
Called to order at 9:05 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Houx, Josiassen, and Chair Yamaguchi. Also present: Paul McIntosh, Chief Administrative Officer; Bruce Alpert, County Counsel; and Dorothy Bell, Deputy Clerk of the Board.

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

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (46)

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

- 0513-001 1. Tittle & Company, LLP - approval is requested for an agreement with Tittle & Company, LLP, for the provision of a mandatory audit of the Abandoned Vehicle Abatement Joint Powers Authority financial records. The term of the agreement is from the date of execution through December 31, 2005, with a maximum amount payable of \$4,200. Funding for the agreement is available in the funds to be disbursed by the Joint Powers Authority, and approval is requested for a transfer to provide the appropriation needed - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

AT THE REQUEST OF THE DEVELOPMENT SERVICES DEPARTMENT, THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON A SUBSEQUENT AGENDA.

CONSENT AGENDA

- 0513-002 1. Megabyte Systems Inc. - approval is requested for an agreement with Megabyte Systems Inc., for the provision of software maintenance and support of the Butte County Property Tax System and web services for the Tax Collector's Office. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$8,570.84 per month (Assessor/Auditor/Tax Collector budgets) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14901)

- 0513-002 2. Appropriation Limit Calculation for Fiscal Year 2005-2006 - 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 2005-2006 - action requested - ADOPT RESOLUTIONS 05-094 AND 05-095 AND AUTHORIZE THE CHAIR TO SIGN.
3. Butte County Association of Governments - approval is requested for an agreement with the Butte County Association of Governments (BCAG) for the County's provision of services to support BCAG's operation of the Butte Regional Transit System. The term of the agreement is July 1, 2005, through June 30, 2006, and will be renewed on an annual basis beginning July 1, 2006, unless terminated by either party. BCAG will reimburse the County for services rendered - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL.
4. Caminar Inc. - approval is requested for a sole source agreement with Caminar Inc., for the provision of vocational and employment services for referred clients. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$224,557.90 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
5. Harvey Tullin, M.D. - approval is requested for a sole source agreement with Harvey Tullin, M.D., for the provision of medical services in the specialized field of psychiatry. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$77,425 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. Butte County Public Health Department - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Health Department for staff to provide child health screening and assessment services for severely emotionally disturbed children. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$88,119 (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. X13710)

- 0513-002 7. Butte County Public Health Department - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Health Department for services to support System of Care programs. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$90,000 (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. X11980)
8. 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 support Safe and Drug Free Schools programs. The term of the agreement is January 1, 2003, through December 31, 2005, with a maximum amount payable to the County of \$626,000. The maximum amount payable to the County for Project Year 3 (January 1, 2005, through December 31, 2005) is \$226,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40541)
9. Community Development Block Grant Program - Budget Transfer - approval is requested to transfer \$578 of Community Development Block Grant (CDBG) Program Income remaining from the Veterans' Hall Expansion Plan Study, back to the County's Housing Rehabilitation Loan Program, Fund 0143, as provided by State CDBG guidelines - action requested - APPROVE A TRANSFER OF PROGRAM INCOME AS DETAILED IN THE AGENDA REPORT.
10. Public Financial Management, Inc. - Amendment - approval is requested for an amendment to the agreement with Public Financial Management, Inc., for the preparation of financial planning documents for State loan and grant applications in support of the Chico Urban Area Nitrate Compliance Program. The amendment extends the term of the agreement through June 30, 2007, and increases the maximum amount payable by \$20,000 (County Service Area No. 114 budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11441)
11. Approval of Minutes - action requested - APPROVE MINUTES OF JUNE 22, 2004, MARCH 22, 2005, APRIL 12, 2005, AND APRIL 26, 2005, WITH THE NOTATION THAT SUPERVISOR CONNELLY WILL ABSTAIN FROM APPROVAL OF THE 2004 MINUTES.

- 0513-002 12. Durham Unified School District - the district submits Resolution No. 04-13-05, ordering an election to determine if the trustee areas in the Durham Unified School District should be abolished, and requesting consolidation of the election with the statewide Special Election to be held November 8, 2005 - action requested - APPROVE CONSOLIDATION.
13. 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 Special Election to be held November 8, 2005: Berry Creek Community Services District, Buzztail Community Services District, Richardson Springs Community Services District, Drainage District 100, Drainage District 200, and Richvale Sanitary District - action requested - APPROVE CONSOLIDATIONS.
14. Resolution Increasing the Settlement Authority of the Claims Review Committee - approval is requested for a resolution which will increase the settlement authority of the Claims Review Committee from \$5,000 to \$25,000. The Claims Review Committee has authority to reject, compromise or settle claims filed against the County - action requested - ADOPT RESOLUTION 05-096 AND AUTHORIZE THE CHAIR TO SIGN.
15. Private Industry Council - Amendment - approval is requested for an amendment to the sublease agreement with the Private Industry Council for the office space located at 78 Table Mountain Boulevard, Oroville. The amendment increases the space leased by the department by 2,031 square feet, increases the janitorial services cost by \$261.85 per month, and increases the lease amount for fiscal year 2005-2006 by \$24,993.50 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11404)
16. Northern Valley Catholic Social Service - approval is requested for an agreement with Northern Valley Catholic Social Service for the provision of counseling and anger management services for Children's Services clients. The term of the agreement is from the date of execution through June 30, 2006, with a maximum amount payable of \$200,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15618)

- 0513-002 17. Lawrence Wilcox, Ph.D. - Amendment - approval is requested for an amendment to the agreement with Lawrence Wilcox, Ph.D., for the provision of psychological and neuropsychological evaluations for Children's Services clients. The amendment increases the maximum amount payable for fiscal year 2004-2005 by \$8,000 (department budget), extends the term of the agreement through June 30, 2006, increases the maximum amount payable for fiscal year 2005-2006 by \$20,000 (department budget), and revises the agreement's exhibits to reflect the changes. 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. X15038)
18. Budget Transfer - approval is requested by the Risk Management Division for a budget transfer of \$41,425 from the General Fund Appropriation for Contingencies to provide additional appropriations needed to pay fiscal year 2004-2005 legal bills which exceeded the budgeted appropriation - action requested - APPROVE BUDGET TRANSFER B-547 (4/5 vote required) ACCEPTING AND APPROPRIATING \$41,425 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
19. Resolution Increasing the Settlement Authority of Designated Persons - approval is requested by the Risk Management Division for a resolution which would increase the settlement authority of the Chief Administrative Officer or his designee, the Risk Manager, and the Director-Human Resources, to settle Workers' Compensation claims from \$10,000 to \$25,000 - action requested - ADOPT RESOLUTION 05-097 AND AUTHORIZE THE CHAIR TO SIGN.
20. Budget Transfer and Fixed Asset Purchase - approval is requested by the Emergency Services Division to accept and appropriate \$44,189 of fiscal year 2004-2005 Homeland Security grant funds into the current fiscal year. The funds will be used to purchase equipment or services in the current fiscal year. Board approval is also requested for the fixed asset purchase of two chemical agent detectors in the estimated amount of \$20,000. The detectors will be issued to the Hazardous Materials Team - action requested - APPROVE BUDGET TRANSFER B-010 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF TWO (2) CHEMICAL AGENT DETECTORS.
21. Solar Power Project Phase 2 - Budget Transfer - pursuant to the Board's action of May 10, 2005, approval is requested for a transfer of \$45,000 from the General Fund Appropriation for Contingencies to the Capital Project Fund established for the project - action requested - APPROVE BUDGET TRANSFER B-011 (4/5 vote required) ACCEPTING AND APPROPRIATING \$45,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

- 0513-002 22. Communication Workers of America, AFL-CIO (Social Services Workers Unit) - Memorandum of Understanding - approval is requested for a successor Memorandum of Understanding with the Communication Workers of America, AFL-CIO (Social Services Workers Unit), which includes the following major changes resulting from the meet and confer process: agreement term to be October 1, 2004, through September 1, 2005; salaries to be increased by 1%, retroactive to December 18, 2004; and an increase in County contribution to employee health premiums, effective January 1, 2005 - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.
23. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: AUDITOR-CONTROLLER - adds one position of Finance Officer and one position of Manager, Property Tax and Grant Accounting. COUNTY COUNSEL - adds one position of Deputy County Counsel IV/III/II/I. DISTRICT ATTORNEY-CRIMINAL - adds one position of Investigative Assistant and one position of Investigator II/I. DISTRICT ATTORNEY-CHILD SUPPORT INVESTIGATIONS - deletes one position of Investigative Assistant and one position of Investigator II/I. ~~PROBATION - adds one position of Supervisor, Probation Program Development. PUBLIC HEALTH-RABIES CONTROL - deletes one position of Account Clerk, Senior/Account Clerk. Adds one position of Office Specialist, Senior/Office Specialist/Office Assistant. PUBLIC HEALTH-GENERAL SERVICES - deletes 30 full-time positions and 5 half-time positions of Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate. Adds 30 full-time positions and 5 half-time positions of Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate/Staff Nurse, Senior/Staff Nurse/Staff Nurse, Associate. Adds one term position of Public Health Assistant, Senior/Public Health Assistant (position end date 6-30-06). SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATION - adds the classifications and establishes the salary ranges for the following positions: Financial Officer - \$27.87-\$33.87, Manager, Property Tax and Grant Accounting - \$25.33-\$30.79, and Accounting Systems Analyst - \$21.98-\$26.72. ~~SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE I, PROBATION PEACE OFFICERS' ASSOCIATION UNIT CLASSIFICATION - adds the classification of Supervisor, Probation Program Development, and establishes the salary range at \$19.24-\$23.39 -~~ action requested - ADOPT RESOLUTION 05-098 AND AUTHORIZE THE CHAIR TO SIGN.~~
24. Donations for Books - pursuant to Government Code Section 25355, donations of \$2,000 from the Paradise Friends of the Library, \$806.20 from the Oroville Friends of the Library, and \$450 from the Chico Area Flyfishers, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

- 0513-002 25. Ray Bowen - Amendment - approval is requested for an amendment to the lease agreement with Ray Bowen for the property located at 585 Manzanita Avenue, Suite 2A, Chico. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable to \$31,734.06 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13585)
26. Ray Bowen - Amendment - approval is requested for an amendment to the lease agreement with Ray Bowen for the property located at 585 Manzanita Avenue, Suite 2B, Chico. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable to \$112,275.74 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11417)
27. Surplus Property - approval is requested to declare surplus a Livescan fingerprint imaging machine. The equipment is obsolete and no longer in use by the department - action requested - DECLARE ITEM SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZE DISPOSAL IN ACCORDANCE WITH COUNTY POLICY.
28. Anesthesia Associates of Chico Medical Group - approval is requested for an agreement with Anesthesia Associates of Chico Medical Group for the provision of anesthesia services to qualified children receiving dental treatment in a hospital setting. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable of \$31,000. Funding for the agreement is provided through a grant from the Butte County Children and Families Commission - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15320)
29. California Department of Health Services - Fiscal Year 2005-2006 Rural Health Services Program Funds - approval is requested for a declaration of intent not to apply for fiscal year 2005-2006 Rural Health Services Program Funds. Legislation currently exists which permits the State to administer the Hospital Services, Physician Services, and Children's Treatment Program allocations for counties. The State's administration relieves counties of several requirements to document and report expenditures and program activities - action requested - APPROVE THE DECLARATION OF INTENT NOT TO APPLY FOR FISCAL YEAR 2005-2006 RURAL HEALTH SERVICES PROGRAM FUNDS AND AUTHORIZE THE CHAIR TO SIGN.

- 0513-002 30. California Department of Health Services - approval is requested for a grant agreement with the California Department of Health Services for funds to act as lead agency for the Northern California region for functions relating to planning and implementation of the Immunization Network of Northern California. The term of the agreement is July 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$284,600 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
31. California Department of Health Services - approval is requested for an Allocation Agreement with the California Department of Health Services for funds to support tobacco education programs. The State has made available \$150,000 for the period of July 1, 2005, through June 30, 2006 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.
32. Cascade Consulting - approval is requested for an agreement with Cascade Consulting for the provision of grant management services for the Used Oil Grant, cycles 7, 9 and 10. The agreement is for the remainder of cycle 10, and has a term of September 1, 2005, through June 30, 2006, with a maximum amount payable of \$46,940 (grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
33. Community Cleanup Program Guidelines - approval is requested for revised Community Cleanup Program Guidelines for the Community Cleanup Grant Program. The revisions will allow for the use of funds for advertising to promote events and incentives to aid in public participation. The proposed changes have been reviewed and approved by the Solid Waste Committee - action requested - APPROVE REVISED COMMUNITY CLEANUP GUIDELINES.
34. Kennedy/Jenks Consultants - Amendment - approval is requested for an amendment to the agreement with Kennedy/Jenks Consultants for preparation of a Septage Management Plan. The amendment provides for a revised Schedule of Charges to expand the class of Engineer-Scientist-Specialists working on the project. There is no cost associated with the revision. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0513-002 35. Gallaway Consulting, Inc. - approval is requested for an agreement with Gallaway Consulting, Inc., for the provision of biological monitoring of the Neal Road Landfill on-site wetland mitigation, assist with remedial action as necessary and to document 5-year success criteria pursuant to the United States Army Corps of Engineers. The term of the agreement is June 27, 2005, through September 30, 2010, with a maximum amount payable of \$19,740 (Neal Road Sanitary Landfill budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
36. California Vocations, Inc. - approval is requested for an agreement with California Vocations, Inc., for the collection of curbside recycling within the Town of Paradise and the unincorporated portions of the upper Paradise ridge (Paradise Pines and Magalia). The term of the agreement is October 1, 2005, through September 30, 2006, with a maximum amount payable of \$3,425 per month - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
37. Federal Emergency Management Agency - approval is requested to return to the Federal Emergency Management Agency (FEMA) \$84,702 of federal disaster relief funds related to the flooding of 1999. FEMA provided the County with \$1,200,000 for emergency services associated with the flooding and after final accounting was completed a balance of \$84,702 remained to be returned. A budget transfer of the funds will be required to complete the payment to FEMA - action requested - APPROVE BUDGET TRANSFER B-013 (4/5 vote required) ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.
38. Black Oak Terrace Subdivision - Black Oak Terrace Subdivision, AP 066-360-038, is a 4-lot private street subdivision located on the east side of State Route 32 at Humboldt Drive, approximately 1.5 miles south of Forest Ranch - action requested - APPROVE FINAL MAP; ACCEPT ON BEHALF OF THE COUNTY THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.
39. Resolution Allowing the Department of Public Works to Acquire, Abandon or Dispose of Real Property Used for Street Purposes without Prior Planning Commission Approval - approval is requested for a resolution which will allow the Department of Public Works to acquire, abandon or dispose of real property required for street purposes, including widening and re-alignment projects, without review of the Planning Commission, provided the project is of a minor nature and has been previously approved by the Board of Supervisors - action requested - ADOPT RESOLUTION 05-099 AND AUTHORIZE THE CHAIR TO SIGN.

- 0513-002 40. Reconstruction of Garner Lane from 150 Feet South of Short Horn Drive to Keefer Road - County Project No. 61165A-04-1 - the project consists of the reconstruction of 1,572 lineal feet of Garner Lane from 150 feet south of Short Horn Drive to its north terminus at Keefer Road, Chico, including construction of a new storm drain leach trench system on both the east and west sides of the roadway. Shoulder backing, roadside ditches, new pavement delineation, reflective markers and signs will also be installed as part of the project. The reconstruction will be funded by applicable North Chico Specific Plan development fees and unallocated Local Road Fund Balance. Bids for the project were received on July 14, 2005, and Board approval is requested to award the construction contract to the lowest responsible bidder, Granite Construction Company of Watsonville, in the amount of \$497,757. Approval is also requested for the budget transfers needed to provide funding for the agreement - action requested - APPROVE THE ADDITION OF THE RECONSTRUCTION OF GARNER LANE PROJECT LISTED IN THE AGENDA REPORT TO THE FISCAL YEAR 2005-2006 BUDGET; APPROVE BUDGET TRANSFER B-012 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND AWARD THE CONSTRUCTION AGREEMENT TO GRANITE CONSTRUCTION COMPANY AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
41. Shasta County Sheriff's Office - Amendment - approval is requested for an amendment to grant agreement with the Shasta County Sheriff's Office for an additional fiscal year 2004-2005 California Multi-Jurisdictional Methamphetamine Enforcement Team Grant allocation in the amount of \$4,874.46. The funds will be used for helicopter maintenance - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-015 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
42. Rebate Income - approval is requested to accept and appropriate \$300 received as a vendor rebate on a replacement engine purchased for a County-owned airplane. Funding for the purchase was provided by California Multi-Jurisdictional Methamphetamine Enforcement Team Grant funds and the rebate will be used for future grant related expenses - action requested - APPROVE BUDGET TRANSFER B-014 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
43. Budget Transfer - approval is requested for a transfer of ~~\$4,011~~ \$11,421 from the Incarceration Budget to the Consent Decree Budget to provide the appropriation needed to pay for unanticipated increases in attorney and legal research fees - action requested - APPROVE BUDGET TRANSFER B-548 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

0513-002 44. Monthly Investment Report - submitted is the Monthly Investment Report dated June 30, 2005, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION. (70)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.15 REMOVED, ITEM 3.24 REVISED TO REMOVE THE ACTIONS FOR THE PROBATION DEPARTMENT, AND ITEM 3.44 REVISED TO CORRECT THE BUDGET TRANSFER AMOUNT FROM \$4,011 TO \$11,421.

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

REGULAR AGENDA

0513-003 Boards, Commissions and Committees. (99)

1. Appointments to Listed Vacancies. (NONE)

2. Board Member or Committee Reports. (NONE)

0513-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (120) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PROVIDED A REPORT ON THE NATIONAL ASSOCIATION OF COUNTIES CONFERENCE HELD LAST WEEK.

0513-005 Child Support Services Program and Child Support Awareness Month - report to the Board on upcoming changes in the Child Support Services Program, and consideration of a resolution proclaiming August 2005 as Child Support Awareness Month - action requested - ACCEPT REPORT FOR INFORMATION; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (191)

MOTION: I MOVE TO ACCEPT THE REPORT FOR INFORMATION; AND MOVE TO ADOPT RESOLUTION 05-100 AND AUTHORIZE THE CHAIR TO SIGN.

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

0513-006 Butte County Tourism - Report to the Board - update on the County's tourism activities, including a report on the status of activities associated with the County's contract with the Butte County Economic Development Corporation for marketing/tourism activities, and a report on the completion of "Upstate California Ventures", a tourism and travel guide for Butte, Glenn and Tehama Counties - action requested - ACCEPT FOR INFORMATION. (601)

PRESENTATION TO THE BOARD BY JENNIFER MACARTHY, DEBRA LUCERO AND LARRY AKIN.

RECESS: 9:52 A.M.

RECONVENE: 10:05 A.M.

0513-007 Sierra Oro Farm Trail Map - Report to the Board - presentation of the new Sierra Oro Farm Trail Map promoting Butte County local businesses, agricultural heritage, nature tours, community events and activities by local growers - action requested - ACCEPT FOR INFORMATION. (1580)

PRESENTATION TO THE BOARD BY RICHARD PRICE, AGRICULTURAL COMMISSIONER.

0513-008 Quincy Library Group:

A. Forester Contract - consideration of support of the Quincy Library Group Forester contract in the amount of \$5,820 per year - action requested - APPROVE SUPPORT OF CONTRACT; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$5,820 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES.

B. Support for Projects and 2004 Record of Decision for the Sierra Nevada Framework - consideration of support for the Quincy Library Group Projects and the 2004 Record of Decision for the Sierra Nevada Framework, including the County's share of \$7,000 for the 2005-2006 Lawsuit Legal Fund - action requested - APPROVE SUPPORT OF PROJECTS AND 2004 RECORD OF DECISION; APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$7,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES; AND PROVIDE STAFF DIRECTION AS NEEDED. (1848) (**00)

THE BOARD REQUESTED THAT ADDITIONAL INFORMATION BE PROVIDED BEFORE CONSIDERATION OF THIS ITEM.

RECESS: 11:11 A.M.

RECONVENE: 11:32 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0513-009 Public Hearing - Community Development Block Grant Program Income Activities - consideration of a transfer of the Chapmantown Improvement Project and the Southside Oroville Community Center Project from grant number 02-EDBG-874 to grant number 04-PTAA-0303. The transfer would allow the time line for completion of the project to be extended until March 31, 2007 - action requested - ADOPT RESOLUTIONS (2) AUTHORIZING AMENDMENTS TO GRANT NO. 04-PTAA-0303 TO PROVIDE FOR THE TRANSFER OF THE CHAPMANTOWN IMPROVEMENT PROJECT AND THE SOUTHSIDE OROVILLE COMMUNITY CENTER PROJECT TO THE OPEN GRANTS; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND ALLOCATING THE FUNDS FOR THE 2 PROJECTS AS DETAILED IN THE AGENDA REPORT. (**710)

PUBLIC HEARING OPENED: 11:32 A.M.
PUBLIC HEARING CLOSED: 11:37 A.M.

0513-009 MOTION: I MOVE TO ADOPT RESOLUTIONS 05-101 AND 05-102 AUTHORIZING AMENDMENTS TO GRANT NO. 04-PTAA-0303 TO PROVIDE FOR THE TRANSFER OF THE CHAPMANTOWN IMPROVEMENT PROJECT AND THE SOUTHSIDE OROVILLE COMMUNITY CENTER PROJECT TO THE OPEN GRANTS DETAILED IN THE AGENDA REPORT.

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

0513-010 Continued 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 GRANT DEEDS SUBJECT TO PAYMENT FOR THE 0.34 ACRES ADJOINING THE INGOLDSEN PROPERTY AND THE 0.52 ACRES ADJOINING THE GRUBBS PROPERTY AND PAYMENT OF RECORDING FEES FOR THE QUITCLAIM DEEDS. (FROM 10-12-04 [5.01]) (**869)

PUBLIC HEARING RECONVENED: 11:37 A.M.
PUBLIC HEARING CLOSED: 11:38 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 05-103 ABANDONING THE DESCRIBED PORTION OF THE OROVILLE BANGOR HIGHWAY RIGHT-OF-WAY AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHAIR TO SIGN GRANT DEEDS SUBJECT TO PAYMENT FOR THE 0.34 ACRES ADJOINING THE INGOLDSEN PROPERTY AND THE 0.52 ACRES ADJOINING THE GRUBBS PROPERTY AND PAYMENT OF RECORDING FEES FOR THE QUITCLAIM DEEDS.

M S

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

0513-011 Continued Public Hearing - Reed B. Johnson - Appeal of a Denial of a Certificate of Merger - consideration of an appeal of a denial of a Certificate of Merger for a project to reconfigure 2 parcels on property located on the northwest corner of Larkin Road and Johnson Clan Avenue in the Gridley area, and identified as APN 024-200-067 and 068 - action requested - DENY THE APPEAL, FINDING THAT THE PROPOSED CONFIGURATION DOES NOT CONFORM TO THE REQUIREMENTS FOR APPROVAL OF MODIFICATION OF LOTS WHICH ARE SUBSTANDARD WITH RESPECT TO EXISTING ZONING AND GENERAL PLAN. (FROM 7-12-05 [5.01]). (**922)

PUBLIC HEARING RECONVENED: 11:39 A.M.
PUBLIC HEARING CLOSED: 12:06 P.M.

MOTION: I MOVE FOR A MOTION OF INTENT TO UPHOLD THE APPEAL AND ALLOW THE CHANGE OF THE BOUNDARY LINE.

M S

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

0513-012 Items Removed from the Consent Agenda for Board Consideration and Action. (**1971) (NONE)

RECESSED AT 12:07 P.M. AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF DIRECTORS. (**1976)

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
MINUTES
AUGUST 2, 2005

Called to order at 12:07 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Dolan, Houx, Josiassen, and Chair Yamaguchi. Also present: Dorothy Bell, Deputy Clerk.

Agenda Items

0504-001 Adoption of Fiscal Year 2005-2006 Budget - consideration of an expenditure budget of \$6,066 for fiscal year 2005-2006 - action requested - ADOPT BUDGET AND AUTHORIZE THE CHAIR TO SIGN STATEMENT OF PROVISION FOR RESERVE. (**1984)

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

S M

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

BOARD DIRECTION TO STAFF TO HAVE A THANK YOU LETTER SENT TO THE GRIDLEY-BIGGS CEMETERY DISTRICT FOR THEIR WORK ON THIS DISTRICT.

Public Comment

0504-002 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. (**1999) (NONE)

Adjournment

ADJOURNED AT 12:08 P.M. AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF DIRECTORS AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

BUTTE COUNTY BOARD OF SUPERVISORS AGENDA

PUBLIC COMMENT

- 0513-013 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. (**2026)
1. SCOTT HALVERSON ADDRESSED THE BOARD REGARDING REJECTION OF A LATE CLAIM FOR REIMBURSEMENT OF BAIL.

 BOARD DIRECTION TO STAFF TO REVIEW THE LETTER AND DETERMINE THE PROPER VENUE FOR MR. HALVERSON TO AIR HIS CLAIM.
 2. SHEENA HUME ADDRESSED THE BOARD TO REQUEST HIGHER WAGES FOR IHSS WORKERS.
 3. LINDA BOES ADDRESSED THE BOARD TO READ A STATEMENT PREPARED BY JANET SWANSON REGARDING THE NEGOTIATIONS FOR IHSS WORKERS.
 4. TOM WHITNEY ADDRESSED THE BOARD REGARDING HIGHER WAGES FOR IHSS WORKERS.

CLOSED SESSION

- 0513-014 **RECESS:** RECESSED AT 12:10 P.M. TO A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE, DIRECTOR-HUMAN RESOURCES. EMPLOYEE ORGANIZATIONS: DEPUTY SHERIFF'S ASSOCIATION (GENERAL AND SUPERVISORY UNIT); A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE.

0513-014 **RECONVENE :** RECESSED AT 2:50 P.M. FROM A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE, DIRECTOR-HUMAN RESOURCES. EMPLOYEE ORGANIZATIONS: DEPUTY SHERIFF'S ASSOCIATION (GENERAL AND SUPERVISORY UNIT); A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1): ONE POTENTIAL CASE.

**CLOSED SESSION
ANNOUNCEMENTS :**

THE BOARD UNANIMOUSLY VOTED TO INITIATE LITIGATION, IF NECESSARY, AGAINST THE PEOPLE RESPONSIBLE FOR THE CONSTRUCTION DEFECTS AT THE SOUTHSIDE OROVILLE COMMUNITY CENTER. THE BOARD HAS ALSO UNANIMOUSLY VOTED TO EXTEND THE TREATMENT PROVIDED TO CORRECTIONAL OFFICERS (APPROVED AT THE LAST BOARD MEETING) REGARDING OVERTIME PAY AND SHIFT DIFFERENTIAL PAY, TO THE DEPUTY SHERIFF'S ASSOCIATION, AND THAT OTHER IRREGULARITIES FOUND DURING THE IMPLEMENTATION OF KRONOS WILL BE PROSPECTIVE UNLESS THERE IS A LEGAL REQUIREMENT TO GO BACK AND COLLECT ON ISSUES.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:50 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, AUGUST 16, 2005, AT 9:00 A.M.

KIM K. YAMAGUCHI, CHAIR

Attest:

Paul McIntosh, Chief Administrative
Office and Clerk of the Board

By: _____