

Called to order at 904 a.m., in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Houx, Yamaguchi and Vice Chair Josiassen. Supervisors not present: 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. (41)

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

- 0414-001 1. Resolution to Amend the Salary Ordinance - proposed is a resolution which would adjust the salaries for the Director-Development Services and the Director-Public Works pursuant to the Pay for Performance program for appointed department heads. The Board suspended the Pay for Performance plan for the current fiscal year due to budgetary constraints, excepting those department heads which were compensated below the mean salary rate for 2003. Following the recent performance evaluations, the following adjustments are proposed: Director-Public Works - increased \$313 per year. Director-Development Services - decreased \$3,371 per year. The adjustments will be effective July 3, 2004 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

AT THE REQUEST OF THE CHIEF ADMINISTRATIVE OFFICER, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL BE RETURNED ON A SUBSEQUENT AGENDA.

2. Gridley Unified School District - the District submits a tentative resolution ordering a school bond election in and for School Facilities Improvement District No. 1 (formerly Gridley Elementary School District), establishing specifications of the election order and requesting consolidation of the election with the statewide General Election to be held November 2, 2004. If approved, the measure will authorize the District to issue and sell bonds to provide financing for specific school facilities projects. The Governing Board of the District will meet July 29, 2004, to determine if the question will be submitted to the entire District, or limited to School Facilities Improvement District No. 1. The final resolution will be submitted on July 30, 2004, and if not applicable, this item will be removed - action requested - APPROVE CONSOLIDATION.

AT THE REQUEST OF THE GRIDLEY UNIFIED SCHOOL DISTRICT, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE DISTRICT HAS DECIDED NOT TO ISSUE THE BONDS AT THIS TIME.

- 0414-001 3. Gridley Unified School District - the District submits a tentative resolution ordering a school bond election in and for the Gridley Unified School District, establishing specifications of the election order and requesting consolidation of the election with the statewide General Election to be held November 2, 2004. If approved, the measure will authorize the District to issue and sell bonds to provide financing for specific school facilities projects. The Governing Board of the District will meet July 29, 2004, to determine if the question will be submitted to the entire District, or limited to School Facilities Improvement District No. 1. The final resolution will be submitted on July 30, 2004, and if not applicable, this item will be removed - action requested - APPROVE CONSOLIDATION.

AT THE REQUEST OF THE GRIDLEY UNIFIED SCHOOL DISTRICT, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE DISTRICT HAS DECIDED NOT TO ISSUE THE BONDS AT THIS TIME.

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**CONSENT AGENDA**

- 0414-002 1. United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services - approval is requested for a cooperative agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for services to reduce, terminate and prevent predation and damage to livestock, crops and other property caused by damaging birds and mammals. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$40,253 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
2. Relief of Accountability - approval is requested for relief of accountability for five fixed asset software programs and licenses which were inadvertently transferred to surplus without the required paperwork. The Auditor's Office and District Attorney have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.
3. Appropriation Limit Calculation for Fiscal Year 2004-2005 - approval is requested for resolutions (2), pursuant to Government Code Section 7910, which will establish the appropriation limit for the County of Butte, and for all special districts under the control of the Board of Supervisors for fiscal year 2004-2005 - action requested - ADOPT RESOLUTIONS 04-131 AND 04-132 AND AUTHORIZE THE CHAIR TO SIGN.

- 0414-002 4. Fiscal Year 2003-2004 Agreement Amendments - approval is requested for amendments to three fiscal year 2003-2004 agreements. The amendments are needed to pay for services rendered in fiscal year 2003-2004 which were not invoiced prior to the end of the fiscal year. 1. William R. Halloran M.D., psychiatric services, increase maximum amount payable by \$990 (department budget). 2. Samuel A. Brown, M.D., psychiatric services, increase maximum amount payable by \$1,440 (department budget). 3) Helios Health Care, LLC, d.b.a. Chico Creek Care & Rehabilitation, rehabilitation services, increase maximum amount payable by \$150 (department budget). All other terms and provisions of all agreements remain the same - action requested - APPROVE AGREEMENT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract Nos. X14425, X14332, X14234)
5. BHC Heritage Oaks Hospital, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with BHC Heritage Oaks Hospital, Inc., for the provision of inpatient hospitalization services for adolescent clients. The amendment adds notice requirements for Medi-Cal recipients, and extends the term of the agreement through June 30, 2005. Claims for services are paid directly by the State. 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. X14615)
6. BHC Sierra Vista Hospital, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with BHC Sierra Vista Hospital, Inc., for the provision of inpatient hospitalization services for adolescent clients. The amendment adds notice requirements for Medi-Cal recipients, and extends the term of the agreement through June 30, 2005. Claims for services are paid directly by the State. 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. X14619)
7. Skyway House - approval is requested for a sole source agreement with Skyway House for the provision of long-term residential recovery services, day rehabilitation services and drug and alcohol-free housing for clients referred by drug court, Proposition 36 and ACCESS programs. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$203,665.80 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0414-002 8. Tri-County Treatment - approval is requested for a sole source agreement with Tri-County Treatment for the provision of short-term residential recovery services, day rehabilitation services and drug and alcohol-free housing for clients referred by drug court, Proposition 36 and CalWORKs programs. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$128,681.50 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
9. State of California, Department of Alcohol and Drug Programs - approval is requested for a grant agreement with the State of California, Department of Alcohol and Drug Programs, for funds to implement and support programs designed to foster safe and drug-free learning environments. The term of the agreement is January 1, 2003, through December 31, 2005, with a maximum amount payable to the County of \$600,000 (\$200,000 per project year) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40541)
10. Horizon Mental Health Management, Inc. - Amendment - approval is requested for an amendment to the revenue agreement with Horizon Mental Health Management, Inc., for professional services provided by Gerald Maguire, a physician employed by the department, who is acting as Interim Medical Director for the psychiatric unit operated by Enloe Medical Center. The amendment extends the term of the agreement through August 25, 2004, and increases the maximum amount payable to the County by \$28,800 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. R40677)
11. Butte County Probation Department/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Butte County Probation Department for services in support of the Family Bridges program. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable to the Probation Department by \$282,488 (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. X13136)

- 0414-002 12. Charles E. Nielsen, M.D. - approval is requested for a sole source agreement with Charles E. Nielsen, M.D., for the provision of professional services in the specialized field of psychiatry. The term of the agreement is July 26, 2004, through June 30, 2005, with a maximum amount payable of \$136,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
13. William R. Halloran, M.D. - approval is requested for a sole source agreement with William R. Halloran, M.D., for the provision of professional 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 \$38,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
14. NorthStar Engineering - Amendment - approval is requested for an amendment to the agreement with NorthStar Engineering for preparation of sewer facility studies north of Lindo Channel in support of the Chico Urban Area Nitrate Compliance Plan. The amendment extends the term of the agreement through July 31, 2005, to allow additional time to complete work associated with the State Revolving Fund loan application. There is no cost associated with the amendment, and 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. X10804)
15. Rolls, Anderson & Rolls Civil Engineering - Amendment - approval is requested for an amendment to the agreement with Rolls, Anderson & Rolls Civil Engineering for preparation of sewer facility studies south of Lindo Channel in support of the Chico Urban Area Nitrate Compliance Plan. The amendment extends the term of the agreement through July 31, 2005, to allow additional time to complete work associated with the State Revolving Fund loan application. There is no cost associated with the amendment, and 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. X10803)
16. Resolution Proclaiming August 2004 as Child Support Awareness Month - action requested - ADOPT RESOLUTION 04-133 AND AUTHORIZE THE CHAIR TO SIGN.
17. Resolution Decreasing Child Support Services Revolving Fund - approval is requested for a resolution which will decrease the department's revolving fund used for prepayment of various filing fees from \$5,000 to \$1,000. The excess funds from the revolving fund will be returned to the department's budget - action requested - ADOPT RESOLUTION 04-134 AND AUTHORIZE THE CHAIR TO SIGN.

- 0414-002 18. Thermalito Union School District - the District submits Resolution No. 04-05-01, ordering a school bond election, establishing specifications of the election order and requesting consolidation of the election with the statewide General Election to be held November 2, 2004. If approved, the measure will authorize the District to issue and sell bonds up to \$2,050,000 to provide funding for specific school facilities projects - action requested - APPROVE CONSOLIDATION.
19. Various School Districts - the following school districts have submitted resolutions ordering elections for governing board members, establishing specifications of the election orders and requesting consolidation with the statewide General Election to be held November 2, 2004: Yuba County Board of Education, Butte-Glenn Community College District, Yuba Community College District, Biggs Unified School District, Chico Unified School District, Durham Unified School District, Gridley Unified School District, Marysville Joint Unified School District, Paradise Unified School District, Oroville Union High School District, Bangor Union Elementary School District, Feather Falls Union Elementary School District, Golden Feather Union Elementary School District, Manzanita Elementary School District, Oroville City Elementary School District, Palermo Union School District, Pioneer Union Elementary School District and Thermalito Union Elementary School District - action requested - APPROVE CONSOLIDATIONS.
20. El Medio Fire Protection District - the District submits Resolution R-04-003, requesting consolidation of an election with the statewide General Election to be held November 2, 2004, for the purpose of submitting to the qualified voters within the District a measure calling for a rate increase for fire protection and prevention services - action requested - APPROVE CONSOLIDATION WITHOUT WAIVER OF ELECTION COSTS.
21. Special Districts - the following special districts have submitted resolutions and notices ordering general district elections for director positions and requesting consolidation of the elections with the statewide General Election to be held November 2, 2004: El Medio Fire Protection District, Durham Irrigation District, Paradise Irrigation District, South Feather Water and Power Agency, Thermalito Irrigation District, Lake Oroville Area Public Utility District, Chico Area Recreation and Park District, Durham Recreation and Park District, Feather River Recreation and Park District, Paradise Recreation and Park District, Richvale Recreation and Park District and Yuba County Water District - action requested - APPROVE CONSOLIDATIONS.

- 0414-002 22. City of Biggs - the City submits Resolution No. 2004- 14, requesting consolidation of the General Municipal Election with the statewide General Election to be held November 2, 2004, for the purpose of electing two members of the City Council - action requested - APPROVE CONSOLIDATION.
23. City of Chico - the City submits Resolution No. 03 04-05 and Resolution No. 09 04-05, requesting consolidation of the General Municipal Election with the statewide General Election to be held November 2, 2004, for the purpose of electing four members of the City Council, and submitting five proposed charter amendment measures regarding: 1) the minimum age for service on the City Council; 2) compensation of City Council members; 3) vacancies on the City Council; 4) authority for a biennial budget; and 5) technical, non-substantive amendments - action requested - APPROVE CONSOLIDATION.
24. City of Gridley - the City submits Resolution No. 2004-R-020, requesting consolidation of the General Municipal Election with the statewide General Election to be held November 2, 2004, for the purpose of electing three members of the City Council - action requested - APPROVE CONSOLIDATION.
25. City of Oroville - the City submits Resolution No. 6276, requesting consolidation of the General Municipal Election with the statewide General Election to be held November 2, 2004, for the purpose of electing three members of the City Council, and submitting one measure regarding raising the Transit Occupancy Tax in the City from 9% to 12% - action requested - APPROVE CONSOLIDATION.
26. Town of Paradise - the Town submits Resolution No. 04-36, requesting consolidation of the General Municipal Election with the statewide General Election to be held November 2, 2004, for the purpose of electing three members of the Town Council, and submitting two measures regarding: 1) animal control parcel tax; and 2) approval of a Town Resolution amending the Land Use Map of the 1994 General Plan - action requested - APPROVE CONSOLIDATION.
27. Margaret A. Hendrick - Amendment - approval is requested for an amendment to the agreement with Margaret A. Hendrick for the provision of specialized legal services. The amendment provides for a change in the name of the law firm, and the address for correspondence. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14502)

- 0414-002 28. Notice of Non-Renewal - Williamson Act Agreements - approval is requested to accept the following notices of non-renewal for Williamson Act Agreements: Wilbur Mills (by Myra and Larry Patane), APN 022-210-079, 117 acres, Contract No. 20383; Dorothy Merme, APNs 041-140-010, 041-250-021, 041-140-052, and 041-140-069, 273.93 acres, Contract No. 0062278; Onstott Orchards, APN 024-220-026, 109 acres, Contract No. 84-5715 - action requested - ACCEPT NOTICES OF NON-RENEWAL AND DIRECT RECORDING OF NOTICES.
29. State of California, Department of Insurance - Workers' Compensation Insurance Fraud Program Grant - approval is requested for a resolution which would authorize the District Attorney to submit a grant proposal and execute a grant award agreement with the State of California, Department of Insurance, for funds to continue the Workers' Compensation Insurance Fraud Program for fiscal year 2004-2005 - action requested - ADOPT RESOLUTION 04-135 AND AUTHORIZE THE CHAIR TO SIGN.
30. Child Abuse Prevention Council of Butte County - approval is requested for a sole source agreement with the Child Abuse Prevention Council of Butte County for the provision of services to families and professionals dealing with children at risk of child abuse and neglect. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$30,000 (Children's Trust Fund Account) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14949)
31. Color Copier Purchase - approval is requested for the fixed asset purchase of a Lanier 5722 color copier which has been on lease to Central Duplicating since 2001. The lease expired earlier this year and the County has been provided a purchase option at the fair market value of \$5,507. The equipment has a significant useful life remaining and purchase of the equipment would provide a savings over a continued lease program. Funding for the purchase will be provided by the ISF Equipment Replacement Fund and approval is also requested for a transfer to provide the allocation needed - action requested - APPROVE BUDGET TRANSFER B-004 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF COLOR COPIER.
32. Courthouse Expansion Project - approval is requested to accept and appropriate \$295,421.65 received from the Superior Court of California, County of Butte, for costs associated with the Courthouse Expansion Project - action requested - APPROVE BUDGET TRANSFER B-005 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0414-002 33. State Homeland Security Grant Funds for Fiscal Year 2004 - approval is requested to accept and appropriate \$583,200 of a \$890,927 grant received from the Office of Homeland Security. A list of equipment to be purchased in support of the grant has been submitted, and Board approval is also requested for the purchase of the fixed asset items included. The remaining funds will be appropriated in subsequent actions - action requested - APPROVE BUDGET TRANSFER B-009 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE PURCHASE OF FIXED ASSET EQUIPMENT ITEMS AS DETAILED IN THE AGENDA REPORT.
34. Surplus Vehicles and Equipment - a listing of 13 vehicles and one miscellaneous fixed asset item has been prepared representing vehicles and equipment no longer utilized by County departments or beyond economic repair. Board approval is requested to declare the items surplus to the needs of the County and authorize disposal pursuant to County policy - action requested - DECLARE LISTED ITEMS SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZE DISPOSAL PURSUANT TO COUNTY POLICY.
35. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: SHERIFF-CORONER - CORRECTIONS - adds one flexibly staffed sunset position of Sheriff's Clerk III/II/I (position end date 6-30-05) - action requested - ADOPT RESOLUTION 04-136 AND AUTHORIZE THE CHAIR TO SIGN.
36. Advanced Step Hire - approval is requested by the General Services Division for the Advanced Step Hire of a Courier/Stock Clerk candidate to step 3 of the salary range based on prior experience. Pursuant to Personnel Rule 11.5(b), the Director-Human Resources is recommending the advanced step hire - action requested - APPROVE ADVANCED STEP HIRE OF COURIER/STOCK CLERK CANDIDATE TO STEP 3 OF THE SALARY RANGE.
37. Donations for Operations - pursuant to Government Code Section 25355, a donation of \$555.40 has been received from the Paradise Friends of the Library to fund extra help support hours at the Paradise Library. Board approval is requested to accept and appropriate the funds - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-007 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
38. Unanticipated Revenue - approval is requested to accept and appropriate \$279.61 received from the North State Cooperative Library System to reimburse staff training expenses - action requested - APPROVE BUDGET TRANSFER B-006 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0414-002 39. Julie A. Buck - Amendment - approval is requested for a sole source amendment to the agreement with Julie A. Buck for program management services for the EL Civics, Adult Basic Education and English as a Second Language grants. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$5,900 (department budget), and revises the scope of work to include the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14460)
40. California Department of Health Services and Various Memoranda of Understanding - Amendments - approval is requested for an amendment to the fiscal year 2003-2004 master grant agreement with the California Department of Health Services for funds to support AIDS related services, and amendments to three fiscal year 2003-2004 Memoranda of Understanding (MOU) with various agencies for services in support of the grant program. The amendment to the master agreement reduces the revenue to the County by \$14,491. The revenue adjustment to the master agreement has resulted in the following amendments to the MOUs providing services in support of the program: 1) HIV Counseling and Testing Services - amends the billing format, but does not amend the financial provisions; 2) HIV/AIDS Surveillance Services - increases the maximum amount payable by \$9,000; and 3) AIDS Education and Prevention Services - decreases the maximum amount payable by \$23,691. All other terms and provisions for all agreements remain the same - action requested - APPROVE AMENDMENT TO MASTER GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE AMENDMENTS TO THREE MEMORANDA OF UNDERSTANDING IN SUPPORT OF THE GRANT PROGRAM, AS DETAILED IN THE AGENDA REPORT, AND AUTHORIZE THE DIRECTOR-PUBLIC HEALTH TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
41. Greg Costo - Amendment - approval is requested for an amendment to the agreement with Greg Costo for services as part-time Lab Director of the Public Health Department. The amendment increases the rate of travel reimbursement by \$20 per hour (department budget), retroactive to the beginning of the contract term, pursuant to the negotiated terms of the agreement for services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14917)
42. California Department of Health Services - approval is requested for an allocation agreement with the California Department of Health Services which will provide \$150,000 for tobacco education programs. The funding is for the period of July 1, 2004, through June 30, 2005 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0414-002 43. Accordis, Inc. - Amendment - approval is requested for an amendment to an agreement with Accordis, Inc., for the provision of computerized billing services for the Medical Therapy Unit. The amendment extends the term of the agreement through December 31, 2004, 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. X13724)
44. Resolution of Intent to Abandon a Public Right-of-Way - the department has received a request to abandon a portion of a public right-of-way on the southwesterly side of Oroville Bangor Highway, approximately 500 feet southeast of Cornett Lane, in the Oroville area. The Planning Commission recommended approval of the request at its meeting of July 22, 2004. The resolution sets a public hearing for consideration of the matter for August 31, 2004, at 10:30 a.m. - action requested - ADOPT RESOLUTION 04-137 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A PUBLIC HEARING BE SET FOR CONSIDERATION OF THE MATTER ON TUESDAY, AUGUST 31, 2004, AT 10:30 A.M.
45. Resolution of Intent to Abandon a Public Right-of-Way - the department has received a request to abandon a portion of a public right-of-way on 16<sup>th</sup> Street, 18th Street and Feather Avenue in the Thermalito area. The Planning Commission recommended approval of the request at its meeting of July 22, 2004. The resolution sets a public hearing for consideration of the matter for August 31, 2004, at 10:35 a.m. - action requested - ADOPT RESOLUTION 04-138 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A PUBLIC HEARING BE SET FOR CONSIDERATION OF THE MATTER ON TUESDAY, AUGUST 31, 2004, AT 10:35 A.M.
46. Partial Final Closures, Modules 1, 2 and 3 at the Neal Road Sanitary Landfill, County Project No. 757-5803 - Contract Change Order (CCO) No. 2 - CCO No. 2, in the overall increasing amount of \$60,316.70, provides for an increase in onsite soil for the foundation layer. Funding for the increase is provided by the Neal Road Landfill Enterprise Fund - action requested - APPROVE CONTRACT CHANGE ORDER NO. 2 AND AUTHORIZE THE CHAIR TO SIGN.
47. Module 4 Access Road at the Neal Road Sanitary Landfill, County Project No. 757-5805 - Notice of Completion - the project consisted of clearing and grubbing, excavating native material, hauling in material for fill and grading within the proposed road limit and placement of aggregate base, asphalt concrete, drainage facilities and barrier railing. All work has been completed pursuant to plans and specifications - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.

- 0414-002 48. Appriss Inc. - approval is requested for a sole source agreement with Appriss Inc., for provision of the Victim Information and Notification Everyday (VINE) system. The system provides automated victim notification services. The term of the agreement is October 19, 2004, through October 19, 2005, with a maximum amount payable of \$13,801 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11383)
49. County of Los Angeles - approval is requested for a sole source agreement with the County of Los Angeles for transportation services for individuals being held in other jurisdictions on arrest warrants issued by Butte County. The term of the agreement is from the date of execution through June 30, 2009. Costs are charged on a per-use basis at the rate of \$0.55 per mile (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15013)
50. Resolution Authorizing the Execution and Delivery of a Forward Purchase Agreement Relating to the County of Butte Taxable Pension Obligation Bonds - approval is requested for a resolution which would authorize the various steps necessary to solicit, award, execute and deliver a Forward Purchase Agreement relating to the County's Pension Obligation Bonds. The agreement will guarantee a fixed rate of return on funds awaiting disbursement to bond holders. The resolution would authorize the County to utilize RBC Dain Rauscher, Inc., as bidding agent, and provide authority to the Chief Administrative Officer, Treasurer-Tax Collector, and Auditor-Controller, as authorized representatives, to take the actions necessary to consummate the transactions contemplated by the resolution and the Forward Purchase Agreement - action requested - ADOPT RESOLUTION 04-139 AND AUTHORIZE THE CHAIR TO SIGN.
51. Monthly Investment Report - submitted is the Monthly Investment Report dated June 30, 2004, in accordance with the Statement of Investment Policy dated July 1, 2003 - action requested - ACCEPT FOR INFORMATION.
52. United States Bureau of Reclamation - approval is requested for a modification to the grant agreement with the United States Bureau of Reclamation for funds for the groundwater modeling element of the Butte County Integrated Watershed and Resource Conservation Plan. The modification extends the term of the grant through December 31, 2004, and provides an additional \$50,000 for the extended term and expanded scope of work. The additional funds will be matched with \$40,000 from the department's budget - action requested - APPROVE AGREEMENT MODIFICATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-008 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

- 0414-002 53. Gridley Memorial Hall Committee - action requested - APPOINT/REAPPOINT ARTHUR BELL AND JOHN DERE, AMERICAN LEGION REPRESENTATIVES; AND DALE ERICKSON, SAM MCKEY AND RAY ROBERTS, VETERANS OF FOREIGN WARS REPRESENTATIVES, TO TERMS TO END JUNE 30, 2005.
- 54. Proposed County Ordinance Prohibiting Growing of Genetically Engineered Organisms in Butte County - on July 13, 2004, the Board accepted the Certification of Sufficiency for an Initiative Petition entitled "County Ordinance Prohibiting Growing of Genetically Engineered Organisms" and directed staff to prepare a resolution calling for an election to submit the ordinance to the County voters. Submitted is the resolution which will call an election for November 2, 2004, for the purpose of submitting the question to the voters and consolidating the election with the statewide General Election to be held November 2, 2004 - action requested - ADOPT RESOLUTION 04-140 AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE CONSOLIDATION. (55)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEMS 3.14, 3.20 AND 3.21.

M S

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

PRESENTATION BY VICE CHAIR JOSIASSEN OF A RESOLUTION PROCLAIMING AUGUST AS CHILD SUPPORT MONTH TO SHARON STONE, DIRECTOR-CHILD SUPPORT SERVICE.

REGULAR AGENDA

- 0414-003 Boards, Commissions and Committees. (154)
  - 1. Appointments to Listed Vacancies. (NONE)
  - 2. Board Member or Committee Reports. (NONE)
- 0414-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (162) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PROVIDED THE BOARD WITH A REPORT ON THE ADOPTED STATE BUDGET AND POSSIBLE EFFECTS ON LOCAL GOVERNMENTS IN GENERAL AND BUTTE COUNTY SPECIFICALLY.
- 0414-005 Items Removed from the Consent Agenda for Board Consideration and Action. (782) (NONE)

RECESSED AT 9:29 A.M., AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF DIRECTORS.

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THOMPSON FLAT CEMETERY DISTRICT  
BOARD OF DIRECTORS  
MINUTES  
AUGUST 3, 2004

Called to order at 9:29 a.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Dolan, Houx, Yamaguchi and Vice Chair Josiassen. Board members not present: Chair Beeler. Also present: Marion Reeves, Deputy Clerk. (790)

**Agenda Items**

0402-001 Adoption of Fiscal Year 2004-2005 Budget - consideration of an expenditure budget of \$7,434 for fiscal year 2004-2005 - action requested - ADOPT BUDGET AND AUTHORIZE THE CHAIR TO SIGN STATEMENT OF PROVISION FOR RESERVE. (795)

MOTION: I MOVE TO ADOPT THE BUDGET AND AUTHORIZE THE CHAIR TO SIGN STATEMENT OF PROVISION FOR RESERVE.

M S

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

**Public Comment**

0402-002 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda. (808) (NONE)

**Adjournment**

ADJOURNED AT 9:29 A.M., AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF DIRECTORS AND CONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES  
PUBLIC AUTHORITY BOARD  
MINUTES  
AUGUST 3, 2004

Called to order at 9:29 a.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Dolan, Houx, Yamaguchi and Vice Chair Josiassen. Board members not present: Chair Beeler. Also present: Marion Reeves, Deputy Clerk. (820)

**Agenda Items**

0405-001 Resolution of Intent - approval is requested for a resolution of intention to approve an amendment to the contract between the Board of Administration, California Public Employees' Retirement System, and the Governing Board of the Butte County In-Home Supportive Services Public Authority to provide a 2% at 55 full and modified formula for local miscellaneous members. The modification is requested as a result of the approval of Social Security coverage for all eligible employees of the Public Authority - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (830)

MOTION: I MOVE TO ADOPT RESOLUTION 04-002 AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

**Public Comment**

0405-002 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda. (845) (NONE)

**Adjournment**

ADJOURNED AT 9:31 A.M., AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

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BUTTE COUNTY BOARD OF SUPERVISORS  
CLOSED SESSION

- 0414-006    **RECESS:**                    THE BOARD RECESSED AT 9:32 A.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE. (857)
- RECONVENE:**                THE BOARD RECONVENED AT 10:03 A.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE. (882) (NO ANNOUNCEMENTS)
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PUBLIC HEARINGS AND TIMED ITEMS

- 0414-007    Timed Item - An Ordinance of the County of Butte Proposing a Special One-Half Cent Sales Tax and Setting an Approval Measure on the Ballot for the November 2, 2004, Election - consideration of an ordinance which would submit to the voters a measure proposing a sales tax increase for public safety purposes - action requested:
1.    IF THE BOARD CHOOSES TO ADOPT THE ORDINANCE, DETERMINE WHICH PARTIAL SUNSET PROVISION WILL BE INCLUDED IN THE ORDINANCE; AND
  2.    ADOPT ORDINANCE, SUBJECT TO VOTER APPROVAL, AND AUTHORIZE THE CHAIR TO SIGN. (4/5 vote required) (888)(\*\*00)
- ITEM DIES FOR LACK OF MOTION.
- 

**RECESS:**            11:34 A.M.

**RECONVENE:**      11:51 A.M.

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PUBLIC HEARINGS AND TIMED ITEMS

- 0414-008    Public Hearing - County Service Area No. 141 (Mountain Oaks Subdivision) - Protest Hearing - on July 13, 2004, the Board adopted Resolution No. 04-127, directing commencement of the procedures to impose an increased maximum service charge for sewer services in County Service Area No. 141 (Mountain Oaks Subdivision). Proposed is an increase of \$93.38. A property owner protest hearing is required before the increase can be imposed - action requested - OPEN PUBLIC HEARING; REQUEST PROPERTY OWNER PROTESTS; CLOSE HEARING; IF A MAJORITY PROTEST IS NOT RECEIVED, ADOPT RESOLUTION ESTABLISHING THE INCREASED SERVICE CHARGE AND AUTHORIZE THE CHAIR TO SIGN. (\*\*574)

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0414-008 PUBLIC HEARING OPENED: 11:51 A.M.  
PUBLIC HEARING CLOSED: 11:55 A.M.

1 PROTESTS RECEIVED. MAJORITY PROTEST NOT RECEIVED.

MOTION: I MOVE TO ADOPT RESOLUTION 04-141 ESTABLISHING THE INCREASED SERVICE CHARGE AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

0414-009 Continued Public Hearing - Map Services Fees - consideration of a proposed ordinance amending Section 2-11.3 of the Butte County Code regarding certain fees chargeable by the County Clerk-Recorder's Office. The ordinance would add fees for historic map images on CD-Rom, a map image update service on CD-Rom, and an on-line map indexing program with search capabilities hook-up and monthly access - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 7-13-04 [5.01]) (\*\*709)

PUBLIC HEARING RECONVENED: 11:56 A.M.

PUBLIC HEARING CLOSED: 12:07 P.M.

MOTION: I MOVE TO ADOPT ORDINANCE 3881 AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

0414-010 Timed Item - Adoption of a Resolution of Necessity to Acquire Certain Real Property - the Public Works Department has been involved in negotiations with Mr. C. William Johnson in order to acquire rights-of-way and easements for the Aguas Frias Road Bridge Replacement Project. Negotiations have reached an impasse and it has become necessary to begin the process of acquisition by eminent domain to proceed with the project - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (\*\*1168)

ITEM CONTINUED TO AUGUST 31, 2004, AT 10:45 A.M., TO ALLOW FOR ALL BOARD MEMBERS TO BE PRESENT WHEN THIS ITEM IS CONSIDERED.

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**PUBLIC COMMENT**

0414-011 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. (\*\*1253) (NONE)

**ADJOURNMENT :**

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD,  
THE MEETING WAS ADJOURNED AT 12:12 P.M., TO  
RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE  
HELD TUESDAY, AUGUST 17, 2004, AT 9:00 A.M.

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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: \_\_\_\_\_