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**CALL TO ORDER**

Called to order at 9:05 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.** (NONE)

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**CONSENT AGENDA**

- 0416-001
1. Adoption of Tax Rates - approval is requested for a resolution which will set various ad valorem tax rates for the County for fiscal year 2004-2005. State law requires the Board adopt the rates prior to September 1 of each year - action requested - ADOPT RESOLUTION 04-154 AND AUTHORIZE THE CHAIR TO SIGN.
  2. County Service Area Charges - in order to levy service charges in the various County Service Areas, it is necessary to accomplish several prerequisite steps - action requested - DIRECT THAT A REPORT OF SERVICE CHARGES BE PREPARED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 25210.77(a) AND FILED WITH THE CLERK OF THE BOARD; DIRECT A PUBLIC HEARING BE SET FOR SEPTEMBER 28, 2004, AT 10:45 A.M., AND DIRECT PUBLIC NOTICE OF THE HEARING BE GIVEN IN ACCORDANCE WITH GOVERNMENT CODE SECTION 6066.
  3. MCPP Healthcare Consulting - Amendment - approval is requested for an amendment to the agreement with MCPP Healthcare Consulting for development of a strategic capital acquisition plan for information systems technology. The amendment extends the term of the agreement though June 30, 2005, details additional work to be performed, increases the maximum amount payable by \$33,400 (department budget) for the extended term, and includes agreement language requiring compliance with applicable laws. 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. X11628)

- 0416-001 4. Butte County Public Health Department/Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Health Department for funds to provide a Public Health Nurse to perform services in support of the Infant-Preschool-Family Mental Health Program. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$80,663 (department budget) for the extended term, and includes language on the method of billing between departments. 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. X13710)
5. Cherokee Restoration Fellowship - approval is requested for a sole source agreement with Cherokee Restoration Fellowship for the provision of residential treatment services for individuals referred by Drug Court and Proposition 36 programs. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$47,368.80 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. Proclamation of National Alcohol and Drug Addiction Recovery Month in Butte County - action requested - ADOPT RESOLUTION 04-155 AND AUTHORIZE THE CHAIR TO SIGN.
7. Adoption of an Ordinance of the Board of Supervisors of the County of Butte Approving an Amendment to the Redevelopment Plan for the Greater Chico Urban Area Redevelopment Project Chico Redevelopment Agency - consideration of an ordinance related to the merger of the Greater Chico Urban Area Redevelopment Project Area with the Chico Merged Redevelopment Project Area - actions requested - ADOPT ORDINANCE 3882 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-17-04 [4.03])
8. Board Calendar Addition - Special Meeting - approval is requested to set a special meeting on Wednesday, November 10, 2004, for the purpose of conducting interviews for the position of Director-Employment and Social Services - action requested - SET SPECIAL MEETING FOR WEDNESDAY, NOVEMBER 10, 2004.

- 0416-001 9. Resolution to Amend the Salary Ordinance - proposed is a resolution which would adjust the salary for 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 compensated below the mean salary rate for 2003. As a result of recent performance evaluations, it is recommended that the salary rate for the Director-Public Works be increased by \$11,880 per year, to the mean rate for 2003. The adjustment will be effective July 3, 2004 - action requested - ADOPT RESOLUTION 04-156 AND AUTHORIZE THE CHAIR TO SIGN.
10. NorthStar Engineering - Amendment - approval is requested for an amendment to the agreement with NorthStar Engineering for the provision of engineering services in support of the Small Communities Grant and the Chico Urban Area Nitrate Compliance Program. The amendment extends the term of the agreement through July 31, 2005. 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. X13251)
11. Southside Oroville Community Center - approval is requested to transfer the Southside Oroville Community Center funds deposited in separate budget units into a new budget unit created to track activity specific to the Southside Oroville Community Center - action requested - APPROVE BUDGET TRANSFER B-022 (4/5 vote required) ACCEPTING AND ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.
12. Private Industry Council - Amendment - approval is requested for an amendment to the agreement with the Private Industry Council for facility and fiscal management services for the Southside Oroville Community Center. The amendment extends the term of the agreement for an additional 84 months from the date of signature, sets the maximum amount payable at \$80,000 (Southside Oroville Community Center Fund) for the 2004-2005 fiscal year, and adds language regarding quarterly reporting requirements. 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.
13. Approval of Minutes - action requested - APPROVE MINUTES OF MARCH 9, 2004; MARCH 23, 2004; APRIL 13, 2004; AND APRIL 27, 2004.
14. Assessment Appeals Board - action requested - REAPPOINT GIL JONES TO A TERM TO END SEPTEMBER 3, 2007.

- 0416-001 15. Enloe Medical Center/Touchstone Perinatal Program - Amendment - approval is requested for an amendment to the agreement with Enloe Medical Center/Touchstone Perinatal Program for the provision of training services for the Options For Recovery program. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$181,450 (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. X13899)
16. Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for space in the building located at 2445 Carmichael Drive, Chico. The amendment adds \$10,000 (department budget) for modifications and change orders for each fiscal year, and clarifies that any increase in rent will be effective on July 1 of the applicable fiscal year. 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. X15023)
17. Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for space in the building located at 78 Table Mountain Boulevard, Oroville. The amendment adds \$10,000 (department budget) for modifications and change orders for each fiscal year, and clarifies that any increase in rent will be effective on July 1 of the applicable fiscal year. 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. X11404)
18. Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for space in the building located at 202 Mira Loma Drive, Oroville. The amendment adds \$10,000 (department budget) for modifications and change orders for each fiscal year, revises the term ending date to June 30, 2017, and clarifies that any increase in rent will be effective on July 1 of the applicable fiscal year. 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. X13126)

- 0416-001 19. Dietz Equipment Sales - approval is requested to award Bid No. 86-04, in the amount of \$125,099.40, to Dietz Equipment Sales for the build-up of a water tender for the North Chico Volunteer Fire Company. Funding for the build-up is provided by volunteer contributions (\$51,467.70), the North Chico Volunteer Fire Company's Water Tender Earned Income Trust Fund (\$11,082) and the Community Cost Share Trust Fund (\$62,549.70), and Board approval is also requested to transfer the funds to provide the appropriation for the purchase - action requested - APPROVE FIXED ASSET PURCHASE; AWARD BID TO DIETZ EQUIPMENT SALES IN THE AMOUNT OF \$125,099.40; AND APPROVE BUDGET TRANSFER B-023 (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.
20. State of California, Department of Forestry and Fire Protection - approval is requested for a grant agreement with the State of California, Department of Forestry and Fire Protection, for funds under the Volunteer Fire Assistance Program. The grant will provide \$19,150, and requires a County match of \$19,150 (department budget). The \$38,300 will be used to purchase four thermal imaging cameras. The grant also requires a resolution of acceptance and assurances - action requested - ADOPT RESOLUTION 04-157 APPROVING GRANT AWARD AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
21. Resolution in Recognition of George Dale Corbin Upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION 04-158 AND AUTHORIZE THE CHAIR TO SIGN.
22. DLR Group Inc. of California d/b/a DLR Group-Vitiello - Amendment - approval is requested for an amendment to the agreement with DLR Group Inc. of California d/b/a DLR Group-Vitiello for the provision of architectural services for the Courthouse Expansion project. The amendment extends the term of the agreement through April 15, 2005. 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. X13759)
23. Applied Testing Consultants - Amendment - approval is requested for an amendment to the agreement with Applied Testing Consultants for testing services required for the Courthouse Expansion project. The amendment revises the scope of work to include additional testing, and increases the maximum amount payable by \$48,822 (project budget) for the additional work. 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. X14625)

- 0416-001 24. Solar Energy Project - Notices of Completion - the projects consisted of construction and installation of solar energy panels and related equipment at the following locations: East Jail Facility (Contract X14780); West Jail Facility (Contract No. X14781); and Administration Building (Contract No. X14782). All contract work has been completed in accordance with plans and specifications - action requested - APPROVE NOTICES OF COMPLETION (3) AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICES OF COMPLETION.
25. Lohse Enterprises, Inc., d/b/a Archive Record Systems - approval is requested for an agreement with Lohse Enterprises, Inc., d/b/a Archive Record Systems for the provision of closed file storage, document management and confidential shredding services for the Department of Employment and Social Services. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$60,000 (department budget). The agreement is the result of a Request For Quotation - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15076)
26. Courthouse Expansion Capital Project Revenue - approval is requested to accept and appropriate \$24,995 from the Criminal Justice Temporary Facilities Construction Fund to provide the appropriation for the construction management agreement for the Courthouse Expansion Project - action requested - APPROVE BUDGET TRANSFER B-024 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
27. Resolution to Amend the Salary Ordinance - the department has prepared a resolution to amend the salary ordinance as follows: PUBLIC HEALTH-GENERAL SERVICES - increases a half-time flexibly staffed position of Health Education Specialist III/II/I to three-quarter time. LIBRARY - extends the position end dates for three flexibly staffed sunset positions of Library Assistant II/I from September 30, 2004, to September 30, 2005 - action requested - ADOPT RESOLUTION 04-159 AND AUTHORIZE THE CHAIR TO SIGN.
28. Avaya (formerly Lucent Technology) - Amendment - approval is requested by the Communications Division for an amendment to the agreement with Avaya (formerly Lucent Technology) for service and maintenance services for the County's voice mail system. The amendment extends the term of the agreement through August 31, 2008, and increases the maximum amount payable by \$88,544.20 (\$22,136.05 per year [department budget]). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X10396)

- 0416-001 29. California Council for the Humanities - approval is requested to accept and appropriate \$1,000 received from the California Council for the Humanities under the California Stories Uncovered grant program - action requested - APPROVE BUDGET TRANSFER B-026 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
30. California Department of Education - approval is requested to accept and appropriate \$10,350 received from the California Department of Education under the WIA, Title II: Adult Education and Family Literacy Act, English Literacy and Civics Education grant program - action requested - APPROVE BUDGET TRANSFER B-027 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
31. California State Library - approval is requested to accept and appropriate \$6,000 in federal Library Services and Technology Act funds received from the California State Library under the Global Language Materials grant program - action requested - APPROVE BUDGET TRANSFER B-025 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
32. Library Donations - pursuant to Government Code Section 25355, donations of \$536.06 from the Paradise Friends of the Library, \$375 from the Chico Friends of the Library, and \$350 from the Paradise Pines Women's Club of Magalia, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
33. Northwest Society for the Prevention of Cruelty to Animals - approval is requested for an agreement with the Northwest Society for the Prevention of Cruelty to Animals for the sheltering of animals impounded by the Butte County Animal Control program. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$237,962 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15074)
34. Partial Rehabilitation of Seven Mile Lane from Ord Ferry Road to Nelson Road; County Project No. 30142-04-1 - the project includes pavement grinding, subgrade compaction, shoulder repairs, placement of a new asphalt concrete structural section and shoulder backing, a single lane chip seal, and pavement striping along the west side of Seven Mile Lane for approximately 3.39 miles - action requested - APPROVE PLANS AND SPECIFICATIONS; ADOPT A WAGE SCALE; AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO ADVERTISE FOR BIDS; AND AUTHORIZE THE CHAIR AND THE DIRECTOR-PUBLIC WORKS TO SIGN THE PROJECT PLANS.

- 0416-001 35. SCS Engineers - Amendment - approval is requested for an amendment to the agreement with SCS Engineers for the provision of engineering services for the Partial Final Closure of Modules 1, 2, and 3 at the Neal Road Landfill project. The amendment provides for additional engineering services through completion of the project, and increases the maximum amount payable by \$16,237 (Neal Road Landfill Enterprise Fund) for the additional services. 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. X13826)
36. Resolution Establishing a Limited 4-Hour Parking Zone Between the Hours of 8:00 a.m. and 5:00 p.m. Weekdays on the West Side of Hicks Lane, from Calle Principal to Sycamore Drive - action requested - ADOPT RESOLUTION 04-160 AND AUTHORIZE THE CHAIR TO SIGN.
37. Resolution Prohibiting Stopping, Standing or Parking on the North Side of West Lindo Avenue, from Fern Avenue to Holly Avenue - action requested - ADOPT RESOLUTION 04-161 AND AUTHORIZE THE CHAIR TO SIGN.
38. Purchase of Washing Machine - approval is requested for the sole source fixed asset purchase of a Unimac commercial washing machine for the Jail in the amount of \$17,437.49. The new washer will replace a machine that is beyond economic repair. Funding for the purchase will be provided by the Inmate Welfare Fund, and Board approval is also requested for a budget transfer to provide for the purchase - action requested - APPROVE BUDGET TRANSFER B-028 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF COMMERCIAL WASHING MACHINE.
39. Transfer of Funds - approval is requested to transfer \$6,000 from the Crime Prevention Trust Fund to the department's budget for the purchase of materials and supplies for the department's crime prevention programs - action requested - APPROVE BUDGET TRANSFER B-029 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
40. City of Chico - approval is requested for an agreement with the City of Chico for the provision of patrol services for Bidwell Park by the Butte County Sheriff's Mounted Posse. There is no cost associated with the agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
41. Monthly Investment Report - submitted is the Monthly Investment Report dated July 30, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

- 0416-001 42. State of California, Employment Development Department - approval is requested for an agreement with the State of California, Employment Development Department, for assistance in the collection of restitution, fines, penalties, delinquent unsecured tax assessments, and fees as a result of a violation of law. The term of the agreement is April 1, 2004, through June 30, 2007, with a maximum amount payable of \$5,225 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 43. Camp, Dresser & McKee, Inc. - approval is requested for an agreement with Camp, Dresser & McKee, Inc., for testing and calibration of the Butte Basin Groundwater Model (Phase II). The term of the agreement is September 1, 2004, through December 31, 2004, with a maximum amount payable of \$90,000 (United States Bureau of Reclamation [\$50,000]/department budget [\$40,000]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 44. Adoption of an Ordinance Amending Chapter 2, Article XIII.5, Section 2-100.30, 2-100.40, 2-100.70 and 2-100.80 of the Butte County Code Relating to Powers and Duties of the Children and Families Commission - the Commission is requesting the Board adopt an ordinance which will incorporate the Commission's recommended changes to the Membership, Term of Office, Powers and Duties, and Advisory Committee provisions of the Butte County Code regarding the Butte County Children and Families Commission - action requested - ADOPT ORDINANCE 3883 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-17-04 [3.39])
- 45. Resolution Proclaiming September 12, 2004, as Grandparent's Day - the Butte County Elder Services Coordinating Council is requesting the Board adopt a resolution honoring National Grandparent's Day, September 12, 2004 - action requested - ADOPT RESOLUTION 04-162 AND AUTHORIZE THE CHAIR TO SIGN. (62)

MOTION: I MOVE TO ADOPT THE CONSENT AGENDA AS PRESENTED.

S M

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

PRESENTATION TO DALE CORBIN BY CHAIR BEELER OF A RESOLUTION IN RECOGNITION OF HIS RETIREMENT FROM THE COUNTY OF BUTTE.

PRESENTATION TO BARBARA ALDERSON, BUTTE COUNTY ELDER SERVICES COORDINATING COUNCIL, OF A RESOLUTION PROCLAIMING SEPTEMBER 12, 2004, AS GRANDPARENTS DAY.

PRESENTATION TO MARY JOHNSON, BEHAVIORAL HEALTH DEPARTMENT, OF A RESOLUTION PROCLAIMING SEPTEMBER 2004 AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH IN BUTTE COUNTY.

REGULAR AGENDA

0416-002 Boards, Commissions and Committees. (348)

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT ROGER COLE, DISTRICT 3 REPRESENTATIVE, BUTTE COUNTY RESOURCE CONSERVATION DISTRICT.

S M

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

2. Board Member or Committee Reports. (372)

SUPERVISOR YAMAGUCHI PROVIDES A REPORT OF THE REGIONAL COUNCIL OF RURAL COUNTIES MEETING.

0416-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (514) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, STATED THAT THE LEGISLATURE RECESSED ON SUNDAY MORNING UNTIL DECEMBER, AND AS OF TODAY THERE HAS NOT BEEN A COMPLETE COMPILATION OF THE ALL THE BILLS PASSED. AS SOON AS THAT INFORMATION IS AVAILABLE IT WILL BE PROVIDED TO THE BOARD.

0416-004 Butte County Budget - Fiscal Year 2004-2005:

1. Final Adjustments to the Proposed Budget for Fiscal Year 2004-2005 - consideration of adjustments to the Proposed Budget as recommended by the Chief Administrative Officer - action requested - ACCEPT FINAL ADJUSTMENTS; AND
2. Adoption of Final Budget for Fiscal Year 2004-2005 - consideration of a resolution adopting the Butte County Final Budget for Fiscal Year 2004-2005 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (547)

MOTION: I MOVE TO ACCEPT THE FINAL ADJUSTMENTS SUBMITTED BY THE CHIEF ADMINISTRATIVE OFFICER (SCHEDULE C); AND FURTHER MOVE TO ADOPT RESOLUTION 04-163 ADOPTING THE BUTTE COUNTY FINAL BUDGET FOR FISCAL YEAR 2004-2005 AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

0416-005 Items Removed from the Consent Agenda for Board Consideration and Action. (NONE)

CLOSED SESSION

0416-006    **RECESS:**                    THE BOARD RECESSED AT 9:35 A.M., TO A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE. EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION.    (944)

**RECONVENE:**                    THE BOARD RECONVENED AT 10:39 A.M., FROM A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE. EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); PROFESSIONAL EMPLOYEES UNIT; SOCIAL SERVICES WORKERS UNIT; AND PROBATION PEACE OFFICERS' ASSOCIATION.                    (1012)                    (NO ANNOUNCEMENTS)

PUBLIC HEARINGS AND TIMED ITEMS

0416-007 Public Hearing - Resolution 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 has recommended approval - action requested - FIND THAT THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE, AND ADOPT A RESOLUTION ABANDONING THE DESCRIBED PORTION OF THE OROVILLE BANGOR HIGHWAY RIGHT-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN THE GRANT DEED, SUBJECT TO PAYMENT FOR THE 0.34 ACRES ADJOINING INGOLDSEN AND THE 0.52 ACRES ADJOINING GRUBBS, AND PAYMENT OF RECORDING FEES. (FROM 8-3-04 [3.47]) (1020)

PUBLIC HEARING OPENED AT 10:40 A.M., AND CONTINUED OPEN TO OCTOBER 12, 2004, AT 10:30 A.M., TO ALLOW STAFF ADDITIONAL TIME TO REVIEW AND RESPOND TO THE APPLICANTS QUESTIONS AND CONCERNS.

0416-008 Public Hearing - Resolution 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, 18<sup>th</sup> Street and Feather Avenue in the Thermalito area. The Planning Commission has recommended approval of the request - action requested - FIND THAT THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE, AND ADOPT A RESOLUTION ABANDONING THE DESCRIBED PORTIONS OF 16<sup>TH</sup> STREET, 18<sup>TH</sup> STREET AND FEATHER AVENUE RIGHTS-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN THE GRANT DEED, SUBJECT TO PAYMENT FOR THE 0.7610 ACRES OF 16<sup>TH</sup> STREET, HALF OF WHICH IS ENCUMBERED BY AN EASEMENT, AND PAYMENT OF RECORDING FEES. (FROM 8-3-04 [3.48]) (2010)

PUBLIC HEARING OPENED: 11:05 A.M.  
 PUBLIC HEARING CLOSED: 11:12 A.M.

MOTION: I MOVE TO FIND THAT THE PUBLIC RIGHT-OF-WAY DESCRIBED IN THE NOTICE OF HEARING AND PETITION IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE, AND ADOPT RESOLUTION 04-164 ABANDONING THE DESCRIBED PORTIONS OF 16<sup>TH</sup> STREET, 18<sup>TH</sup> STREET AND FEATHER AVENUE RIGHTS-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN THE GRANT DEED, SUBJECT TO PAYMENT FOR THE 0.7610 ACRES OF 16<sup>TH</sup> STREET, HALF OF WHICH IS ENCUMBERED BY AN EASEMENT, AND PAYMENT OF RECORDING FEES.

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

0416-009 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 - THE DEPARTMENT RECOMMENDS THE BOARD ADOPT THE RESOLUTION AS REQUIRED TO PROCEED WITH ACQUISITION OF RIGHTS-OF-WAY AND EASEMENTS REQUIRED FOR THE AGUAS FRIAS ROAD BRIDGE OVER BUTTE CREEK PROJECT, AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-3-04 [5.04]) (2468)

MOTION: I MOVE TO ADOPT RESOLUTION 04-165 AUTHORIZING THE DEPARTMENT TO PROCEED WITH ACQUISITION OF RIGHTS-OF-WAY AND EASEMENTS REQUIRED FOR THE AGUAS FRIAS ROAD BRIDGE OVER BUTTE CREEK PROJECT, AND AUTHORIZE THE CHAIR TO SIGN.

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

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**PUBLIC COMMENT**

0416-010 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. (2675)

1. SHAROL KUNTZ SUBMITTED A PETITION REGARDING EXCESSIVE DOG BARKING ALL NIGHT ON CHEROKEE ROAD.

PHYLLIS MURDOCK, DIRECTOR-PUBLIC HEALTH, STATED THAT SHE WILL REVIEW THE PETITION SUBMITTED WITH ANIMAL CONTROL STAFF AND DETERMINE THE EXTEND OF HELP AVAILABLE TO HER UNDER THE CURRENT LAW.

2. FRANK SMITH STATED THAT HE HAS THE SAME PROBLEM IN HIS NEIGHBORHOOD WITH DOGS BARKING ALL NIGHT LONG KEEPING HIM AWAKE.

RECESSED AT 11:24 A.M., AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

IN-HOME SUPPORTIVE SERVICES  
PUBLIC AUTHORITY BOARD  
MINUTES  
AUGUST 31, 2004

Called to order at 11:24 a.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Dolan, Houx, Josiassen, Yamaguchi and Chair Beeler. Also present: Marion Reeves, Deputy Clerk. (2988)

Agenda Items (2994) (NONE)

Public Comment

0407-001 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. (3002) (\*\*00)

1. EVAN LEVANGE, EXECUTIVE DIRECTOR OF INDEPENDENT LIVING SERVICES OF NORTHERN CALIFORNIA, AND ADDRESSED THE BOARD TO STATE THAT ANY IMPROVEMENT MADE IN THE IHSS PROGRAM NOT ONLY IMPROVES THE LIVES OF THE WORKERS, BUT ALSO THE CONSUMERS, WHO LIVE IN FEAR OF LOSING THEIR PROVIDERS.
2. ROSEMARY LANDRY ADDRESSED THE BOARD TO STATE THAT THE PRESIDENT AND THE GOVERNOR OF CALIFORNIA HAVE SHOWN THEIR SUPPORT OF IHSS WORKERS AND HOPES THE BOARD DOES THE SAME.
3. MOLLY HILLIS, UNITED DOMESTIC WORKERS OF AMERICA, ADDRESSED THE BOARD TO HIGHLIGHT THE POSITIVE CHANGES FOR THE IHSS PROGRAM AT THE STATE LEVEL AND REQUESTING THE BOARD ADDRESS BETTER WAGES AND BENEFITS FOR LOCAL WORKERS.
4. JACKLYN O'SULLIVAN ADDRESSED THE BOARD TO REQUEST BETTER WAGES AND BENEFITS FOR IHSS WORKERS.
5. SARA BATES ADDRESSED THE BOARD TO CONSIDER A LIVING WAGE FOR NON-CONTRACT IHSS WORKERS AND TO CONSIDER HOW THE LACK OF HEALTH INSURANCE AFFECTS THEM.
6. DAN GROVER, INDEPENDENT LIVING SERVICES, ADDRESSED THE BOARD TO REQUEST INCREASED WAGES FOR WORKERS.
7. DEEDEE MAYNARD ADDRESSED THE BOARD TO REQUEST AN INCREASE IN WAGES FOR WORKERS AND MEDICAL BENEFITS.
8. PETE CONNATEE, UNITED DOMESTIC WORKERS OF AMERICA, ADDRESSED THE BOARD TO REMIND THEM THAT THE FEDERAL GOVERNMENT WILL GIVE CALIFORNIA MONEY FOR THE IHSS PROGRAM, AND THE MONEY CAN BE USED TO GIVE THE INCREASED WAGES AND BENEFITS THE WORKERS ARE ASKING FOR.

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**Closed Session**

0407-002    **RECESS:**                    THE BOARD RECESSED AT 11:50 A.M., TO A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (\*\*445)

**RECONVENE:**                    THE BOARD RECONVENED AT 2:11 P.M., FROM A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (472) (NO ANNOUNCEMENTS)

**Adjournment**

ADJOURNED AT 2:11 P.M., AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

