

# BUTTE COUNTY BOARD OF SUPERVISORS

## AGENDA

AUGUST 19, 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.

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**3.00**            CONSENT AGENDA

AUDITOR-  
CONTROLLER

- 3.01 \***            Resolutions (2) Confirming Proposition 4 Appropriation Limit Calculations for the County of Butte and all special districts under the control of the Board of Supervisors for Fiscal Year 2008/2009 - action requested - ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.
- 3.02 \***            County Service Area Service Charges - In order to levy service charges in various county service areas, it is necessary to accomplish several prerequisite steps - action requested - DIRECT THAT A REPORT OF SERVICE CHARGES BE PREPARED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 25210.77(a) AND FILED WITH THE CLERK OF THE BOARD; DIRECT PUBLIC HEARING TO BE SET FOR SEPTEMBER 23, 2008 AT 9:50 a.m.; AND DIRECT PUBLIC NOTICE OF HEARING BE GIVEN IN ACCORDANCE WITH GOVERNMENT CODE SECTION 6066.
- 3.03 \***            Adoption of Tax Rates - consideration of a resolution to adopt various ad valorem tax rates for Fiscal Year 2008/2009 as required by State law - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.04 \***            Fiscal Year 2008/2009 Final Budget Transfers - the department has prepared the final budget transfers for Fiscal Year 2008/2009. The transfer clears deficit appropriations and makes transfers needed to close out the fiscal year - action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL  
HEALTH

3.05 \*

The Bernice B. Schumer Revocable Trust - approval is requested for a lease to house the Live Spot Program at 2120-A Robinson Street in Oroville. The Live Spot Program is a comprehensive youth program designed to build the skills/capacity of young people, provide opportunities for meaningful youth engagement and involvement in pro-social activities and reduce/prevent gang involvement/delinquency. The term of the agreement is from September 1, 2008 to August 31, 2013. The lease rate of \$.085 per square foot for the 5,800 square foot building results in a lease rate of \$4,930 per month for year one with 3% annual adjustments. This lease is funded with Mental Health Services Act (MHSA) revenue (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.06 \*

Butte County Probation Department - approval is requested for an agreement between Behavioral Health and Probation for the provision of services related to the Drug Court Program. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$54,064 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.07 \*

J. Gregory Long, D.O. - amendment - approval is requested for an amendment to the agreement with J. Gregory Long, D.O. for the provision of psychiatric services. The amendment decreases the maximum amount payable by \$95,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.08 \*

Ed Becker, Trustee - approval is requested for a recast lease agreement with Ed Becker, Trustee for the properties located at 965, 975, 985, and 995 Spruce Street, Gridley, CA comprised of approximately 4,712 square feet which is utilized for the Gridley Behavioral Health Community Counseling Center. The term of the agreement is September 1, 2008 through August 31, 2018 with initial monthly lease payment of \$4,523.52 with annual increases based on the Consumer Price Index capped at 3% for ten years - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CHIEFADMINISTRATIVEOFFICE

3.09 \*

Resolution Recognizing the Continuing Existence of Local Emergency Declarations - approval is requested for a resolution recognizing the continuance of the local emergency declarations for the June 2008 Firestorm (Ophir-Humboldt fires) which began on June 10, 2008, and the June 2008 Butte Lightning Complex which began on June 21, 2008 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.10 \*

City of Chico - approval is requested for an agreement with the City of Chico to provide funding for extended hours at the Chico Branch of the Butte County Library. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$171,172 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.11 \*

Transfer of the Butte County Courthouse and the Juvenile Court Facility - Pursuant to Senate Bill (SB) 1732 and Assembly Bill 1491, the County has been negotiating with the Judicial Council of California and the Administrative Office of the Courts (AOC) to transfer the Butte County Courthouse and Juvenile Court space from the County to the State. The Butte County Courthouse is currently occupied 100% by the Court. The proposed agreement transfers the responsibility of maintaining the Courthouse to the State until 2014, at which point the title of the building will also be transferred to the State. The Juvenile Court is housed in the old County Juvenile Hall and occupies a small percentage of the building. The County will retain the title to the old Juvenile Hall, but the proposed agreement transfers the responsibility of maintaining the Juvenile Court-occupied space to the State - action requested - 1) APPROVE TWO TRANSFER AGREEMENTS FOR BOTH THE BUTTE COUNTY COURTHOUSE AND THE JUVENILE COURT FACILITY AND THE JOINT OCCUPANCY AGREEMENT FOR THE JUVENILE COURT FACILITY AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; 2) PURSUANT TO GOVERNMENT CODE 66428(a)(2) FIND THAT PUBLIC POLICY DOES NOT NECESSITATE THE FILING OF A PARCEL MAP FOR THE CREATION OF THE NEW SUPERIOR COURT PARCEL BEING CONVEYED; AND 3) AUTHORIZE CHAIR TO SIGN ALL NECESSARY DOCUMENTS TO CONVEY THE NEWLY CREATED COURTHOUSE PROPERTY TO THE STATE OF CALIFORNIA.

3.12 \* Resolution Agreeing to a Tax Split for the Sonntag Territory Annexation to the Town of Paradise - consideration of a resolution which would agree to tax split with the Town of Paradise regarding the Sonntag Territory Annexation. The proposed allocation of future property tax revenue is 56% to the Town and 44% to the County effective July 1, 2008 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CLERK-  
RECORDER

3.13 \* Manpower - amendment - approval is requested for an amendment to the agreement with Manpower Inc. to provide staffing services for the Elections Department. The amendment extends the term of the agreement through December 31, 2008 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17124)

DISTRICT  
ATTORNEY

3.14 \* Dennis D. Diver & Associates - amendment - approval is requested for an amendment to the agreement with certified forensic accountant, Dennis D. Diver & Associates for the provision of investigating and preparing economic crime cases for prosecution. The amendment extends the term of the agreement to June 30, 2009 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15408)

3.15 \* Dale T. Fry dba Backgrounds and More - amendment - approval is requested for an amendment to the agreement with Dale T. Fry for pre-employment background checks and polygraphs. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$4,100 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15673).

3.16 \* Resolution Authorizing the District Attorney's Real Estate and Fraud Investigation Program - consideration of a resolution which will establish a fee and implement a program for the investigation and prosecution of real estate fraud. The program will be funded by a \$2.00 fee which will be paid on recorded documents related to real estate transactions, including deeds of trust, assignments of deeds of trust, reconveyances, and notices of default. California Government Code 27388 authorizes the imposition of this fee - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

EMPLOYMENT  
AND SOCIAL  
SERVICES

3.17 \* Department of Child Support Services (CSS) - approval is requested for a Plan of Cooperation (POC) with CSS for the provision of services required under Title IV-D of the Social Security Act. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$29,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.18 \* Accept Unanticipated Revenue - approval is requested to accept and appropriate \$16,733.13 in funds received from the Department of Motor Vehicles. This revenue is from initial and renewal fees for California "Kids" vehicle license plates - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.19 \* Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for the provision of a family facilitator. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$72,804 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16054)

3.20 \* Northern Valley Catholic Social Services (NVCSS) - amendment - approval is requested for an amendment to the agreement with NVCSS for the provision of a family facilitator. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$78,300 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16404)

FIRE

3.21 \* Accept Unanticipated Revenue - approval is requested to accept \$3,375 from the Northern Circle Indian Housing Authority and the Mooretown Rancheria to purchase needed equipment for the Palermo Fire Station - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

GENERAL  
SERVICES

3.22 \*

Notice of Completion - West Jail Facility Energy Conservation Measures - All contract work has been completed. The work consisted of installation of HVAC units at 33 County Center Drive - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.

HUMAN  
RESOURCES

3.23 \*

Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: GENERAL SERVICES - requests to add one position of Administrative Analyst, Senior; Administrative Analyst; or Administrative Analyst, Associate. This position was approved in the Fiscal Year 2008/2009 budget. General Services also requests to move one position of Auditor-Accountant, Associate; Auditor-Accountant; or Accounting Specialist from budget unit 020-003 to 060-002. This position was transferred to General Services as part of the recommendations of the Finance Management Options Committee. LIBRARY - requests one flexibly staffed position of Library Assistant to Library Assistant, Senior or Library Assistant - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

PROBATION

3.24 \*

Assessments.com - approval is requested for a sole source agreement with Assessments.com for the provision of software and a training program designed to evaluate the criminogenic risk factors and treatment needs of juvenile probationers. Funding will be provided by the Youthful Offender Block Grant (YOBG). The term of the agreement is July 1, 2008 to June 30, 2010 with a maximum amount payable of \$145,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE FIXED ASSET PURCHASE OF RELATED SOFTWARE INCLUDED IN THE AGREEMENT.

3.25 \*

Chico Unified School District (CUSD) - approval is requested for two separate agreements with CUSD for the department to provide two half-time Probation Officers to assist with the Focus on the Future program and Truancy programs. The contract period for both agreements is July 1, 2008 through June 30, 2009. The maximum amount payable for the agreement for Focus on the Future program is \$40,086 (department budget) and the maximum amount payable for the Truancy program is \$39,617 (department budget) - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC  
HEALTH

3.26 \*

Butte County Children and Families Commission (BCCFC) - approval is requested for an agreement with BCCFC for the Oral Health Initiative Coordination program. The term of the grant agreement is July 1, 2008 through June 30, 2013 with a maximum amount payable of \$125,671 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contact No. X17358)

PUBLIC  
WORKS

3.27 \*

Contract Change Order for the Construction of the Aguas Frias Road Bridge across Butte Creek, County Project No. 23201-95-1 - approval is requested for this change order which provides for increased funding for requiring the contractor to install a mandatory construction joint in each of the seven case-in-drilled-hole (CIDH) concrete piles. This contract change order results in an overall increase to the contract of \$12,400 - action requested - APPROVE CONTRACT CHANGE ORDER AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.28 \*

Contract Change Order for the Skyway Lookout Point Parking and Pedestrian Viewing Facility, County Project No. 51261-2-2005-1 - approval is requested for this change order for increased funding for replacing metal beam guard rail, wood posts and wood blocks that were destroyed during the Humboldt Fire at the Skyway Lookout Point parking and pedestrian viewing facility. This contract change order results in an overall increase to the contract of \$30,112.62 - action requested - APPROVE CONTRACT CHANGE ORDER AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.29 \*

Budget Transfer - approval is requested for a budget transfer totaling \$1,104 from Contingencies as detailed in the agenda report for expenses associated with repairs of the fire protection system in County Service Area 128 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.30

Adoption of an Ordinance Amending Section 20-133 of Chapter 20 of the Butte County Code - consideration of an ordinance which will amend the Butte County Code to be in alignment with the Fire Safe Regulations adopted by the California Department of Forestry and Fire Protection pursuant to Public Resources Code Section 4290 - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-5-2008 [item 4.05])

3.31 Adoption of an Ordinance Amending Chapter 26 of the Butte County Code - The proposed ordinance amends the Butte County Code to require urban improvements for all new buildings, provides for an in-lieu fee for future improvement in urban areas, and allows for the postponement of improved installation for a period of up to five years. The related resolution establishes Standard Estimating rates for calculation of in-lieu fee or bonding of improvements - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT THE RESOLUTION ESTABLISHING ESTIMATING RATES TO COINCIDE WITH THE ADOPTION OF THE ORDINANCE. (From 8-5-2008 [Item 5.01])

3.32 \* Speedway Avenue Extension Project, County Project No. 50255C-99-1 and the associated State Route 99 Frontage Road Extension Project, County Project No. 50255C-2005-1 - approval is requested for the transfer of a portion of APN 040-303-070 to the owners of APN 040-030-085 as partial compensation for the County acquisition of a portion of their property - action requested - ADOPT RESOLUTION AUTHORIZING THE PROPERTY MANAGER TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS FOR TRANSACTION AND AUTHORIZING THE TRANSFER OF PARCEL H; AND AUTHORIZE THE CHAIR TO SIGN.

SHERIFF-  
CORONER

3.33 \* Fiscal Year 2008 Inmate Welfare Expenditure Report - Pursuant to Penal Code Section 4025(e), submitted is the annual Inmate Welfare Expenditure Report - action requested - ACCEPT FOR INFORMATION.

3.34 \* Keefe Commissary Network - approval is requested for an agreement with Keefe Commissary Network for the provision of commissary services for the inmate population of the jail. The recently completed Request for Proposal (RFP) process received four responses of the six vendors solicited and Keefe Commissary network was selected due to level of service, reputation, and the highest commission rate offered among the respondents. The term of the agreement is September 1, 2008 through August 31, 2011 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

WATER &  
RESOURCE  
CONSERVATION

3.35 \*

Approval of Letter to the Delta Vision Blue Ribbon Task Force - approval is requested for letter commenting on the draft Delta Vision Strategic Plan that was first released on June 18, 2008 by the Delta Vision Blue Ribbon Task Force. The Task Force was created by the Governor to develop a recommendation and strategic plan to address the problems facing the Delta - action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

OTHER  
DEPARTMENTS  
AND AGENCIES

3.36

Resolution Recognizing September 2008 as Prostate Cancer Awareness Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Connelly)

4.00

REGULAR AGENDA

BOARDS,  
COMMISSIONS AND  
COMMITTEES

4.01 \*

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.
2. Board Member or Committee Reports.

BUDGET, LEGISLATIVE  
OR COUNTY RELATED  
UPDATES

4.02

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

4.03 \*

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

1. Butte County General Plan 2030 - Format and Outline of the Draft General Plan - submitted is information on the organization and draft outline of General Plan 2030, including the work of the Butte County Planning Commission and the Citizen's Advisory Committee - action requested - PROVIDE DIRECTION AND APPROVE A DRAFT OUTLINE FOR THE GENERAL PLAN, INCLUDING OPTIONAL ELEMENTS.

4.04 \* Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION  
AND DISCUSSION  
ITEMS

4.05 \* Information Systems Computer Use and Ethics Policy and Procedures - submitted for approval is the County of Butte Information Systems Policies and Procedures - Computer Use and Ethics Policy - action requested - ADOPT POLICY AS SUBMITTED. (Chief Administrative Office)

4.06 \* Request to Restore Positions Deleted in the Fiscal Year 2008/2009 Budget - the Department requests to restore six Behavioral Health Counselor positions and two Behavioral Health Counselor, Senior positions due to an increase in the 2008/2009 Mental Health Services Act allocation. This restoration would reduce the number of layoffs from nineteen to eleven. Approval is also requested to accept unanticipated revenue as detailed in the agenda report- action requested - RESTORE EIGHT POSITIONS AS DETAILED IN AGENDA REPORT; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)

4.07 \* Approve Cash Advance - approval is requested for a cash advance of up to \$930,000 from the General Fund to the Social Services Fund 0020 to cover the negative cash position of DESS at the end of Fiscal Year 2007/2008 due to reduced cash receipts to DESS. These receipts include a combination of a decrease in realignment revenues which was identified as a concern during the mid year review and an unanticipated delay in state reimbursements for Medi-Cal and IHSS contract payments at the end of FY 2007/2008. The advance will be paid back with the receipt of accrued 2007/2008 receivables of approximately \$4 million that will be received in the first half of this Fiscal year - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

4.08 \*

Approve Cash Advance - At the June 24, 2008 Board of Supervisors meeting, a cash advance of \$4 million from the General Fund to the Behavioral Health Fund was approved. Because \$1,388,327 in anticipated billing revenue for Fiscal Year (FY) 2007/2008 was received after June 30, 2008, the department requests the cash advance be increased to a total of \$5.35 million. This would allow for closure of the FY 2007/2008 year-end process. Approval of this action would allow for the \$1,388,327 to be immediately paid back to the General Fund - action requested - APPROVE CASH ADVANCE OF UP TO \$5.35 MILLION FROM THE GENERAL FUND INTO THE BEHAVIORAL HEALTH FUND. (Behavioral Health)

4.09

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

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**5.00**

**PUBLIC HEARINGS AND TIMED ITEMS**

9:50 A.M.

5.01 \*

Public Hearing - Resolution Approving Community Development Block Grant (CDBG) Application - consideration of a resolution approving an application for a CDBG Planning and Technical Assistance Grant in the amount of \$70,000 for a Palermo Wastewater and Drainage Study - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)

10:00 A.M. 5.02 \* Public Hearing - Zoning Code Amendment ZCA07-0002 - consideration of a ZCA to modify a previously approved Planned Unit Development (PUD). The parcel is located at 2280 Durham-Dayton Highway in Durham, APN 040-630-013, which includes the W.W. Durham House. The Butte County Planning Commission recommends the proposed amendment which will include additional uses - action requested - ADOPT RESOLUTION MAKING FINDINGS AND ADOPTING THE NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPT ORDINANCE MODIFYING THE PREVIOUSLY APPROVED PUD. (Development Services)

10:30 A.M. 5.03 \* Public Hearing - Tonriha Subdivision - On June 24, 2008, the Board adopted a resolution of intent to establish the Butte County Permanent Road Division Zone 001 and to impose parcel charges for lighting and road maintenance and to set a protest hearing/ballot proceeding. The current owner of the property has already provided a ballot in favor of the service charges - action requested - OPEN PUBLIC HEARING AND ASK FOR COMMENTS OR PROTESTS TO THE ESTABLISHMENT OF THE PROPOSED SERVICE CHARGES; REQUEST BALLOT RESULTS FROM THE CLERK OF THE BOARD; AND

1. IF A MAJORITY OF BALLOTS ARE IN FAVOR OF THE ESTABLISHMENT OF SERVICE CHARGES, APPROVE THE FORMATION OF ZONE 001 TO IMPOSE ANNUAL ASSESSMENTS FOR STREET LIGHTING AND ROAD MAINTENANCE SERVICES;

-OR-

2. IF CURRENT OWNER OF THE PROPERTY WITHDRAWS PREVIOUSLY SUBMITTED BALLOT OR PROTESTS, DENY THE REQUEST TO ESTABLISH SERVICE CHARGES. (Public Works)

10:40 A.M. 5.04 \* Timed Item - Butte County Wireless Communication Facilities - The Department of Development Services requests Board direction regarding a potential amendment to the existing wireless communication facilities ordinance of the Butte County Code (BCC 24-262) - action requested - PROVIDE DIRECTION TO STAFF. (Development Services)

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

Timed Item - Fire Department Standards of Response Cover Study (SOC) - The department will provide a study session regarding the SOC related to deployment standards, career staffing, training, communications, and station locations for the career portion of the Fire Department. A workshop on the volunteer portion of the Fire Department at a later date - action requested - **ADOPT BUTTE COUNTY FIRE DEPARTMENT PRIORITIES; AND ADOPT THE BUTTE COUNTY FIRE DEPARTMENT DEPLOYMENT PERFORMANCE STANDARDS FOR INCLUSION IN THE BUTTE COUNTY GENERAL PLAN.** (Fire)

**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): FIVE 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; AND
3. VANELLA OIL V. BUTTE COUNTY; BUTTE COUNTY SUPERIOR COURT CASE NO. 142273;
4. JONES V. COUNTY OF BUTTE, ET AL. (CONSENT DCREE); BUTTE COUNTY SUPERIOR COURT CASE NUMBER 084429;
5. GIBSON V. COUNTY OF BUTTE; SUPERIOR COURT CASE NO. 138022.

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](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)