

Called to order at 9:08 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 Marion Reeves, Assistant Clerk of the Board.

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. (46) (NONE)

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

- 0411-001 1. Funding Plan for Fiber Communications Project - approval is requested for a funding plan for the Butte County Fiber Communications Project. The plan proposes the \$723,117 project be funded as follows: \$207,212 - contribution from the Department of Employment and Social Services for communication infrastructure enhancement; \$291,000 - grant from the County's Homeland Security Funding Committee; and \$224,905 from the County General Fund. Board approval is also requested for a transfer of the proposed funds to provide the appropriation for the project - action requested - APPROVE PROPOSED FUNDING PLAN; AND APPROVE BUDGET TRANSFER B-432 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (50)

CONSENT AGENDA

- 0411-002 1. Megabyte Systems Inc. - approval is requested for an agreement with Megabyte Systems Inc., for the provision of software maintenance and support of the Butte County Property Tax System. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$8,139.45 per month (Assessor/Auditor/Tax Collector budgets) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14901)
2. Butte County Probation Department and Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Probation Department for services in support of the Family Bridges program. The amendment makes revisions to the Probation Department line item expenses within Exhibit B - Budget. All other terms and provisions remain the same. Board approval is also requested by the Probation Department for a transfer of \$6,790 between department budget line items to allow for expenditures within the program - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-433 AS DETAILED IN THE AGENDA REPORT.

- 0411-002 3. Youth For Change - Amendment - approval is requested for an amendment to the sublease agreement with Youth For Change for office space in the Paradise Ridge Family Resource Center located at 6249 Skyway, Paradise. The location is utilized by the Youth Services Division. The amendment extends the term of the agreement through June 30, 2007, and sets the monthly lease rate at \$275 (department budget) beginning July 1, 2004. 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. X11907)
4. Victor D. Mlotok, M.D. - approval is requested for an agreement with Victor D. Mlotok, M.D., for the provision of services in the specialized field of Psychiatry. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$126,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
5. Gene Desautels, D.O./Urgent Medical Clinic - approval is requested for an agreement with Gene Desautels, D.O./Urgent Medical Clinic, to gather health history information and conduct physical examinations of persons in the Butte County Psychiatric Health Facility. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$91,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. Michael Hitchko, Ph.D. - approval is requested for an agreement with Michael Hitchko, Ph.D., for the provision of services in the specialized field of Psychology. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$50,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
7. Youth For Change - Amendment - approval is requested for an amendment to the agreement with Youth For Change for the provision of mental health, rehabilitation and medication support services to Youth Services clients receiving Medi-Cal benefits. The amendment revises the agreement language regarding financial provisions, patient/client records, and service exhibits and attachments. 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. X14608)

- 0411-002 8. North Valley Parent Education Network - Amendment - approval is requested for an amendment to the agreement with the North Valley Parent Education Network for the provision of targeted case management, mental health and crisis intervention services to children receiving Medi-Cal benefits. The amendment revises the agreement language regarding payment notices, patient/client records, service exhibits and attachments, and department contact information. 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. X14569)
9. Northern Valley Catholic Social Services - Amendment - approval is requested for an amendment to the agreement with Northern Valley Catholic Social Services for the provision of mental health services to children receiving Medi-Cal benefits. The amendment revises the agreement language regarding reimbursement provisions, patient/client records, and service exhibits and attachments. 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. X14566)
10. Butte County Department of Employment and Social Services and Butte County Department of Behavioral Health - approval is requested for a Memorandum of Understanding with the Butte County Department of Employment and Social Services for the provision of services in support of the Options For Recovery program. The term of the agreement is July 1, 2004, through June 30, 2006, with a maximum amount payable of \$40,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
11. Superior Court of California, County of Butte and Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Superior Court of California, County of Butte, for funds to support the Drug Court Coordinator position. The amendment extends the term of the agreement through August 31, 2004, and increases the maximum amount payable by \$9,466.66 (department budget) for the extended term. 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. X11418)

- 0411-002 12. Caminar, Inc. - Amendment - approval is requested for an amendment to the agreement with Caminar, Inc., for the provision of vocational experience, supported employment services, community work crews and situation assessment for referred clients. The amendment revises the financial summary to reflect needed budgetary line item shifts. The maximum amount payable under the agreement is not amended. 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)
13. Butte County District Attorney's Office and Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the agreement with the District Attorney's Office for the provision of a Deputy District Attorney position in support of the Substance Abuse and Crime Prevention Act programs. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$18,514 (department budget), and revises the agreement budget to include the extended term. 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. X13549)
14. Tri-County Economic Development Corporation - Amendment - approval is requested for an amendment to the Master Subrecipient Agreement with Tri-County Economic Development Corporation for execution of Community Development Block Grant activities for the County. The amendment extends the term of the agreement through January 31, 2007, and includes language regarding future extensions - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
15. Transfer of Community Development Block Grant Funds - approval is requested to transfer \$42,000 of unanticipated Community Development Block Grant Program Income to the Housing Rehabilitation Loan Fund. The transfer will allow the County to provide three additional housing rehabilitation loans prior to the end of the fiscal year, and is allowed under the County's Program Income Reuse Plan - action requested - APPROVE BUDGET TRANSFER B-431 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0411-002 16. Supplemental Resolution - Pension Obligation Bonds - on March 9, 2004, the Board adopted Resolution No. 04-036, authorizing issuance of pension obligation bonds. Following that resolution, the Treasurer and Chief Administrative Officer worked to structure an issuance most favorable to the County. The final proposal includes placement of some of the bonds with Depfa Bank through a separate purchase agreement, but approval of the agreement was not part of the original resolution. Board approval is requested for a supplemental resolution regarding issuance of the bonds that will approve the form of, and authorize execution and delivery of, a first supplemental trust agreement and purchase agreement with Depfa Bank and other matters relating thereto - action requested - ADOPT RESOLUTION 04-099 AND AUTHORIZE THE CHAIR TO SIGN.
17. Adoption of an Ordinance Amending Section 2-21 of the Butte County Code Regarding Supervisors Administrative Assistants - consideration of an ordinance which will amend the Butte County Code with regard to how Board of Supervisors' Administrative Assistants are appointed, removed and compensated. The proposed amendment will provide for each Board member to nominate an Administrative Assistant and the Chief Administrative Officer to make appointments and determine compensation. There is no change to the status of the employees, which is at-will and exempt from the County's merit system - action requested - ADOPT ORDINANCE 3879 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-25-04 [3.16])
18. Butte County Resource Conservation District - approval is requested for an agreement with the Butte County Resource Conservation District for the provision of attorney services to the District. The term of the agreement is one year, with a compensation rate billed at the hourly rate established by the Auditor's Office for County Counsel Services - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.
19. National Council on Crime and Delinquency - approval is requested for an agreement for the purchase and use of SafeMeasures software and reporting services. The program will be used by Children's Services to monitor service delivery. The term of the agreement is from the date of signature through June 30, 2006, with a maximum amount payable of \$67,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0411-002 20. Northern Valley Catholic Social Services - approval is requested for an agreement with Northern Valley Catholic Social Services for the provision of Cal-Learn Program case management services. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$200,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
21. Butte County Department of Behavioral Health and Butte County Department of Employment and Social Services - approval is requested for a Memorandum of Understanding with the Butte County Department of Behavioral Health for treatment services for CalWORKs Welfare-to-Work participants. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$1,236,408 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14905)
22. Butte County Department of Behavioral Health and Butte County Department of Employment and Social Services - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Butte County Department of Behavioral Health for treatment, referral, assessment and case management services for clients of the Children's Services Division. The amendment revises the funding requirements for each department. Behavioral Health will provide \$339,264 for the program for fiscal year 2003-2004, and \$227,307 annually for fiscal years 2004-2005 and 2005-2006 (department budget). Employment and Social Services will purchase \$600,000 in services from Behavioral Health in fiscal year 2003-2004, and \$400,000 annually for fiscal years 2004-2005 and 2005-2006 (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. X14493)
23. Butte-Glenn Community College District - approval is requested for an agreement with Butte-Glenn Community College District for the provision of Vocational English as a Second Language services to CalWORKs Welfare-to-Work participants. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$172,515 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14902)

- 0411-002 24. Glenn County Resource Agency - Amendment - approval is requested for an amendment to the agreement with the Glenn County Resource Agency for Butte County's share of the costs of operating the Northern Regional Child Welfare Services/Case Management System (CWS/CMS) Computer Training Center. The amendment extends the term of the agreement through June 30, 2005, and provides for Glenn County to invoice the department for Butte County's share once the State's allocation letters are issued. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11414)
25. Northern Valley Catholic Social Services - Amendment - approval is requested for an amendment to the agreement with Northern Valley Catholic Social Services for the provision of therapy and anger management services. The amendment increases the maximum amount payable by \$35,000 (department budget) for additional services, and revises Exhibit B - Method and Rate of Payment, to reflect the increase. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14312)
26. Butte County Department of Behavioral Health and Butte County Department of Employment and Social Services - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Butte County Department of Behavioral Health for the provision of services in support of Promoting Safe and Stable Families programs. The amendment provides for clarification of billable activities. 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. X14076)
27. Northern California Youth and Family Programs - Amendment - approval is requested for an amendment to the agreement with Northern California Youth and Family Programs for the provision of the Independent Living Program. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$230,000 (department budget) for the extended term. 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. X13868)

- 0411-002 28. Surplus Property - approval is requested to declare surplus the following fixed asset items: a mobile air compressor that is beyond economic repair, a defibrillator life pack that was traded-in on the purchase of a newer model, and a Respiratory Air System that is beyond economic repair - action requested - DECLARE FIXED ASSET ITEMS SURPLUS TO THE NEEDS OF THE COUNTY; DIRECT THE ITEMS BE REMOVED FROM THE FIXED ASSET INVENTORY LIST; AND AUTHORIZE DISPOSAL IN ACCORDANCE WITH COUNTY POLICY.
29. Surplus Property - approval is requested to declare surplus 18 vehicles and 10 miscellaneous fixed asset equipment items as detailed in the agenda report. The items are no longer needed by County operating departments and/or are items beyond economic repair - action requested - DECLARE FIXED ASSET ITEMS SURPLUS TO THE NEEDS OF THE COUNTY; DIRECT THE ITEMS BE REMOVED FROM THE FIXED ASSET INVENTORY LIST; AND AUTHORIZE DISPOSAL BY THE PURCHASING AGENT IN ACCORDANCE WITH COUNTY POLICY.
30. Flexible Spending Plan - the department informs the Board that the County received a 60-day notice of cancellation from the contractor administering the County's IRC Section 125 Flexible Spending Plan. The County received five responses to the bid invitation, with two bidders being submitted to the Butte County Benefits Review Committee for consideration. Once a recommendation has been made, a contract will return to the Board for approval - action requested - ACCEPT FOR INFORMATION.
31. Side Letter Agreement - Reinstatement from Retirement - approval is requested for a side letter agreement with the Butte County Management Employees Association concerning the re-employment of Marva Van Gilder. Ms. Van Gilder retired from the Auditor's Office in December 2003. In January 2004 she began working for the Department of Employment and Social Services in an extra help capacity. The department has offered her a regular help appointment, and the proposed agreement will provide for revocation of her retirement status, and retention of her unused benefits upon reinstatement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
32. California State Library Funds - approval is requested to accept and appropriate \$773.85 received from the California State Library to reimburse expenses associated with training sessions for staff members - action requested - APPROVE BUDGET TRANSFER B-434 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0411-002 33. Library Donations - pursuant to Government Code Section 25355, donations of \$1,487.50 from anonymous donors, \$855 from the Oroville Friends of the Library, \$550 from the Chico Friends of the Library, and \$500 from the Alpha Betas of Chico, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
34. Juvenile Justice Crime Prevention Act - Amendments - approval is requested for amendments to the agreements with the Boys & Girls Club of Chico, and Parent Education Network, for services in support of the Comprehensive Multi-agency Juvenile Justice Plan. The amendments increase the maximum amount payable of each agreement by \$14,750. Funding for the amendments is provided by interest earnings on program funds, and expenditure on the amendments has been approved by the State Board of Corrections and the Juvenile Justice Coordinating Council - action requested - APPROVE AGREEMENT AMENDMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
35. Rapidtext, Inc. - Amendment - approval is requested for an amendment to the agreement with Rapidtext, Inc., for the provision of transcription services. The amendment increases the maximum amount payable for fiscal year 2003-2004 by \$5,000 (department budget), sets the maximum amount payable for fiscal year 2004-2005 at \$60,000, and makes revisions to Exhibit B - Rates and Method of Payment, to incorporate the changes - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13973)
36. Redwood Toxicology Laboratory, Inc. - Amendment - approval is requested for an amendment to the agreement with Redwood Toxicology Laboratory, Inc., for the provision of drug testing services. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$50,000 (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. X14729)
37. Sentinel Offender Services, LLC - Amendment - approval is requested for an amendment to the agreement with Sentinel Offender Services, LLC, for the provision of electronic monitoring services. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$50,000 (department budget) for the extended term - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14185)

- 0411-002 38. Occupational and Physical Therapists - approval is requested for agreements with various Occupational and Physical Therapists who provide services to eligible clients of the California Children's Services Program. All of the proposed agreements are for the term of July 1, 2004, through June 30, 2005, and are funded by State funds (50%), Realignment funds (25%) and County funds (25% [department budget]). The following agreements are presented for Board approval: Bonnie Calhoon (maximum amount payable of \$62,720); Terri Johnson (maximum amount payable of \$82,320); Susan McManus (maximum amount payable of \$50,880); Monica Schwartz (maximum amount payable of \$70,560); Joy Stabel (maximum amount payable of \$45,864); Mary Sweeney (maximum amount payable of \$29,792); Diane Willow Dejesus (maximum amount payable of \$39,200); and Teresa Wood Hansen (maximum amount payable of \$70,560) - action requested - APPROVE AGREEMENTS (8) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
39. Neal Road Landfill Expansion Project - Environmental Impact Report Addendum - in 2001 an Environmental Impact Report (EIR) was prepared for the expansion project for the Neal Road Landfill, and in 2002 the EIR was certified. During the process of obtaining a Section 404 Fill Permit from the United States Army Corps of Engineers (Corps) negotiations were made for mitigation of impacts to wetlands, resulting in the Corps approving both on-site and off-site mitigations for the potential impacts to the ephemeral drains and clay flat wetland identified in the EIR. Proposed is an addendum to the EIR which will clarify the outcome of the Section 404 permitting process - action requested - FIND THAT THE CHANGES MADE TO THE ADOPTED FINAL ENVIRONMENTAL IMPACT REPORT MAY BE DONE BY ADDENDUM AND DO NOT REQUIRE A SUBSEQUENT OR SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT; AND ADOPT THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT.
40. Construction of Leachate Impoundment and Sedimentation Basin at the Neal Road Landfill (County Project No. 757-5820) - Award of Contract - the project consists of the construction of an access road, excavation and construction of a compacted earth berm, construction of a compacted clay liner, and installation of an HDPE liner and pipes. Two bids were opened on May 25, 2004, one for construction of the leachate impoundment (Bid A) and one for construction of the leachate impoundment and sedimentation basin (Bid B-Additive). As a result of the Army Corps of Engineers' permitting process, the department is recommending the Board award the contract for construction of a leachate impoundment and sedimentation basin (Bid B-Additive). The lowest responsible bidder for the Bid B-Additive was Anderson Dragline, Inc., of Gridley, in the amount of \$1,182,900. The project will be funded by Neal Road Landfill Enterprise funds - action requested - AWARD AGREEMENT TO ANDERSON DRAGLINE, INC., OF GRIDLEY, AND AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0411-002 41. Reconstruction of Holland Avenue, from Faber Street to Durham-Dayton Highway, and Construction of a Storm Drain from 250-feet South of Florida Lane to North of Durham Street (County Project No. 42253-01-1) - the project consists of widening the existing roadway by placing asphalt concrete over aggregate base, construction of concrete curbs, gutters, and sidewalks, and a storm drainage system. Curb and gutter improvements are limited to the west side only. Bids were opened on May 21, 2004, with the lowest responsible bidder being Franklin Construction, Inc., of Chico, in the amount of \$531,626 - action requested - AWARD AGREEMENT TO FRANKLIN CONSTRUCTION, INC., OF CHICO, AND AUTHORIZE THE CHAIR AND THE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
42. Quincy Engineering, Inc - Amendment - approval is requested for an amendment to the agreement with Quincy Engineering, Inc., for the preparation of environmental documents and preliminary design studies for the proposed Widening of Skyway from Pentz Road to South Park Drive Project. The amendment changes the name of the County's Design Representative, extends the term date to January 1, 2005, and revises agreement language regarding cost estimates and retentions. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X12016)
43. Butte County 2004-2005 Transit/Transportation Claims - pursuant to the Transportation Development Act, approval is requested for claims for SB620 funds for Public Transportation Projects, and SB325 funds for Public Transportation and Streets and Roads Projects - action requested - APPROVE CLAIMS AND AUTHORIZE THE AUDITOR-CONTROLLER TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO SIGN STATEMENT OF CONFORMANCE ON BEHALF OF THE COUNTY.
44. Partners for a Safer America - Amendment - approval is requested for an amendment to the revenue agreement with Partners for a Safer America for placement of signboards in the public areas of the jail. The amendment extends the term of the agreement through April 15, 2007. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40440)
45. Donation for Equipment - pursuant to Government Code Section 25355, approval is requested to accept and appropriate \$851 received from the Sheriff's Team of Active Retired Seniors (S.T.A.R.S.) for the purchase of a base station radio for the Magalia Substation - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-405 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0411-002 46. Unanticipated Revenue - Marijuana Suppression Grant - approval is requested to acknowledge and ratify the Sheriff's signature of an amendment to the revenue agreement with the Office of Criminal Justice Planning for funds to support Marijuana Suppression Programs. The initial term of the grant was July 1, 2002, through June 30, 2003. Unexpended grant funds in the amount of \$54,514 remained on June 30, 2003, and the Office of Criminal Justice Planning granted an extension of the grant to September 30, 2003, and approved a return of \$51,134 to the County to be expended during the extended term. Board approval is also requested to accept and appropriate the unanticipated grant revenue - action requested - ACKNOWLEDGE AND RATIFY THE SHERIFF'S SIGNATURE OF AMENDMENT TO GRANT AWARD AGREEMENT NO. MS02120040; AND APPROVE BUDGET TRANSFER B-435 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
47. Oroville Union High School District General Obligation Bonds - the Butte County Office of Education is requesting the Board's authorization to issue General Obligation Bonds for the Oroville Union High School District. Education Code Section 15140 provides that such notes must be issued in the name of the Office of Education by the Board of Supervisors. The Office of Education is requesting the issuance of General Obligation Bonds not to exceed \$4,400,000. The bonds will be a general obligation of the Butte County Office of Education. The County has no fiduciary responsibility as to the repayment of these bonds - action requested - ADOPT RESOLUTION 04-100 AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS FOR OROVILLE UNION HIGH SCHOOL DISTRICT, ELECTION OF 2002, SERIES B, AND AUTHORIZE THE CHAIR TO SIGN.
48. Superior Court of California, County of Butte and Butte County Treasurer-Tax Collector - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Superior Court of California, County of Butte, for the Enhanced Collection and Compliance Program. The amendment extends the term of the agreement through June 30, 2004. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
49. Immedia - Amendment - approval is requested for a sole source amendment to the agreement with Immedia, a division of Columbia Ultimate Business Systems, Inc., for the provision of an automated customer letter software system for the Central Collections Division. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$20,000 (department budget) for the extended term. 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)

- 0411-002 50. Camp, Dresser & McKee - Amendment - approval is requested for an amendment to the agreement with Camp, Dresser & McKee for the development of an Integrated Watershed and Resource Conservation Plan. The amendment extends the term of the agreement through September 30, 2004, to allow additional time for review and comment. 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. X13735)
51. Dia de George L. Ortiz - the California Human Development Corporation is requesting the Board adopt a resolution proclaiming June 15, 2004, as Dia de George L. Ortiz, in honor and recognition of the enormous efforts made for farm workers - action requested - ADOPT RESOLUTION 04-101 AND AUTHORIZE THE CHAIR TO SIGN. (49)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEM 3.14.

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

REGULAR AGENDA

- 0411-003 Boards, Commissions and Committees. (64)
1. Appointments to Listed Vacancies. (NONE)
 2. Board Member or Committee Reports. (NONE)
- 0411-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (75) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INFORMS THE BOARD THAT THE PRESIDENT SIGNED AN EXECUTIVE ORDER DECLARING FRIDAY, JUNE 11, 2004, A NATIONAL DAY OF MOURNING FOR PRESIDENT REAGAN, AND PURSUANT TO THE COUNTY'S MEMORANDA OF UNDERSTANDING WITH THE EMPLOYEE UNIONS, COUNTY OFFICES WILL BE CLOSED ON FRIDAY AS WELL.
1. Board Meeting Calendar Modifications - consideration of changes to the Board's Meeting Calendar for July and August - action requested - CANCEL MEETING OF JULY 27, AND RESCHEDULE MEETING DATES IN AUGUST TO AUGUST 3, 17, ~~24~~ 31; AND/OR AMEND CALENDAR AS NEEDED. (FROM 5-25-04 [4.02(1)])

MOTION: I MOVE TO CANCEL THE MEETING OF JULY 27, AND RESCHEDULE THE MEETING DATES IN AUGUST TO AUGUST 3, 17, AND 31.

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

0411-005 County of Butte Fiscal Year 2004-2005 Proposed Budget -
consideration of the fiscal year 2004-2005 Proposed Budget -
action requested:

1. ADOPT THE PROPOSED BUDGET FOR FISCAL YEAR 2004-2005 AS THE AUTHORITY FOR EXPENDITURES DURING PREPARATION OF THE FINAL BUDGET FOR FISCAL YEAR 2004-2005, AND AS THE BASIS FOR FINAL BUDGET HEARINGS;
2. SET 1:00 P.M., ON TUESDAY, JUNE 22, 2004, AS THE OPENING OF THE PUBLIC HEARING ON THE FINAL BUDGET AND DIRECT THE CLERK OF THE BOARD TO PUBLISH NOTICE OF SAID HEARING PURSUANT TO GOVERNMENT CODE SECTION 29066; AND
3. PURSUANT TO BUTTE COUNTY'S PERSONNEL RULES AND PROVISIONS OF APPLICABLE MEMORANDA OF UNDERSTANDING, DIRECT THE DIRECTOR-HUMAN RESOURCES TO SEND LAYOFF NOTICES TO EMPLOYEES WHOSE POSITIONS HAVE BEEN IDENTIFIED BY THE CHIEF ADMINISTRATIVE OFFICER AS BEING ELIMINATED, EFFECTIVE SEPTEMBER 1, 2004, DUE TO LACK OF BUDGETARY APPROPRIATIONS IN FISCAL YEAR 2004-2005. (212)

MOTION: I MOVE TO ADOPT THE PROPOSED BUDGET FOR FISCAL YEAR 2004-2005 AS THE AUTHORITY FOR EXPENDITURES DURING PREPARATION OF THE FINAL BUDGET FOR FISCAL YEAR 2004-2005, AND AS THE BASIS FOR FINAL BUDGET HEARINGS; SET 1:00 P.M., ON TUESDAY, JUNE 22, 2004, AS THE OPENING OF THE PUBLIC HEARING ON THE FINAL BUDGET AND DIRECT THE CLERK OF THE BOARD TO PUBLISH NOTICE OF SAID HEARING PURSUANT TO GOVERNMENT CODE SECTION 29066; AND PURSUANT TO BUTTE COUNTY'S PERSONNEL RULES AND PROVISIONS OF APPLICABLE MEMORANDA OF UNDERSTANDING, DIRECT THE DIRECTOR-HUMAN RESOURCES TO SEND LAYOFF NOTICES AND MEET PERSONALLY WITH EACH EMPLOYEE WHOSE POSITION HAS BEEN IDENTIFIED BY THE CHIEF ADMINISTRATIVE OFFICER AS BEING ELIMINATED EFFECTIVE SEPTEMBER 1, 2004, (NOTING THAT SUNSET POSITIONS WITH POSITION END DATES OF JUNE 30, 2004, THAT HAVE BEEN IDENTIFIED AS BEING ELIMINATED, WILL BE ELIMINATED AS OF JULY 1, 2004).

M S

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

RECESS: 9:34 A.M.

RECONVENE: 9:50 A.M.

REGULAR AGENDA

DAVE HOUSER, AUDITOR-CONTROLLER, INTRODUCES KIM ELAM, NEW ASSISTANT AUDITOR-CONTROLLER.

0411-006 Further Discussion of Federal Energy Regulatory Commission's Initial Settlement Agreement in the Relicensing of the Oroville Facilities (Project No. 2100) - discussion regarding proposed settlement agreement - action requested - BOARD DISCUSSION AND DIRECTION. (1057)

PRESENTATION TO THE BOARD BY BRUCE ALPERT, COUNTY COUNSEL.

RECESS: 10:29 A.M.

RECONVENE: 10:37 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0411-007 Public Hearing - Butte County Housing Element - Negative Declaration and General Plan Amendment - consideration of approval of the Housing Element of the Butte County General Plan. This is a project on which notice of intent to adopt a negative declaration regarding environmental impacts has been given - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED JUNE 8, 2004, ADOPT A NEGATIVE DECLARATION;
2. FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5, AS THE PROJECT NEITHER ALTERS THE GENERAL PLAN DESIGNATION OR ZONING OF ANY PROPERTY, NOR ALTERS THE EXISTING ALLOWABLE DEVELOPMENT DENSITY OF ANY GENERAL PLAN DESIGNATION OR ZONE. IT SOLELY UPDATES THE TEXT OF THE HOUSING ELEMENT TO REFLECT CURRENT DEMOGRAPHICS AND ACCURATELY EXPRESS POLICY;
3. FIND THAT THE GENERAL PLAN HOUSING ELEMENT BACKGROUND REPORT AND POLICY DOCUMENT WERE PREPARED IN ACCORDANCE WITH STATE AND LOCAL LAW, REVIEWED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), AND MODIFIED BY BUTTE COUNTY TO INCORPORATE HCD'S SUGGESTIONS, AND ADOPT THE BACKGROUND REPORT AND POLICY DOCUMENT; AND
4. ADOPT A RESOLUTION TO AMEND THE GENERAL PLAN BY UPDATING THE HOUSING ELEMENT AND AUTHORIZE THE CHAIR TO SIGN. (2377) (**00)

PUBLIC HEARING OPENED: 10:37 A.M.

PUBLIC HEARING CLOSED: 11:08 A.M.

0411-007 MOTION: SUBJECT TO FINDINGS I(A-E) AS DETAILED IN THE STAFF REPORT DATED JUNE 8, 2004, I MOVE TO ADOPT A NEGATIVE DECLARATION; FIND THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH OR WILDLIFE OR THEIR HABITAT AND APPROVE A "DE MINIMUS" EXEMPTION TO THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5, AS THE PROJECT NEITHER ALTERS THE GENERAL PLAN DESIGNATION OR ZONING OF ANY PROPERTY, NOR ALTERS THE EXISTING ALLOWABLE DEVELOPMENT DENSITY OF ANY GENERAL PLAN DESIGNATION OR ZONE. IT SOLELY UPDATES THE TEXT OF THE HOUSING ELEMENT TO REFLECT CURRENT DEMOGRAPHICS AND ACCURATELY EXPRESS POLICY; FIND THAT THE GENERAL PLAN HOUSING ELEMENT BACKGROUND REPORT AND POLICY DOCUMENT WERE PREPARED IN ACCORDANCE WITH STATE AND LOCAL LAW, REVIEWED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), AND MODIFIED BY BUTTE COUNTY TO INCORPORATE HCD'S SUGGESTIONS, AND ADOPT THE BACKGROUND REPORT AND POLICY DOCUMENT; AND FURTHER MOVE TO ADOPT RESOLUTION 04-102 TO AMEND THE GENERAL PLAN BY UPDATING THE HOUSING ELEMENT AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

0411-008 Continued Public Hearing - Tentative Parcel Map Appeal - Kathleen Parker - consideration of an appeal of the Planning Commission's denial of a Tentative Parcel Map to divide a 6.35 acre parcel into four 1 acre parcels, and a 2.35 acre remainder. A lot line adjustment is also being processed to transfer a 31-foot wide strip along the northerly property line. This is an item on which environmental documentation has not been prepared because staff is recommending denial. The property is zoned SR-1 (Suburban Residential - 1 acre parcels) and is located on the east side of Goodspeed Street, approximately 450 feet north of Hutton Way, Durham, and identified as APN 040-280-045 and 070 (DB [TPM 03-14]) - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTIONS:

1. FIND THAT THE DENIAL OF THIS PROJECT IS NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO PUBLIC RESOURCES CODE 21080 b(5), AND UNDER SECTIONS 15270(a) AND (b) OF TITLE 14, CALIFORNIA CODE OF REGULATIONS, CHAPTER 3 (GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT), AND THAT NO FISH AND GAME FEE IS REQUIRED; AND
2. SUBJECT TO FINDINGS II(A-B) AS DETAILED IN THE STAFF REPORT DATED JUNE 8, 2004, DENY THE APPEAL AND UPHOLD THE PLANNING COMMISSION'S DENIAL OF THE TENTATIVE PARCEL MAP AND LOT LINE ADJUSTMENT FOR KATHLEEN PARKER (FILE TPM 03-14). (FROM 5-11-04 [5.02]) (**278)

PUBLIC HEARING OPENED: 11:09 A.M.
 PUBLIC HEARING CLOSED: 11:50 A.M.

0411-008 THE BOARD TOOK NO ACTION ON THE APPEAL.

DIRECTION TO STAFF TO COMPLETE AND CIRCULATE THE INITIAL STUDY AND SUBMIT THE MATTER BACK TO THE PLANNING COMMISSION FOR APPROVAL. IF THE PLANNING COMMISSION RECEIVES ENOUGH INFORMATION WITH REGARD TO THE 300-FOOT AGRICULTURAL SET BACK POLICY THAT WOULD LET THIS PROJECT MOVE FORWARD, THEY COULD APPROVE THE MATTER WITHOUT IT HAVING TO RETURN TO THE BOARD, UNLESS APPEALED. STAFF IS TO PAY PARTICULAR ATTENTION TO THE PLACEMENT OF DWELLINGS AND PROPOSED USES.

RECESS: 11:50 A.M.

RECONVENE: 12:01 P.M.

REGULAR AGENDA

0411-009 Neal Road Landfill Annual Report - update on the County's operation of the Neal Road Landfill - action requested - ACCEPT FOR INFORMATION. (**1706) (**00)

PRESENTATION TO THE BOARD BY MIKE CRUMP, DIRECTOR-PUBLIC WORKS; TAMARA MILLER, SOLID WASTE MANAGER; ERIC DUGGER, SENIOR SOLID WASTE ENGINEER; STEVE RODOWICK, RECYCLING COORDINATOR; AND RON HARVILLE, LANDFILL OPERATIONS MANAGER.

0411-010 Items Removed from the Consent Agenda for Board Consideration and Action. (**514)

1. Funding Plan for Fiber Communications Project - approval is requested for a funding plan for the Butte County Fiber Communications Project. The plan proposes the \$723,117 project be funded as follows: \$207,212 - contribution from the Department of Employment and Social Services for communication infrastructure enhancement; \$291,000 - grant from the County's Homeland Security Funding Committee; and \$224,905 from the County General Fund. Board approval is also requested for a transfer of the proposed funds to provide the appropriation for the project - action requested - APPROVE PROPOSED FUNDING PLAN; AND APPROVE BUDGET TRANSFER B-432 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO APPROVE THE PROPOSED FUNDING PLAN; AND APPROVE BUDGET TRANSFER B-432 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

S M

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

PUBLIC COMMENT

0411-011 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. (**819)

1. CATHERINE WEISS ADDRESSED THE BOARD TO SUBMIT A PETITION TO KEEP THE FUNDING IN TACT FOR THE ROBINSON MILL FIRE STATION.

CLOSED SESSION

0411-012 RECESS: THE BOARD RECESSED AT 1:10 P.M., TO A CLOSED SESSION CONFERENCE REGARDING PUBLIC EMPLOYEE EVALUATION/APPOINTMENT/EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: COUNTY COUNSEL; CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES/RAINWATER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 126573; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES. (**967)

RECONVENE: THE BOARD RECONVENED AT 3:51 P.M., FROM A CLOSED SESSION CONFERENCE REGARDING PUBLIC EMPLOYEE EVALUATION/APPOINTMENT/EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: COUNTY COUNSEL; CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES/RAINWATER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 126573; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES. (**999)

CLOSED SESSION

ANNOUNCEMENT: THE BOARD APPROVED A RENEWAL OF AN EMPLOYMENT AGREEMENT FOR COUNTY COUNSEL FOR ANOTHER FOUR YEARS. VOTING FOR THE AGREEMENT: SUPERVISORS BEELER, DOLAN AND HOUX. VOTING AGAINST: SUPERVISORS JOSIASSEN AND YAMAGUCHI.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 3:52 P.M., TO
RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE
HELD JUNE 22, 2004.

R.J. BEELER, CHAIR

ORIGINAL SIGNED IN 2005 BY KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____