

Called to order at 9:04 a.m., in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Houx, Josiassen, Yamaguchi and Chair Beeler. Also present: Paul McIntosh, Chief Administrative Officer; Bruce Alpert, County Counsel; and Dorothy Bell, Deputy Clerk.

Pledge of Allegiance to the Flag of the United States of America.

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (28)

ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

- 0408-001 1. Hazardous Material Disposal Budget Transfer - approval is requested for a budget transfer of \$10,000 from the General Fund Appropriation for Contingencies to fund the disposal of a recreational vehicle and travel trailer which were contaminated with hazardous substances and abandoned on a County road - action requested - APPROVE BUDGET TRANSFER B-346 (4/5 vote required) ACCEPTING AND APPROPRIATING \$10,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
2. Resolution in Recognition of Robert H. Dobis upon His Retirement from the Department of Public Works - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION.
3. Resolution in Recognition of Gerald Hightower upon His Retirement from the Department of Public Works - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION.

CONSENT AGENDA

- 0408-002 1. Budget Transfer - approval is requested to transfer \$4,000 of Forensic Resource Team (FOREST) funds between department budget line items to help fund residential services for clients in the FOREST program - action requested - APPROVE BUDGET TRANSFER B-344 TRANSFERRING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

- 0408-002 2. Caminar, Inc. - Amendment - approval is requested for an amendment to the agreement with Caminar, Inc., for the provision of vocational experience and employment support services to referred clients. The amendment revises the financial summary for fiscal year 2003-2004 and decreases the maximum amount payable by \$1.10 as a result of that revision. 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. X14709)
3. Oroville Hospital - Amendment - approval is requested for an amendment to the agreement with Oroville Hospital for the provision of medical evaluation services for individuals prior to admission to the Psychiatric Health Facility. The amendment increases the emergency room evaluation costs by \$100 per visit, but does not increase the overall maximum amount payable of the agreement. 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. X14786)
4. Resolution in Recognition of Butte County's "Mother Orange Tree" - Supervisor Beeler, at the request of the Butte County Historical Society and City of Oroville Parks Department, is requesting the Board adopt a resolution in recognition of Butte County's "Mother Orange Tree" - action requested - ADOPT RESOLUTION 04-058 AND AUTHORIZE THE CHAIR TO SIGN.
5. Approval of Minutes - action requested - APPROVE MINUTES OF DECEMBER 16, 2003.
6. Relief of Accountability - approval is requested for relief of accountability for a fixed asset laser printer transferred to surplus without necessary paperwork. The Chief Investigator of the department and the Auditor-Controller have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.

- 0408-002 7. General Assistance Rate Increase and Funding Increase - approval is requested for a resolution which will set the General Assistance rate at \$289.00 per month in accordance with Welfare and Institutions Code Section 17000.5, and adopt the revised General Assistance regulations reflecting approved rate changes effective May 1, 2004. The department estimates the annual cost increase will be \$52,000. Board approval is also requested to increase the funding for the program as a result of the rate adjustment, increases in assistance cases, and declining reimbursements. The department is requesting the Board authorize additional funding in the amount of \$261,000, which will be provided by a transfer from the Severely Emotionally Disturbed budget unit and by acceptance of unanticipated Welfare Fraud Incentive revenue - action requested - ADOPT RESOLUTION 04-059 SETTING THE MAXIMUM GENERAL ASSISTANCE RATE AND ADOPTING REGULATIONS REFLECTING THE APPROVED RATE CHANGE EFFECTIVE MAY 1, 2004, AND AUTHORIZE THE CHAIR TO SIGN; APPROVE INCREASE TO GENERAL ASSISTANCE BUDGET; AND APPROVE BUDGET TRANSFER B-345 (4/5 vote required) TRANSFERRING, ACCEPTING AND ALLOCATING DEPARTMENT BUDGET FUNDS AND UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
8. Private Industry Council - approval is requested for a revenue agreement with the Private Industry Council for funds to support the County's provision of job search services to non-CalWORKs job seekers. The term of the agreement is July 1, 2003, through March 31, 2005, with a maximum amount payable to the County of \$300,000 for fiscal year 2003-2004, and \$50,000 for fiscal year 2004-2005 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
9. RRM Design Group - Amendment - approval is requested for an amendment to the agreement with RRM Design Group for the provision of architectural services for the Butte County Fire Station No. 42 Relocation Capital Project. The amendment extends the term of the agreement to June 30, 2004, to allow additional time to complete the contracted phase of the project. 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.
10. Associated Building Contractors - approval is requested to award an agreement to Associated Building Contractors of Oroville, for construction activities required to remodel the facilities located at 18 County Center Drive, Suites A and B, Oroville. The facilities are utilized by the Behavioral Health Department. The agreement is the result of an Invitation For Bid, with Associated Building Contractors of Oroville being the lowest qualified bidder in the amount of \$359,700 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14816)

- 0408-002 11. The Zahn Group, Inc. - approval is requested for an agreement with The Zahn Group, Inc., for project management services for the Courthouse Expansion Project. The term of the agreement is 360 days from the date of approval, with a maximum amount payable of \$99,975.50. Funding for the agreement will be provided by the project budget, and Board approval is also requested for a transfer of \$20,000 from the Criminal Justice Temporary Construction Fund to the project budget to provide the remaining needed appropriation. The agreement is the result of a Request For Proposal - action requested - APPROVE BUDGET TRANSFER B-347 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
12. Emergency Management Performance Grant Program - approval is requested to apply to the Office of Homeland Security for funding under the Fiscal Year 2004 Emergency Management Performance Grant Program. The Butte County Operational Area has been allocated \$50,112 to support activities that contribute to the mitigation, prevention, response and recovery from natural and/or man-made emergencies and disasters - action requested - ADOPT RESOLUTION 04-061 APPROVING GRANT APPLICATION AND SUBGRANTEE ASSURANCES AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE GENERAL SERVICES DIRECTOR AND/OR EMERGENCY SERVICES OFFICER TO SIGN GRANT DOCUMENTS.
13. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - extends the sunset date of one position of Legal Typist Clerk to June 30, ~~2004~~ 2005. SHERIFF-CORONER-SERVICES - extends the position end dates of one term position of Deputy Sheriff, and one sunset position of Sheriff's Clerk to June 30, 2005. SHERIFF-CORONER-FORENSIC SERVICES TEAM - extends the sunset date of one position of Administrative Analyst I to October 29, 2004. SHERIFF-CORONER-SPECIAL ENFORCEMENT UNIT - extends the sunset date of one position of Deputy Sheriff to June 30, 2005. PUBLIC HEALTH-GENERAL SERVICES - extends the sunset dates for the following positions to June 30, 2005: Program Manager-Butte County Children and Families Commission, Administrative Services Assistant/Office Assistant III, Administrative Services Assistant, Public Health Nurse III/I/I (2 positions), Staff Nurse III/II/I/Licensed Vocational Nurse, Health Education Specialist III/II/I, Public Health Assistant II/I, Administrative Analyst III/I/I (4 positions), Information Systems Analyst III/II/I, Information Systems Technician II/I, and Office Assistant III/II/I - action requested - ADOPT RESOLUTION 04-061 AND AUTHORIZE THE CHAIR TO SIGN.

- 0408-002 14. Accept Unanticipated Revenue - approval is requested to accept and appropriate \$8,550 received from the California Department of Education - action requested - APPROVE BUDGET TRANSFER B-348 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
15. Library Donation - pursuant to Government Code Section 25355, a donation of \$100 from Robert and Ellen Babb of Palermo has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION.
16. Library Donation - pursuant to Government Code Section 25355, a donation of \$953.57 from the Paradise Friends of the Library Group has been received for extra help support staff at the Paradise Library. Board approval is requested to accept the donation and approve the appropriation of the funds - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-349 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
17. Small Business Initiative Grant - approval is requested to apply to the California State Library for participation in the Small Business Initiative Grant Program. The program is designed to provide services to small businesses. If awarded the grant, the Library will be provided a package of services and must agree to participate in training sessions and to involve local small businesses in the project. A cash value is not attached to the grant - action requested - APPROVE SUBMISSION OF GRANT APPLICATION AND AUTHORIZE THE DIRECTOR OF LIBRARIES TO SIGN.
18. 2004-2005 Victim/Witness Program Grant - approval is requested to apply to the California Victim Compensation and Government Claims Board for \$114,705 to be utilized to verify and process victim claims, and provide victim advocacy services - action requested - ADOPT RESOLUTION 04-062 APPROVING APPLICATION FOR FUNDING AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN ALL RELATED DOCUMENTS.
19. Juvenile Justice Crime Prevention Act - approval is requested for a resolution which will authorize the Chief Administrative Officer to submit and/or sign Butte County's application for approval for the County's Comprehensive Multi-agency Juvenile Justice Plan Modification and related documents, and gives assurances regarding the County's plan and adherence to the program guidelines - action requested - ADOPT RESOLUTION 04-063 AND AUTHORIZE THE CHAIR TO SIGN.

- 0408-002 20. 2004-2005 Funeral Burial/Domestic Violence Agreement - approval is requested for a resolution which will authorize the County to contract with the Victim Compensation and Government Claims Board (VCGCB) to establish a process by which the County may pay verified funeral/burial expenses when a provider of services is unwilling to wait for reimbursement through the normal claims payment process. The VCGCB has allocated \$40,000 to the County for this program for fiscal year 2004-2005 - action requested - ADOPT RESOLUTION 04064 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN ALL RELATED DOCUMENTS.
21. Health Management Systems, Inc. - Amendment - approval is requested for an amendment to the agreement with Health Management Systems, Inc., for the provision of computerized billing. The amendment provides for assignment of the agreement to Accordis, Inc., a subsidiary of Health Management Systems, Inc. - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11682)
22. Gina Lynne Burris - Amendment - approval is requested for an amendment to the agreement with Gina Lynne Burris for the provision of licensed therapy services to clients of the California Children's Services Program. The amendment increases the maximum amount payable by \$2,100 (department budget) for additional services needed. 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. X14218)
23. Hanover, Incorporated - approval is requested for an agreement with Hanover, Incorporated for the installation of new monitoring wells, water sampling, and required reporting for properties in the Nitrate Compliance Plan area. The term of the agreement is May 1, 2003, through June 30, 2005, with a maximum amount payable of \$113,461.10 (County Service Area No. 14 budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
24. Resolution in Recognition of J.C. Haltiwanger upon His Retirement from the Department of Public Works - action requested - ADOPT RESOLUTION 04-065 AND AUTHORIZE THE CHAIR TO SIGN.

- 0408-002 25. Oroville Quincy Highway (CA 119) Reconstruction Project - approval is requested for a resolution which will authorize the Director of Public Works to negotiate and sign the Agreement for Acquisition of Real Property for Road Purposes, Agreement for Temporary Construction Easements, and Permit to Enter and Construct Improvements for Owners Benefits for the Oroville Quincy Highway (CA 119) Reconstruction Project - action requested - ADOPT RESOLUTION 04-066 AND AUTHORIZE THE CHAIR TO SIGN.
26. County Service Area No. 141 (Mountain Oaks Subdivision) - approval is requested for a resolution which will direct commencement of the procedures required to impose an increased annual service charge for County Service Area (CSA) No. 141 (Mountain Oaks Subdivision), and sets a public hearing for consideration of such increase for Tuesday, July 27, 2004, at 10:30 a.m. - action requested - ADOPT RESOLUTION 04-067 AND AUTHORIZE THE CHAIR TO SIGN.
27. Changes to County Maintained Mileage - approval is requested for a resolution which will certify the annual additions or exclusions from the mileage of maintained County roads pursuant to the Streets and Highways Code and the CalTrans Local Assistance Procedures Manual. The total mileage of maintained County roads is 1,351.88, a reduction of 4.05 miles from the 2003 certified mileage. The reduction is primarily a result of annexations to other local jurisdictions - action requested - ADOPT RESOLUTION 04-068 AND AUTHORIZE THE CHAIR TO SIGN.
28. Budget Transfer - approval is requested for a transfer of \$47,547 of California Integrated Waste Management Board grant funds between department budget line items to correct a budget line item allocation error. The funds were inadvertently allocated to the Solid Waste budget unit and need to be reallocated to the Recycling/Grant budget unit - action requested - APPROVE BUDGET TRANSFER B-350 (4/5 vote required) TRANSFERRING AND ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.
29. Countywide Bikeway Master Plan - approval is requested for a resolution which will adopt the Countywide Bikeway Master Plan approved by the Board in October 1998. The re-adoption of the plan will allow the County to apply to the State of California for Bicycle Transportation Account funds pursuant to Streets and Highways Code Section 891.2 - action requested - ADOPT RESOLUTION 04-069 AND AUTHORIZE THE CHAIR TO SIGN.

- 0408-002 30. Reconstruction of Holland Avenue from Faber Street to Durham-Dayton Highway/Construction of a New Storm Drain from 250' South of Florida Lane to Just North of Durham Street - the project consists of the rehabilitation of Holland Avenue, including the addition of curbs, gutters and a sidewalk on the west side of Holland Avenue, and the construction of a storm drain system from Florida Lane to Durham Street. The project estimate is \$492,000 - action requested - APPROVE PLANS AND SPECIFICATIONS; ADOPT WAGE SCALE; AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AND AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN PLANS.
31. Construction of the Module 4 Access Road at the Neal Road Sanitary Landfill - Contract Change Order (CCO) Nos. 1 and 2 - CCO No. 1, in the increasing amount of \$5,620, provides for the extra work needed to install a culvert and inlet for the access road. CCO No. 2, in the increasing amount of \$55,000, provides for additional access paving and road improvements in and around the entrance and scale facilities. Funding for the changes is available in the Landfill Enterprise Fund - action requested - APPROVE CCO NOS. 1 AND 2 AND AUTHORIZE THE CHAIR TO SIGN.
32. Resolution in Recognition of Deputy Dale Wyrauch upon His Retirement from the Butte County Sheriff's Office - action requested - ADOPT RESOLUTION 04-070 AND AUTHORIZE THE CHAIR TO SIGN.
33. Monthly Investment Report - submitted is the Monthly Investment Report dated March 31, 2004, in accordance with the Statement of Investment Policy dated July 1, 2003 - action requested - ACCEPT FOR INFORMATION.
34. Resolution Declaring May 3-9, 2004, Mosquito and Vector Control and West Nile Virus Awareness Week - the Butte County Mosquito and Vector Control District is requesting the Board adopt the resolution - action requested - ADOPT RESOLUTION 04-071 AND AUTHORIZE THE CHAIR TO SIGN.
35. Resolution Proclaiming May 2004 as Older Americans Month - the Butte County members of the Advisory Council to PSA 3 - Area Agency on Aging are requesting the Board adopt the resolution - action requested - ADOPT RESOLUTION 04-072 AND AUTHORIZE THE CHAIR TO SIGN.
36. Oroville Mosquito Abatement District - action requested - REAPPOINT JEAN PRATT AND STEVE LAWRENCE TO TERMS TO END DECEMBER 31, 2005.
37. Gridley-Biggs Cemetery District - action requested - REAPPOINT LARENCE D. HAMMAN, TRUSTEE, TO A TERM TO END MAY 1, 2008.

0408-002 MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.14 AMENDED TO CORRECT THE TERM ENDING DATE FOR A LEGAL TYPIST CLERK POSITION FROM 2004 TO 2005, AND THE REMOVAL OF ITEMS 3.10, 3.25 AND 3.27.

M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

CHAIR BEELER PRESENTS A RESOLUTION PROCLAIMING MAY AS OLDER AMERICANS MONTH TO CHARLES HANSEN, AREA AGENCY ON AGING.

CHAIR BEELER PRESENTS A RESOLUTION DECLARING MAY 3-9, 2004, AS MOSQUITO AND VECTOR CONTROL AND WEST NILE VIRUS AWARENESS WEEK TO CHARLOTTE MCCORD, BUTTE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT.

CHAIR BEELER PRESENTS A RESOLUTION OF RECOGNITION TO J.C. HALTIWANGER UPON HIS RETIREMENT FROM THE DEPARTMENT OF PUBLIC WORKS.

CHAIR BEELER PRESENTS A RESOLUTION OF RECOGNITION TO DALE WYRAUCH UPON HIS RETIREMENT FROM THE BUTTE COUNTY SHERIFF'S OFFICE.

REGULAR AGENDA

0408-003 Boards, Commissions and Committees. (420)

1. Board Member or Committee Reports. SUPERVISOR JOSIASSEN STATED THAT MR. MCINTOSH WILL PROVIDE THE UPDATE REGARDING THE CSAC NEGOTIATIONS WITH THE GOVERNOR.
2. Appointments to Listed Vacancies. (NONE)
3. County of Butte Indian Gaming Local Community Benefit Committee - action requested - APPOINT STEVE JERNIGAN, GORDON ANDOE, AND JACK BERRY, CITY OF OROVILLE REPRESENTATIVES; AND APPOINT GARY ARCHULETA AND JIM EDWARDS, REPRESENTATIVES OF A MAJORITY OF TRIBES PAYING INTO THE INDIAN GAMING SPECIAL DISTRIBUTION FUND.

MOTION: I MOVE TO APPOINT STEVE JERNIGAN, GORDON ANDOE, AND JACK BERRY, CITY OF OROVILLE REPRESENTATIVES; AND APPOINT GARY ARCHULETA AND JIM EDWARDS, REPRESENTATIVES OF A MAJORITY OF TRIBES PAYING INTO THE INDIAN GAMING SPECIAL DISTRIBUTION FUND.

S M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

0408-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (474) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PROVIDES THE BOARD WITH AN UPDATE ON THE STATUS OF NEGOTIATIONS FOR A RESOLUTION TO THE STATE'S BUDGET ISSUES AS FAR AS IT ADDRESSES LOCAL GOVERNMENT.

0408-004 1. Resolution Authorizing the Implementation of a Retirement Incentive Program - consideration of a resolution adopting the Public Agency Retirement System (PARS) Trust, including the PARS Separation Incentive Plan , and authorizing the Chief Administrative Officer to implement a retirement incentive program with PARS for the purpose of reducing staffing levels without excessive layoffs while meeting the financial goals of the county with minimum disruption to the effective management of county operations - action requested - ADOPT RESOLUTION ADOPTING THE PARS TRUST AND AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO ENTER INTO THE NECESSARY AGREEMENT(S) TO IMPLEMENT A RETIREMENT INCENTIVE PROGRAM WITH PARS AND ACT AS THE PLAN ADMINISTRATOR, AND AUTHORIZE THE CHAIR TO SIGN.

MOTION: I MOVE TO ADOPT RESOLUTION 04-073 ADOPTING THE PARS TRUST AND AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO ENTER INTO THE NECESSARY AGREEMENT(S) TO IMPLEMENT A RETIREMENT INCENTIVE PROGRAM WITH PARS AND ACT AS THE PLAN ADMINISTRATOR, AND AUTHORIZE THE CHAIR TO SIGN.

S M
 VOTE: 1 Y 2 N 3 Y 4 Y 5 Y (Motion Carried)

2. Department Head Salaries - requested is the deferral of the department head pay for performance program for the 2004-05 fiscal year. Department Heads would continue to receive performance evaluations but would not receive any salary adjustment unless they are under the 2003 benchmark for the position and an increase is warranted by performance. A salary reduction could occur if performance was not equal to that rated in 2003 - action requested - DEFER THE DEPARTMENT HEAD PAY FOR PERFORMANCE PROGRAM FOR THE 2004-05 FISCAL YEAR.

MOTION: I MOVE TO DEFER THE DEPARTMENT HEAD PAY FOR PERFORMANCE PROGRAM FOR THE 2004-05 FISCAL YEAR.

M S
 VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

RECESS: 9:55 a.m.

RECONVENE: 10:05 a.m.

REGULAR AGENDA

0408-004 Veterans' Memorial Park Expansion Site Feasibility Study Final Report - presentation of a feasibility study regarding acquisition and development of three parcels adjacent to the Oroville Veterans' Memorial Hall for construction of a Veterans' Memorial Park and additional parking space - action requested - ACCEPT FINAL REPORT; AND DIRECT STAFF TO MEET WITH THE CITY OF OROVILLE REGARDING THE IMPLEMENTATION OF PHASE ONE, INCLUDING SITE OWNERSHIP, PROJECT MANAGEMENT AND THE TRANSFER OF PROPOSITION 12 FUNDING TO THE CITY FOR THE PROJECT. (1716) (**00)

MOTION: I MOVE TO ACCEPT THE FINAL REPORT; AND DIRECT STAFF TO MEET WITH THE CITY OF OROVILLE REGARDING THE IMPLEMENTATION OF PHASE ONE, INCLUDING SITE OWNERSHIP, PROJECT MANAGEMENT AND THE TRANSFER OF PROPOSITION 12 FUNDING TO THE CITY FOR THE PROJECT.

VOTE: M S
1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

RECESS: 10:55 a.m.

RECONVENE: 11:05 a.m.

PUBLIC HEARINGS AND TIMED ITEMS

0408-005 Continued Public Hearing - Tentative Parcel Map Appeal - Ruddy Creek Partnership - consideration of an appeal of a mitigation measure for a Tentative Parcel Map to divide a 17.8± acre parcel into four 1.1± acre parcels for residential development, and a remainder parcel of 13.4± acres. This is a project on which notice of intent to adopt a negative declaration with mitigation measures regarding environmental impacts has been given. Sewage disposal and domestic water services would be through the Thermalito Irrigation District (TID). Parcels 2, 3, and 4 would front on 18th Street. Parcel 1, a corner lot, would front on both 18th Street and Feather Avenue. The remainder parcel would front on Feather Avenue. The remainder parcel would ultimately be developed with an 87-space mobile home park. The property is zoned A-R (Agricultural Residential) and is located on the southeast corner of Feather Avenue and 18th Street, Thermalito, and identified as APN 030-360-082, 083, 084 (SB [TPM 03-26]) - action requested - STAFF RECOMMENDS THE BOARD DENY THE APPEAL TO ELIMINATE MITIGATION MEASURE NO. 2. (FROM 4-13-04 [5.01]) (**741)

PUBLIC HEARING RECONVENED AT 11:06 A.M., AND CONTINUE OPEN TO AN UNDETERMINED DATE TO ALLOW THE PROJECT TO BE RETURNED TO THE PLANNING COMMISSION TO HAVE THE INITIAL STUDY RE-CIRCULATED TO ADDRESS THE TREE REQUIREMENT ISSUE.

0408-006 Public Hearings - Community Development Block Grant (CDBG) Program:

PUBLIC HEARING OPENED: 12:13 A.M.
PUBLIC HEARING CLOSED: 12:22 A.M.

1. Consideration of Amendments to the Butte County Re-Use Plan - the CDBG Re-Use Plan establishes the guidelines, policies, and procedures for the administration and utilization of Program Income received under the State Community Development Block Grant Program. Approval is requested for an amendment to the previously adopted Re-Use Plan to comply with recent changes to CDBG Program guidelines. The proposed amended plan would allow the County three alternatives for substantially expending Program Income - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

MOTION: I MOVE TO ADOPT RESOLUTION 04-074 AND AUTHORIZE THE CHAIR TO SIGN.
M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

2. Consideration of a Transfer of Program Income - approval is requested for a resolution amending CDBG Grant No. 02-EDBG-874, and authorizing the allocation of CDBG Program Income for previously approved activities as follows:

- A. \$170,000 in CDBG Program Income from the Housing Allocation Revolving Loan Account into open Grant No. 02-EDBG-874, for previously approved activities associated with the Butte County Business Incubator Program; and

- B. \$50,000 in CDBG Program Income from the Housing Allocation Revolving Loan Account into open Grant No. 02-EDBG-874, for previously approved activities associated with the Southside Oroville Community Center Project.

Action requested - APPROVE BUDGET TRANSFER B-351 (4/5 vote required); AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (**3661) (**00)

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-351 AND ADOPT RESOLUTION 04-075 AND AUTHORIZE THE CHAIR TO SIGN.

M S
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

REGULAR AGENDA

0408-007 Application for Transportation Enhancement Activities Fund - consideration of the selection of two projects for submission to the Butte County Association of Governments for Transportation Enhancement Activities funding - action requested - AUTHORIZE AND DIRECT THE PUBLIC WORKS DEPARTMENT TO SUBMIT THE TOP TWO PRIORITY PROJECTS TO THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS. (**363)

MOTION: I MOVE TO AUTHORIZE AND DIRECT THE PUBLIC WORKS DEPARTMENT TO SUBMIT THE TOP TWO PRIORITY PROJECTS, WITH AN AMENDMENT TO PROJECT TWO TO INCLUDE THE SIDEWALK PROJECT ON LOWER WYANDOTTE, TO THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS.

M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

0408-008 Lake Oroville Federal Energy Regulatory Commission (FERC) Project 2100 - Agreement - consideration of approval of an "Agreement Concerning the Use of Communication Made During Settlement Negotiations" - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (**888)

MOTION: I MOVE TO APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

M S

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y

0408-009 Items Removed from the Consent Agenda for Board Consideration and Action.

- 1. Hazardous Material Disposal Budget Transfer - approval is requested for a budget transfer of \$10,000 from the General Fund Appropriation for Contingencies to fund the disposal of a recreational vehicle and travel trailer which were contaminated with hazardous substances and abandoned on a County road - action requested - APPROVE BUDGET TRANSFER B-346 (4/5 vote required) ACCEPTING AND APPROPRIATING \$10,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-346 ACCEPTING AND APPROPRIATING \$10,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

S K

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

PUBLIC COMMENT

0408-010 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. (**1162) (NONE)

CLOSED SESSION

0408-009 RECESS: THE BOARD RECESSED AT 12:50 P.M., TO A CLOSED SESSION CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1) AGRICULTURAL COMMISSIONER; 2) DIRECTOR-BEHAVIORAL HEALTH; 3) CHIEF ADMINISTRATIVE OFFICER; 4) CHIEF PROBATION OFFICER; 5) COUNTY COUNSEL; 6) DIRECTOR-CHILD SUPPORT SERVICES; 7) DIRECTOR-DEVELOPMENT SERVICES; 8) DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 9) DIRECTOR-HUMAN RESOURCES; 10) DIRECTOR-INFORMATION SYSTEMS; 11) DIRECTOR-LIBRARIES; 12) DIRECTOR-PUBLIC HEALTH; 13) DIRECTOR-PUBLIC WORKS; AND 14) DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-221-M); BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-186-M); AND BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-187-M). (**1126)

RECONVENE: THE BOARD RECONVENED AT 12:50 P.M., FROM A CLOSED SESSION CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1) AGRICULTURAL COMMISSIONER; 2) DIRECTOR-BEHAVIORAL HEALTH; 3) CHIEF ADMINISTRATIVE OFFICER; 4) CHIEF PROBATION OFFICER; 5) COUNTY COUNSEL; 6) DIRECTOR-CHILD SUPPORT SERVICES; 7) DIRECTOR-DEVELOPMENT SERVICES; 8) DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 9) DIRECTOR-HUMAN RESOURCES; 10) DIRECTOR-INFORMATION SYSTEMS; 11) DIRECTOR-LIBRARIES; 12) DIRECTOR-PUBLIC HEALTH; 13) DIRECTOR-PUBLIC WORKS; AND 14) DIRECTOR-WATER AND RESOURCE CONSERVATION. CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-221-M); BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-186-M); AND BUTTE COUNTY EMPLOYEES' ASSOCIATION V. BUTTE COUNTY (NO. SA-CE-187-M). (**1182) (NO ANNOUNCEMENT)

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 4:05 P.M., TO
RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE
HELD TUESDAY, MAY 13, 2004, AT 9:00 A.M.

R.J. BEELER, CHAIR

Attest:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____