
Called to order at 9:03 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. (52)

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

- 0418-001 1. Vineyard Grove Estates Subdivision - the Vineyard Grove Estates Subdivision, APN 047-440-006, is located on the west side of Garner Lane approximately 3,000 feet south of Keefer Road, and is a conditionally approved 29 lot public street subdivision. The subdivision has annexed to County Service Area No. 158 to provide storm drainage maintenance, fire protection services and street lighting. The developer has complied with the Conditions of Approval and has provided a performance bond for construction of the required improvements - action requested - APPROVE FINAL MAP; APPROVE THE NEW PUBLIC STREET NAMES OF KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE GARNER LANE, KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT, AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG GARNER LANE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE EASEMENTS FOR STORM DRAINAGE PURPOSES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT; AND ACCEPT ON BEHALF OF THE PUBLIC, AND AUTHORIZE THE CHAIR TO SIGN, THE CERTIFICATE OF ACCEPTANCE FOR THE AVIGATION EASEMENT REQUIRED BY THE CONDITIONS OF APPROVAL.

CONSENT AGENDA

- 0418-002
1. Re-establish Encumbrances and Re-appropriate Revenues - approval is requested to re-establish prior year encumbrances and re-appropriate prior year revenues for the Solar Energy Capital Project and Courthouse Expansion Project. At the end of the 2003-2004 fiscal year the Auditor's Office relieved the encumbrances for the projects due to negative fund balances. Funding is now available for the projects and the revenues and encumbrances need to be re-appropriated and re-established - action requested - APPROVE BUDGET TRANSFER B-061 (4/5 vote required) RE-ESTABLISHING THE ENCUMBRANCES AND RE-APPROPRIATING THE REVENUES FOR THE TWO CAPITAL PROJECTS AS DETAILED IN THE AGENDA REPORT.
 2. State of California, Department of Alcohol and Drug Programs - Amendment - approval is requested for an amendment to the grant award agreement with the State of California, Department of Alcohol and Drug Programs for the Drug Court Partnership Program. The amendment extends the period of time in which the County can expend Project Year Five funds to June 30, 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. R40153)
 3. FamiliesFirst, Inc. - approval is requested for an agreement with FamiliesFirst, Inc., for the provision of a day treatment rehabilitation program for emotionally disturbed youth receiving full-scope Medi-Cal benefits. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$120,431.68 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
 4. Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of residential treatment services. The amendment provides for the addition of Alcohol/Drug Free Housing services for clients referred under the Proposition 36 and Drug Court programs, increases the maximum amount payable by \$8,379 (department budget) for the additional services, and revises the agreement's exhibits and attachments to reflect the amendments. 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. X15129)

- 0418-002 5. 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 System of Care services. The amendment extends the term of the agreement through September 30, 2004, increases the maximum amount payable by \$21,224.21 (department budget) for the extended term, includes language regarding billing processes, and revises the agreement's exhibits to reflect the amendments. 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. X11980)
6. Catholic Health Care d.b.a. St. Mary's Medical Center - approval is requested for an agreement with Catholic Health Care d.b.a. St. Mary's Medical Center for the provision of inpatient hospital services for referred adolescents. The term of the agreement is July 1, 2004, through June 30, 2005, with the amount payable determined by service utilization. Acute Psychiatric Days are charged at \$757 per day, and Administrative Days are charged at \$296.03 per day. Claims for services are paid directly by the State, and the State then offsets Realignment Revenue for the claim amount - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
7. Budget Transfer - approval is requested for a budget transfer of \$4,733 (Drug Court Partnership funds) from the Behavioral Health Department's budget to the Probation Department's budget to provide the appropriation necessary for costs associated with assignment of a Probation Officer to the Drug Court Program - action requested - APPROVE BUDGET TRANSFER B-062 (4/5 vote required) TRANSFERRING, ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
8. Resolution Confirming and Increasing the Change Fund for the Butte County Clerk-Recorder - pursuant to Government Code Section 29323, approval is requested for a resolution which will increase the department's change fund from \$200 to \$400. The increase is requested to meet the operating needs of the department - action requested - ADOPT RESOLUTION 04-176 AND AUTHORIZE THE CHAIR TO SIGN.

- 0418-002 9. Biggs/Gridley Hospital and Enloe Medical Center - approval is requested for revenue agreements with the Biggs/Gridley Hospital and Enloe Medical Center for the provision of Medi-Cal and County Medical Services Program (CMSP) eligibility determination services. Under the agreement the department will assign an Eligibility Technician to the hospitals to conduct intake interviews for persons applying for Medi-Cal and CMSP benefits. The term of each agreement is from the date of execution through June 30, 2005, and each agreement provides a maximum amount payable to the County of \$46,772. State Medi-Cal funds will also provide \$17,174 for the program - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-063 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
10. El Medio Fire Protection District - approval is requested for a limited automatic aid agreement with the El Medio Fire Protection District. The term of the agreement is July 19, 2004, through July 1, 2005. There is no funding associated with the agreement. In consideration for the services provided, the El Medio Fire Protection District will meet specific required conditions regarding maintenance of equipment, personnel, training and responsibilities - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
11. Resolution in Recognition of Ted Crawford Upon His Retirement from the Butte County Fire Department - action requested - ADOPT RESOLUTION 04-177 AND AUTHORIZE THE CHAIR TO SIGN.
12. State Homeland Security Grant Funds - approval is requested by the Emergency Services Division to accept and appropriate unexpended fiscal year 2002-2003 State Homeland Security Grant Funds into the current fiscal year budget - action requested - APPROVE BUDGET TRANSFER B-065 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR GRANT FUNDS AS DETAILED IN THE AGENDA REPORT.
13. Tip Holloway & Associates, Inc. - approval is requested for an agreement with Tip Holloway & Associates, Inc., for the provision of auction services to dispose of County surplus vehicles, equipment and furniture. The term of the agreement is July 1, 2004, through June 30, 2005, and provides the contractor with a commission schedule of 10% of the proceeds from the sale of vehicles, equipment and trailers, and 30% of the proceeds from the sale of miscellaneous property such as computers, furniture and office fixtures. The agreement also provides for transportation charges (\$30 per hour) and vehicle inspection and preparation charges (up to a maximum of \$100 per vehicle) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40713)

- 0418-002 14. Transfer of Funds for Tree Removal - approval is requested by the Facilities Services Division to transfer \$3,700 from the General Fund Appropriation for Contingencies to the Facilities Services budget to provide the appropriation for removal of a decaying tree in the parking lot area of 196 Memorial Way, Chico - action requested - APPROVE BUDGET TRANSFER B-064 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
15. Adoption of a Salary Ordinance Amendment - the department has prepared a salary ordinance which reflects changes contained in the fiscal year 2004-2005 final budget as follows: AUDITOR-CONTROLLER - deletes one flexibly staffed position of Accounting Specialist/Senior Account Clerk/Account Clerk, and one position of Auditor-Accountant III/II. PURCHASING - deletes one position of Buyer III/II/I. TREASURER-TAX COLLECTOR - deletes one position of Information Systems Technician III/II/I. ASSESSOR - deletes one flexibly staffed position of Appraisal Specialist/Assessment Clerk III/II, one flexibly staffed position of Appraiser III/II/I/Appraisal Specialist, one position of Assessment Clerk II/I, one flexibly staffed position of Cadastral Drafting Technician/Drafting Aide, and one flexibly staffed position of Secretary I/ Administrative Services Assistant. COUNTY COUNSEL - deletes one position of Deputy County Counsel IV/III/II/I. DISTRICT ATTORNEY-CRIMINAL - deletes one position of Assistant District Attorney effective February 28, 2005, and one half-time flexibly staffed position of Legal Typist Clerk/Office Assistant III/II/I. DISTRICT ATTORNEY-CHILD SUPPORT INVESTIGATIONS - deletes one and a half positions of District Attorney Investigator II/I, and one position of Investigative Assistant. DISTRICT ATTORNEY-CHILD ABDUCTION - deletes one position of District Attorney Investigator II/I. DISTRICT ATTORNEY-WELFARE FRAUD - deletes one position of District Attorney Investigator II/I. SHERIFF-CORONER-SERVICES - deletes one position of Deputy Sheriff, one position of Public Safety Dispatcher, one position of Sheriff's Sergeant, and one position of Sheriff's Lieutenant. Adds one position of Information Systems Analyst III/II/I, and two positions of Information Systems Technician II/I. SHERIFF-CORONER - OPERATIONS - deletes two positions of Deputy Sheriff, and one sunset position of Deputy Sheriff (position end date 12-31-04). SHERIFF-CORONER - RURAL COUNTY SUPPLEMENTAL FUNDING - deletes two positions of Deputy Sheriff, one position of Information Systems Analyst III/II/I, two positions of Information Systems Technician II/I, and one position of Sheriff's Clerk III/II. PROBATION-JUVENILE HALL - deletes eight positions of Juvenile Hall Counselor II/I, and one and a half positions of Office Assistant III/II/I. PROBATION - deletes three positions of Probation Technician.

- 0418-002 15. PROBATION-BOARD OF CONTROL GRANT - deletes one half-time flexibly staffed position of Legal Secretary/Legal Typist Clerk/Office Assistant III. DEVELOPMENT SERVICES - deletes one flexibly staffed position of Secretary I/Office Assistant III. Adds one flexibly staffed position of Secretary II/I/Office Assistant III. PUBLIC WORKS-CONSTRUCTION AND MAINTENANCE - deletes two flexibly staffed positions of Assistant Engineer/Junior Engineer, one flexibly staffed position of Associate Civil Engineer/Associate Engineer/Assistant Engineer, one flexibly staffed position of Associate Surveyor/Assistant Surveyor, and six flexibly staffed positions of Road Maintenance Worker II/I/Road Maintenance Aide. PUBLIC HEALTH-GENERAL SERVICES - deletes one position of Health Education Specialist III/II/I, and one sunset position of Public Health Nurse III/II/I (position end date 6-30-05). Adds one position of Administrative Services Assistant, and one position of Environmental Health Specialist III/II. PUBLIC HEALTH-ENVIRONMENTAL HEALTH - adds three positions of Environmental Health Specialist III/II. BEHAVIORAL HEALTH-GENERAL SERVICES - deletes three flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk, one position of Administrative Services Assistant, one position of Auditor-Accountant II/I, one position of Clinical Program Manager, three positions of Health Education Specialist II/I, one position of Information Systems Technician II/I, one position of Manager-Program Resource and Development, one position of Mental Health Clinician I, one position of Mental Health Counselor, one flexibly staffed position of Mental Health Counselor/Mental Health Worker, two positions of Program Manager-Community Services, one flexibly staffed position of Senior Mental Health Counselor/Mental Health Counselor, seven and a half flexibly staffed positions of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker, one position of Senior Staff Services Systems Specialist, one position of Supervisor-Clerical Support Services, and one position of Supervisor-Health Education Specialist. BEHAVIORAL HEALTH-GENERAL SERVICES - adds one sunset position of Program Manager-Community Services (position end date 12-31-04), one position of Psychiatrist, and one flexibly staffed sunset position of Senior Mental Health Counselor/Mental Health Counselor/Mental Health Worker (position end date 12-31-04). BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - deletes one position of Administrative Services Assistant and one sunset position of Health Education Specialist III/II (position end date 12-31-05). Adds three positions of Health Education Specialist II/I, and one position of Information Systems Technician II/I.

- 0418-002 15. CHILD SUPPORT SERVICES - deletes three flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk, one position of Administrative Analyst III/II/I, one position of Courier-Stock Clerk, two positions of Family Support Case Manager III/II/I, one position of Information Systems Analyst II/I, one position of Information Systems Technician II/I, and four positions of Office Assistant III/II/I. Adds two flexibly staffed sunset positions of Accounting Specialist/Senior Account Clerk/Account Clerk (position end dates 9-30-05). FACILITIES SERVICES - deletes two positions of Janitor. CENTRAL DUPLICATING - deletes one position of Offset Duplicating Machine Operator II/I. CENTRAL COMMUNICATIONS - deletes one position of Administrative Analyst III/II/I, and one position of Office Assistant III/II/I. NEAL ROAD SANITARY LANDFILL-MANAGEMENT - adds one position of Landfill Maintenance Worker II, one position of Landfill Scale Attendant, and one position of Senior Landfill Equipment Operator. NEAL ROAD SANITARY LANDFILL-USED OIL BLOCK GRANT - adds one position of Recycling Coordinator II/I - action requested - ADOPT ORDINANCE 3884 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 9-14-04 [3.16])
16. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATION - revises the hourly salary range for the positions of Environmental Health Specialist I (\$17.67-\$21.47), Environmental Health Specialist II (\$19.52-\$23.73), and Environmental Health Specialist III (\$21.46-\$26.08) - action requested - ADOPT RESOLUTION 04-178 AND AUTHORIZE THE CHAIR TO SIGN.
17. Kronos Incorporated - Amendment - approval is requested for an amendment to the agreement with Kronos Incorporated for the provision of software and professional services for the County's financial management system. The amendment extends the term of the agreement through July 1, 2005, provides for expanded software product needs and educational support services, and increases the maximum amount payable by \$99,200 (department budget). All other terms and provisions remain the same. To provide the appropriation for payment of the amendment costs, approval is also requested for a transfer of department funds between budget line items - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-066 TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X14080)
18. Library Donations - pursuant to Government Code Section 25355, donations of \$1,833.50 from the Oroville Friends of the Library and \$983.43 from the Paradise Friends of the Library have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

- 0418-002 19. Library Literacy Program Donation - pursuant to Government Code Section 25355, approval is requested to accept and appropriate \$1,000 received from Wal-Mart for the Library Literacy Program - action requested - APPROVE BUDGET TRANSFER B-067 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND AUTHORIZE A LETTER OF APPRECIATION.
20. Small Business Initiative Grant Program - approval is requested to apply to the California State Library for a \$7,000 grant under the Small Business Initiative Grant Program. The grant is designed to provide services that are responsive to the needs of small businesses - action requested - APPROVE APPLICATION FOR GRANT FUNDS AND AUTHORIZE THE DIRECTOR-LIBRARIES TO SIGN.
21. Patrick L. Slupski - approval is requested for a sole source agreement with Patrick L. Slupski for the provision of physical and occupational therapy services to eligible children under the California Children's Services programs. The term of the agreement is October 1, 2004, through June 30, 2005, with a maximum amount payable of \$47,000 (25% Realignment funds/25% State funds/50% department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
22. Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$599.50 missing from the work receipts, and \$100 missing from the change fund from the Public Health Clinic office at 695 Oleander Avenue, Chico, on August 12, 2004. The Auditor-Controller has reviewed the matter and found no evidence of fraud or gross negligence. As recommended by the Auditor-Controller, the department has purchased and installed safes for use in the clinics. Board approval is also requested to reduce the change fund at the Oleander Clinic site to \$50, and to transfer the remaining \$50 to the Environmental Health Division's change funds - action requested - GRANT RELIEF OF ACCOUNTABILITY FOR \$599.50 AND \$100; APPROVE REDUCTION OF THE CHANGE FUND AT THE OLEANDER CLINIC SITE FROM \$100 TO \$50; AND APPROVE THE TRANSFER OF THE REMAINING \$50 TO THE ENVIRONMENTAL HEALTH BUDGET AS DETAILED IN THE AGENDA REPORT.
23. Cathleen Gentry - approval is requested for a sole source agreement with Cathleen Gentry for the provision of professional consulting services for the Medi-Cal Administrative Activities and Targeted Case Management Consortium of Counties. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$135,000. Funding for the agreement is provided by participation fees from counties in the consortium - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0418-002 24. Butte County Children & Families Commission - approval is requested for a grant agreement with the Butte County Children & Families Commission for funds to support the Children's Dental Program. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$98,976. Board approval is also requested to allocate \$23,405 for operating expenses - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-068 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. X15096)
25. Cottage Cove Subdivision, Phase I - the Cottage Cove Subdivision, APN 068-360-116, is located on the east side of Oakvale Avenue, north of the Ophir School in the Oroville area, and is a conditionally approved 30-lot private street subdivision to be developed in three phases. Cottage Cove Subdivision, Phase I, is comprised of 10 lots. The developer has complied with the Conditions of Approval, has completed construction of the required Phase I improvements and has provided a letter of credit to guarantee the maintenance of the improvements for one year - action requested - APPROVE THE FINAL MAP FOR THE COTTAGE COVE SUBDIVISION, PHASE I; APPROVE THE NEW PRIVATE STREET NAMES OF COTTAGE COVE DRIVE AND COTTAGE CREEK DRIVE; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE OAKVALE AVENUE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG OAKVALE AVENUE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

- 0418-002 26. Capital Improvement Projects - approval is requested to add two additional projects to the department's fiscal year 2004-2005 Capital Projects List and budget. The first project is a proposed scenic outlook viewing area at Lookout Point on the Skyway. The total project cost is estimated at \$410,000 (\$362,612 Federal Transportation Enhancement (TE) funds/\$47,338 in-kind County match). The Butte County Association of Governments has programmed \$33,000 of TE funds for fiscal year 2004-2005 which will be used for project approval and environmental documents and the projects plans and specifications, and Board approval is also requested to accept and appropriate those funds. The second project is the design work, environmental documents and right-of-way acquisition for the extension of the Highway 99 frontage road between Entler Avenue and the Edgar Slough. The project is identified in the Chico Urban Area Traffic Impact Fee Nexus Study and is an eligible use for the impact fees. The project costs are estimated at \$100,000 - action requested - APPROVE THE ADDITION OF THE PROJECTS TO THE CAPITAL IMPROVEMENT PROJECTS LIST FOR FISCAL YEAR 2004-2005 APPROVE THE ADDITION OF THE PROJECTS LIST FOR FISCAL YEAR 2004-2005 PENDING A POSITIVE REPORT BY THE BUTTE COUNTY PLANNING COMMISSION; AND APPROVE BUDGET TRANSFER B-072 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
27. County Service Area (CSA) No. 31 (Biggs Swimming Pool) - approval is requested to transfer \$4,248 from the CSA's Appropriation for Contingencies to the operating budget to provide the funding for pool maintenance expenses for June 2004 - action requested - APPROVE BUDGET TRANSFER B-069 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
28. Rural County Supplemental Funding Grant - approval is requested to accept and appropriate \$500,000 from the State of California under the Rural County Supplemental Funding Grant program. The Sheriff will use part of the funds to continue the School Resource Officer (SRO) program at Paradise High School and Las Plumas High School. The cost of the program at Las Plumas High School will be offset by a \$40,000 contribution from the school and school district, and Board approval is also requested to accept and appropriate those funds. The Sheriff is also intending to use grant funds to purchase a Livescan fingerprint machine in the estimated amount of \$42,000, and Board approval is requested for the fixed asset purchase of the equipment - action requested - APPROVE BUDGET TRANSFER B-071 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF FINGERPRINT EQUIPMENT.

- 0418-002 29. California Methamphetamine Enforcement Team (CAL-MMET) Grant Funds - approval is requested to accept and appropriate \$10,548.27 received from the Shasta County Sheriff's Office under the CAL-MMET grant program. The funds will be utilized to purchase avionics equipment - action requested - APPROVE BUDGET TRANSFER B-070 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 30. Monthly Investment Report - submitted is the Monthly Investment Report dated August 31, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.
- 31. Resolution Proclaiming October 2004 as Domestic Violence Awareness Month - Catalyst Domestic Violence Services is requesting the Board adopt a resolution proclaiming October as Domestic Violence Awareness Month - action requested - ADOPT RESOLUTION 04-179 AND AUTHORIZE THE CHAIR TO SIGN.
- 32. Paradise Cemetery District - action requested - REAPPOINT MARY IDA LEONARD AND W.L. "BILL" KELLOGG, TRUSTEES, TO TERMS TO END JULY 1, 2008.
- 33. Upham Cemetery District - action requested - REAPPOINT RAMON LEFEVRE, TRUSTEE, TO A TERM TO END JULY 1, 2006, AND ERIC MANLEY AND MARVIN LARSON, TRUSTEES, TO TERMS TO END JULY 1, 2008. (66)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.27 AMENDED TO REVISE THE ACTION REQUESTED TO READ, "APPROVE THE ADDITION OF THE PROJECTS LIST FOR FISCAL YEAR 2004-2005 PENDING A POSITIVE REPORT BY THE BUTTE COUNTY PLANNING COMMISSION; AND APPROVE...", AND THE REMOVAL OF ITEM 3.26.

S M

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

CHAIR BEELER PRESENTED A RESOLUTION TO CINDY HAWTHORNE, CATALYST DOMESTIC VIOLENCE SERVICES, PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH.

REGULAR AGENDA

- 0418-003 Boards, Commissions and Committees. (180)
 - 1. Appointments to Listed Vacancies. (NONE)
 - 2. Board Member or Committee Reports.

SUPERVISOR YAMAGUCHI PROVIDED A REPORT ON THE RECENT REGIONAL COUNCIL OF RURAL COUNTIES MEETING.

0418-003 SUPERVISOR JOSIASSEN REQUESTED A REPORT FROM THE CHICO SUBCOMMITTEE ADDRESSING A LETTER WRITTEN BY THEM TO MAUREEN KIRK, CHICO CITY COUNSEL, REGARDING JOINT PLANNING ISSUES.

0418-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (473) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, SUBMITTED A REPORT BY STRATEGIC LOCAL GOVERNMENT SERVICES WHICH PROVIDES AN UPDATE ON LEGISLATIVE ACTIVITY, AND PROVIDED A REPORT ON HIS ATTENDANCE AT THE REGIONAL COUNCIL OF RURAL COUNTIES MEETING.

0418-005 Advanced Funding of Workers' Compensation Costs - consideration of a resolution which will authorize the funding of a trust for Workers' Compensation costs and claims. The resolution is a necessary step for the County's transition to a self-insured Workers' Compensation program - action requested - ADOPT AND AUTHORIZE THE CHAIR TO SIGN THE RESOLUTION APPROVING THE FORMS OF THE DOCUMENTS IN THE TRANSACTION AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH. (580)

MOTION: I MOVE TO ADOPT AND AUTHORIZE THE CHAIR TO SIGN RESOLUTION 04-180 APPROVING THE FORMS OF THE DOCUMENTS IN THE TRANSACTION AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH.
S M

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

0418-006 Butte County Child Welfare System Improvement Plan - consideration of a one-year plan to establish program priorities, define specific actions to achieve improvements, and establish goals for improvements as mandated by the Child Welfare System Improvement and Accountability Act - action requested - APPROVE PLAN AND AUTHORIZE THE CHAIR TO SIGN. (953)

MOTION: I MOVE TO APPROVE THE PLAN AND AUTHORIZE THE CHAIR TO SIGN.
S M

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

0418-007 A MATTER ON WHICH A PUBLIC HEARING HAS BEEN HELD AND A MOTION OF INTENT ADOPTED - Steve Schuster - Tentative Subdivision Map Appeal (Sierra Moon Subdivision) - on August 17, 2004, the Board adopted a motion of intent to approve a Mitigated Negative Declaration and a Tentative Subdivision Map to create 118 lots from a 300-acre site, including 135 acres of open space, on property located north of Chico and west of the Chico Airport on the west side of Hicks Lane, approximately 3,000 feet south of Keefer Road, in the North Chico Specific Plan area, and identified as APN 047-710-001 - action requested:

1. PROVIDE ADDITIONAL DETAILS TO STAFF REGARDING THE BOARD'S DIRECTION TO SET UP A TEMPORARY CUL-DE-SAC ON SPYGLASS ROAD;

- 0418-007
2. SUBJECT TO FINDINGS I (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, APPROVE THE REVISED AND RE-CIRCULATED MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS;
 3. FIND THAT THE PROJECT WILL HAVE AN IMPACT TO FISH AND/OR WILDLIFE HABITAT AND APPROVE THE COLLECTION OF DEPARTMENT OF FISH AND GAME FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5; AND
 4. SUBJECT TO FINDINGS III (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, AND THE CONDITIONS OF APPROVAL DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED SEPTEMBER 28, 2004, APPROVE TENTATIVE SUBDIVISION MAP 03-01 FOR STEPHEN J. SCHUSTER, ASSESSOR PARCEL NUMBER 047-710-001. (FROM 8-17-04 [5.06]) (1328)

MOTION: SUBJECT TO FINDINGS I (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, I MOVE TO APPROVE THE REVISED AND RE-CIRCULATED MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS; FIND THAT THE PROJECT WILL HAVE AN IMPACT TO FISH AND/OR WILDLIFE HABITAT AND APPROVE THE COLLECTION OF DEPARTMENT OF FISH AND GAME FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5; AND SUBJECT TO FINDINGS III (A-G) AS DETAILED IN THE STAFF REPORT DATED SEPTEMBER 28, 2004, AND THE CONDITIONS OF APPROVAL DETAILED IN EXHIBIT "A" OF THE STAFF REPORT DATED SEPTEMBER 28, 2004, FURTHER MOVE TO APPROVE TENTATIVE SUBDIVISION MAP 03-01 FOR STEPHEN J. SCHUSTER, ASSESSOR PARCEL NUMBER 047-710-001.

S M

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

RECESS: 9:56 A.M.

RECONVENE: 10:15 A.M.

REGULAR AGENDA

0418-008 Items Removed from the Consent Agenda for Board Consideration and Action. (1897)

1. Vineyard Grove Estates Subdivision - the Vineyard Grove Estates Subdivision, APN 047-440-006, is located on the west side of Garner Lane approximately 3,000 feet south of Keefer Road, and is a conditionally approved 29 lot public street subdivision. The subdivision has annexed to County Service Area No. 158 to provide storm drainage maintenance, fire protection services and street lighting. The developer has complied with the Conditions of Approval and has provided a performance bond for construction of the required improvements - action requested - APPROVE FINAL MAP; APPROVE THE NEW PUBLIC STREET NAMES OF KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE GARNER LANE, KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT, AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG GARNER LANE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE EASEMENTS FOR STORM DRAINAGE PURPOSES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT; AND ACCEPT ON BEHALF OF THE PUBLIC, AND AUTHORIZE THE CHAIR TO SIGN, THE CERTIFICATE OF ACCEPTANCE FOR THE AVIGATION EASEMENT REQUIRED BY THE CONDITIONS OF APPROVAL.

MOTION: I MOVE TO APPROVE THE FINAL MAP; APPROVE THE NEW PUBLIC STREET NAMES OF KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE GARNER LANE, KIWI LANE, PERSIMMON LANE, MANDARIN COURT, TANGERINE COURT, AND POMEGRANATE COURT, AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS ALONG GARNER LANE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; ACCEPT ON BEHALF OF THE PUBLIC THE EASEMENTS FOR STORM DRAINAGE PURPOSES AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT; AND ACCEPT ON BEHALF OF THE PUBLIC, AND AUTHORIZE THE CHAIR TO SIGN, THE CERTIFICATE OF ACCEPTANCE FOR THE AVIGATION EASEMENT REQUIRED BY THE CONDITIONS OF APPROVAL.

S M

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

ADJOURNED AT 10:21 A.M., AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENE AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
SEPTEMBER 28, 2004

Called to order at 10:21 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. (2197)

Agenda Items

0409-001 Request to Fill Vacant Position, Approval of Employment Agreement, and Approval of Revised Personnel Polices - approval is requested to: fill a vacant Public Authority Services Specialist Aide position; approve an employment agreement for the at-will position; and approve revisions to the Authority's Personnel Policies which will result in a document more consistent with government personnel compliance and Butte County Personnel Policies - action requested - APPROVE REQUEST TO FILL VACANT PUBLIC AUTHORITY SERVICES SPECIALIST AIDE POSITION; APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE REVISIONS TO THE PUBLIC AUTHORITY PERSONNEL POLICIES INCLUDED AS EXHIBIT A TO THE AGREEMENT. (2204)

MOTION: I MOVE TO APPROVE THE REQUEST TO FILL THE VACANT PUBLIC AUTHORITY SERVICES SPECIALIST AIDE POSITION; APPROVE THE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND FURTHER MOVE TO APPROVE REVISIONS TO THE PUBLIC AUTHORITY PERSONNEL POLICIES INCLUDED AS EXHIBIT A TO THE AGREEMENT.

M S

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

Public Comment

0409-002 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. (2290) (NONE)

Adjournment

ADJOURNED AT 10:24 A.M., AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

BOARD OF SUPERVISORS

RECESS: 10:25 A.M.

RECONVENE: 10:34 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0418-009 Public Hearing - Consideration of the Adoption of a Groundwater Management Plan Pursuant to California Government Code Section 10753 et seq. (AB 3030) - consideration of the adoption of a county-wide groundwater management plan for portions of the groundwater basin not presently covered by another groundwater management plan. The objectives of the Butte County Groundwater Plan are to: minimize the long-term drawdown of groundwater levels; protect groundwater quality; prevent inelastic land subsidence as a result of groundwater pumping; minimize changes to surface water flows and quality that directly effect groundwater levels or quality; minimize the effect of groundwater pumping on surface water flows and quality; and evaluate groundwater replenishment and cooperative management projects such as conjunctive use. The Butte County Groundwater Management Plan also documents existing local groundwater management activities - action requested - CONSIDER PROTESTS AND COMMENTS RECEIVED BY THE DEPARTMENT AND THE DEPARTMENT'S RESPONSES; DIRECT THE DEPARTMENT TO INSERT THE NECESSARY EDITS IN THE FINAL COPY OF THE BUTTE COUNTY GROUNDWATER MANAGEMENT (AB 3030) PLAN; AND ADOPT A RESOLUTION APPROVING THE PLAN AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-17-04 [4.05]) (2342) (**00)

PUBLIC HEARING OPENED: 10:34 A.M.
PUBLIC HEARING CLOSED: 11:25 A.M.

MOTION: I MOVE TO DIRECT THE DEPARTMENT TO INSERT THE NECESSARY EDITS IN THE FINAL COPY OF THE BUTTE COUNTY GROUNDWATER MANAGEMENT (AB 3030) PLAN; AND FURTHER MOVE TO ADOPT RESOLUTION 04-181 APPROVING THE PLAN AND AUTHORIZE THE CHAIR TO SIGN.

M Y

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

RECESS: 11:30 A.M.

RECONVENE: 11:43 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0418-010 Public Hearing - Annual County Service Area Per Parcel Service Charges - consideration of the adoption of the per parcel service charges for the various County Service Areas for fiscal year 2004-2005 - action requested - OPEN PUBLIC HEARING TO ACCEPT ALL OBJECTIONS AND/OR PROTESTS; CLOSE HEARING; AND ADOPT A RESOLUTION CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE FOR FISCAL YEAR 2004-2005 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-31-04 [3.02]) (**981)

PUBLIC HEARING OPENED: 11:45 A.M.
TOTAL PROTESTS RECEIVED: 0
PUBLIC HEARING CLOSED: 11:45 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION 04-182 CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE 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)

0418-010 Continued Public Hearing - Robert Wray Appeal - Certificate of Merger - consideration of an appeal of a denial of an application to modify the common boundary between two parcels, located on the west side of the Skyway, approximately 1/2 mile south of Cliff Hanger Lane in the Paradise area, and identified as APN 011-240-007 and 041 - action requested - STAFF RECOMMENDS APPROVAL OF THE APPEAL BASED ON APPLICANT'S SUBMISSION OF A REVISED MAP DATED SEPTEMBER 22, 2004. (FROM 8-17-04 [5.04]) (**1089)

PUBLIC HEARING RECONVENED: 11:45 A.M.
PUBLIC HEARING CLOSED: 11:48 A.M.

MOTION: I MOVE TO APPROVAL OF THE APPEAL BASED ON APPLICANT'S SUBMISSION OF A REVISED MAP DATED SEPTEMBER 22, 2004, FINDING THAT THE APPROVAL OF THE REVISED MERGER WOULD BE IN CONFORMANCE WITH THE BUTTE COUNTY CODE SUBJECT TO TWO CONDITIONS: 1) THAT THE MERGER PROVIDE A COMMON DRIVEWAY CONNECTION AND EASEMENT TO SERVE BOTH THE PARCELS FROM THE SKYWAY; AND 2) RELINQUISH TO THE COUNTY OF BUTTE ABUTTER'S RIGHTS TO THE SKYWAY EXCEPT AT THE APPROVE DRIVEWAY LOCATION.

S M

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

PUBLIC COMMENT

0418-011 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. (**1180) (NONE)

CLOSED SESSION

0418-012 RECESS: THE BOARD RECESSED AT 11:51 A.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): SOSA V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 132801). (**1187)

RECONVENE: THE BOARD RECONVENED AT 1:20 P.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): SOSA V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 132801). (**1201) (NO ANNOUNCEMENTS)

SUPERVISOR HOUX NOT PRESENT.

PUBLIC HEARINGS AND TIMED ITEMS

0418-013 Public Hearing - An Ordinance Amending Article VII of Chapter 3 of the Butte County Code Adjusting Specific Gate Fees Chargeable at the Neal Road Sanitary Landfill - consideration of an ordinance amending the fees charged at the Neal Road Sanitary Landfill for freon containing units, when more than two units are disposed of, from \$15.00 per unit to \$30.00 per unit. The ordinance also proposes to eliminate tires, in any form, from being placed in the landfill - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (**1208)

PUBLIC HEARING OPENED: 1:20 P.M.
PUBLIC HEARING CLOSED: 1:27 P.M.

MOTION: I MOVE TO ADOPT ORDINANCE 3885 AND AUTHORIZE THE CHAIR TO SIGN.
S M
VOTE: 1 Y 2 Y 3 NP 4 Y 5 Y (Motion Carried)

ADJOURNMENT: THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 1:28 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, OCTOBER 12, 2004, AT 9:00 A.M.

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: _____