action requested - DETERMINE THAT LLA07-0029 IS COMPATIBLE WITH THE WILLIAMSON ACT; APPROVE RESCISSION OF EXISTING WILLIAMSON ACT CONTRACT WHILE EXECUTING NEW CONTRACT; AND DETERMINE THAT PROJECT IS EXEMPT FROM CEQA UNDER CATEGORICAL EXEMPTION SECTION 15305(a) AND SECTION 15317.

EMPLOYMENT
AND SOCIAL
SERVICES

3.15 *

Letter in Opposition of Proposed Budget Cuts - approval is requested for a letter written to the State Senate and Assembly opposing the proposed budget cuts to Child Welfare and Adult Protective Services - action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

3.16 * California Statewide Automated Welfare System Consortium IV (C-IV) - amendment - approval is requested for an amendment to this agreement which will provide for reimbursement of unfunded costs incurred by the Consortium which is made up of thirty-five counties that have shared use of the Interim Statewide Automated Welfare System (ISAWS). Migration from ISAWS to the C-IV system must be completed by November 2010 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.17 * Butte County Department of Public Health (BCDPH) - amendment - approval is requested for an amendment to the agreement with BCDPH for the provision of alcohol and drug testing services. The amendment increases the maximum amount payable by \$10,000. 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. X16303)

FIRE

3.18 * California Department of Forestry and Fire Protection (CAL FIRE) - approval is requested for the 2007/2008 Schedule A agreement for fire protection services in the unincorporated areas of Butte County. Approval is also requested for a related resolution approving the cooperative agreement between the County of Butte and CAL FIRE - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

**GENERAL
SERVICES**

3.19 * Budget Transfers - approval is requested for multiple budget amendments as detailed in the agenda report to consolidate appropriations for projects to repair and pave the parking lots of county buildings - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

**HUMAN
RESOURCES**

3.20 * 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 08-057, Resolution of the County of Butte Benefits of Butte County Department Heads, the department requests to change the annual base salaries of the following department heads: 1) Agricultural Commissioner/Director of Weights and Measures from \$105,462 to \$107,916. This change will be effective May 8, 2008; 2) Chief Probation Officer from \$128,495 to \$130,771. This change will be effective July 15, 2008; and 3) Director-Child Support Services from \$116,411 to \$121,075. This change to be effective February 1, 2008. The department also requests to add

the classifications of Payroll Specialist and Payroll Specialist, Senior (Class Codes 1360/1361) to section 57, reference C of the Salary Ordinance titles "General Unit". The salary ranges for these new classifications shall be set at 38 and 40 respectively. The new classifications were agreed to by both the Department of Human Resources and the applicable Employee Association. Concurrent with this request the department is requesting to change the title of five (5) Auditor-Accountant, Associate or Auditor-Accountant or Auditor-Accountant, Senior (Class Codes 1275/1274/1272) positions to Payroll Specialist or Payroll Specialist, Senior (Class Codes 1360/1361). The change in classifications will better reflect the duties currently being performed by the incumbents. It is also requested to reclassify one (1) position of Auditor-Accountant, Associate or Auditor-Accountant or Auditor-Accountant, Senior (Class Codes 1274/1275/1272) to the classification of Administrative Analyst, Associate (Class Code 1028). The reclassification will better reflect the current duties being performed by the incumbent. Human Resources also requests to add the classification of Butte County Children and Families Commission Director (Class Code 4002) to section 57, reference F of the Salary Ordinance titled "Management, Confidential and Supervisory Unit." The salary range for this classification shall be set at 66. This new classification was agreed to by both the Department of Human Resources and the applicable Employee Association. PUBLIC HEALTH - Concurrent with the Department of Human Resources request to add the classification of Butte County Children and Families Commission-Director (Class Code 4002) to the Salary Ordinance, the Department of Public Health is requesting to reclassify one (1) position of Program Manager, Public Health (Class Code 4041) with a sunset date of June 30, 2009 to the classification of Butte County Children and Families Commission-Director (Class Code 4002) with a sunset date of June 30, 2009. This new classification will make the position more comparable in title and salary to our benchmark counties Commission Directors. There are currently sufficient salary savings within the 540011 to cover the costs associated with this change through the end of the fiscal year - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PROBATION

3.21 *

Resolution Requesting Approval to Apply for Juvenile Accountability Block Grant Funds - consideration of a resolution which will authorize the Chief Probation Officer to submit an application and execute all grant related documents for \$12,650 in grant funds available from the Corrections Standards Authority for Fiscal Year 2008/2009. The grant requires a cash match of \$1,406 (proposed department budget) - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PUBLIC
HEALTH

3.22 *

Adoption of an Ordinance Adding Article IA, Entitled "Barking Dogs," and Adding Section 4-20.2, Entitled "Catteries Prohibited," to Chapter 4, Entitled "Animals," of the Butte County Code - consideration of an ordinance modifying Chapter 4 of the Butte County Code. On May 6, 2008 the Board made minor modifications and waived the first reading of this ordinance - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-6-08 [Item 4.06])

PUBLIC
WORKS

3.23 *

Resolution for the Summary Vacation of a Portion of River Road - Caltrans relocated the intersection of River Road and Highway 32 and realigned a portion of River Road. This construction severed a portion of the existing River Road which is no longer necessary for public road purposes - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.24 *

Authorization to Award Project - Aguas Frias Bridge Across Butte Creek, Federal Project STPLF-5912(014), County Project Number 23201-95-1 - approval is requested to award the project to replace two County bridges located on Aguas Frias Road to MCM Construction of North Highlands, California. MCM was the lowest responsible and responsive bidder with a bid of \$7,183,500. This project is 100% reimbursable through the Federal Highway Bridge Program and the State Transportation Improvement Program - action requested - AWARD CONTRACT TO MCM CONSTRUCTION IN THE AMOUNT OF \$7,183,500.

3.25 *

Notice of Completion - Construction of Module 4, Phase C at Neal Road Sanitary Landfill - All contract work has been completed. The work consisted of preparing the subgrade for construction of landfill liner; furnishing and installing the landfill line components; and installing a leachate pump and controls - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.

3.26 *

Award of Bid for Overlay of Skyway Chico-Bound Lanes From 3.12 Miles to 6.74 Miles West of Skyway Crossroad, County Project No. 51261-07-1 - Three bids for this project were received and opened on May 9, 2008. The lowest responsible and responsive bidder was Baldwin Contracting Company, Inc. of Chico, CA with a bid in the amount of \$1,104,108. The construction portion of this project is being funded by Proposition 1B funds - action requested - AWARD BID TO BALDWIN CONTRACTING COMPANY.

SHERIFF-
CORONER

3.27 *

Budget Transfer - approval is requested for a budget transfer of \$1,000 as detailed in the agenda report in order to augment the purchase of a vehicle for the Jail Electronic Surveillance Program - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.28 *

Boating Safety and Enforcement Aid Program - approval is requested to accept \$159,342 in grant funds from the State of California Department of Boating and Waterways and for approval of a resolution in support of the Boating Safety and Enforcement Aid Program - action requested - 1) APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; 3) AUTHORIZE SHERIFF TO EXECUTE CONTRACT AND GRANT RELATED DOCUMENTS; AND 4) AUTHORIZE DESIGNEES FROM THE SHERIFF'S AND AUDITOR'S OFFICES TO SIGN RELATED REPORTS AND DOCUMENTS.

TREASURER/
TAX COLLECTOR

3.29 *

Annual Statement of Investment Policy - pursuant to Government Code Sections 27133 and 53601, approval is requested 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, 2008 - action requested - APPROVE ANNUAL STATEMENT OF INVESTMENT POLICY.

3.30 *

Immedia, A Division of Columbia Ultimate - amendment - approval is requested for an amendment to this sole source agreement for the provision of a customer letter and collections software system for the Central Collections Division. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$25,000 (department budget). 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. X10088)

WATER
AND RESOURCE
CONSERVATION

3.31 *

Butte County Water Advisory Committee - action requested - APPOINT NANI TEVES TO A TERM TO END MAY 20, 2010.

OTHER
DEPARTMENTS
AND AGENCIES

3.32 *

Oroville Mosquito Abatement District - action requested - REAPPOINT STEVE LAWRENCE AND RICK ROBERTSON TO TERMS TO END DECEMBER 31, 2009; AND REAPPOINT E.L. DILLARD TO A TERM TO END DECEMBER 31, 2008.

4.00

REGULAR AGENDA

**BOARDS,
COMMISSIONS AND
COMMITTEES**

4.01 *

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

2. Board Member or Committee Reports.

**BUDGET, LEGISLATIVE
OR COUNTY RELATED
UPDATES**

4.02

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

1. Presentation by Paul Yoder of Shaw/Yoder on the Governor's budget revision - action requested - ACCEPT FOR INFORMATION.

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

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

5.00 PUBLIC HEARINGS AND TIMED ITEMS

- 9:45 A.M. 5.01 * Public Hearing - Appeal of Encroachment Permit (PW08-0049) - consideration of an appeal of a denial of the property owner's request to allow a newly constructed fence to remain within a public right-of-way. The height of the fence exceeds the height allowance for fences along the frontage of a lot. The property is located at 1288 Losser Avenue, Gridley - action requested - DENY THE APPEAL REQUIRING THAT THE FENCE BE MOVED OUT OF THE PUBLIC RIGHT-OF-WAY AND BUILT TO CONFORM WITH THE HEIGHT REQUIREMENTS CONTAINED IN THE COUNTY STANDARDS. (Public Works)
- 10:00 A.M. 5.02 * Public Hearing - North Valley Building Systems - Rezone 05-01 - consideration of a request to rezone a 1.05-acre portion of a 4.47-acre parcel from Unclassified (U) to Light Industrial (M-1). The project site is located at 11128 Midway, Chico, on the east side of the Midway/Hegan Lane intersection. The Planning Commission recommended approval of the rezone - action requested - ADOPT RESOLUTION AND THE MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND ADOPT ORDINANCE AND CONDITIONAL ZONING AGREEMENT REZONING THE PROPERTY FROM U TO M-1. (Development Services)
- 10:15 A.M. 5.03 * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 0 Grier Avenue, Palermo, APN 027-290-021. This property was abated on February 19, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$26,402.71; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

- 10:20 A.M. 5.04 * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 0 Ruiz Road, Berry Creek, APN 061-550-006. This property was abated on December 14, 2007 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$6,319.96; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)
- 10:25 A.M. 5.05 * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 434 Little Ridge Road, Berry Creek, APN 071-460-015. This property was abated on December 11, 2007 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$18,334.47; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)
- 10:30 A.M. 5.06 * Public Hearing - Itemized Cost of Nuisance Abatement for property located at 2455 B Street, Oroville, APN 035-112-003. This property was abated on November 13, 2007 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,068.53; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

10:40 A.M. 5.07 *

Continued Public Hearing - Appeal of Planning Commission's Denial of Exception Request to Road Improvement Condition - Tentative Parcel Map 06-13 - consideration of an appeal regarding the Planning Commission's requirement for road improvement standards for Rocky Point Road. The property is located approximately 18 miles east of Oroville at 231 Quail Point Lane, APN 071-300-002. At the April 22, 2008 Board of Supervisors meeting, the applicant agreed to modify his original appeal and asked only for an exception to road improvement standards for Rocky Point Road. The Board continued the hearing and directed staff to bring back additional information regarding fire safety concerns - action requested - STAFF RECOMMENDS ADOPTING RESOLUTION TO DENY THE APPEAL AND UPHOLD THE PLANNING COMMISSION'S DENIAL AND AUTHORIZE THE CHAIR TO SIGN. (Development Services) (FROM 4-22-08 [ITEM 5.01])

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.

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 20, 2008

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

2.00 **Closed Session**

2.01 CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:
LABOR NEGOTIATOR: CATHI GRAMS / LAURA BRUNSON/JACK HUGHES
EMPLOYEE ORGANIZATION: CUHW

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.

7.00 CLOSED SESSION

7.01 ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. SAN DIEGO COUNTY ET AL V. DEBRA BOWEN; SAN DIEGO SUPERIOR COURT CASE NO. 37-2007-00084017-CU-WM-CTL-CONSIDERATION OF AMICUS CURIAE PARTICIPATION.

7.02 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/INTERIM 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