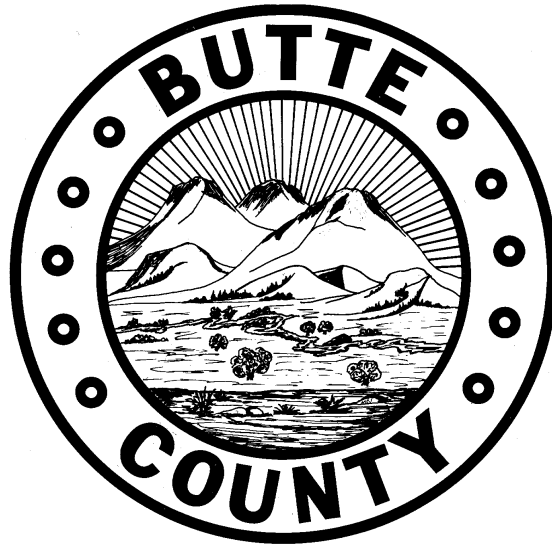


# BUTTE COUNTY BOARD OF SUPERVISORS

## MINUTES

OCTOBER 9, 2007



### County Supervisors

Bill Connelly, District 1  
Jane Dolan, District 2  
Maureen Kirk, District 3  
Curt Josiassen, District 4  
Kim Yamaguchi, District 5

Starlyn Brown, Interim Chief  
Administrative Officer and Clerk  
of the Board

Bruce Alpert, County Counsel

Called to order at 9:07 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Josiassen, Yamaguchi, Kirk and Chair Dolan. Also present: Starlyn Brown, Interim Chief Administrative Officer, Bruce Alpert, County Counsel and Kathleen Moghannam, Associate 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)

0721-001

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

1. Catalyst Domestic Violence Services - amendment - approval is requested for an amendment to the agreement with Catalyst Domestic Violence Services for the facilitation of female only discussion groups at the Butte County Juvenile Hall. The amendment extends the term of the agreement through June 30, 2008 and increases the maximum amount payable by \$4,500 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Probation)

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FOR DISCUSSION.

2. County Service Area (CSA) 169, Zone 4 - Sierra Moon Subdivision - approval is requested to establish an initial budget for CSA 169. The developer of the subdivision has funded the CSA for the first fiscal year as assessments cannot be established until the 2008/2009 tax roll - action requested - APPROVE THE INITIAL BUDGET FOR CSA 169, ZONE 4; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Public Works)

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FOR DISCUSSION.

0721-002    **CONSENT AGENDA**

1. Budget Transfer - approval is requested for a budget transfer of \$21,694.67 for capital improvements to Behavioral Health's Psychiatric Health Facility located at 592 Rio Lindo Avenue, Chico - action requested - APPROVE BUDGET TRANSFER B-76 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)
2. Lynn Pappas, M.D. - approval is requested for a sole source agreement with Lynn Pappas, M.D., for the provision of psychiatric services and medical treatments. The term of the agreement is September 10, 2007 through June 30, 2008 with a maximum amount payable of \$196,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
3. Janese Charpentier, FNP-C, PA-C - amendment - approval is requested for an amendment to the agreement with Janese Charpentier, FNP-C, PA-C for the provision of psychiatric services. The amendment increases the maximum amount payable by \$20,000. All other terms and conditions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
4. Accept Unanticipated Revenue - approval is requested to accept \$70,775 in revenue from the California Friday Night Live Partnership (CFNLP) - Methamphetamine Prevention Initiative project - action requested - APPROVE BUDGET TRANSFER B-75 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)
5. Approval of Minutes - action requested - APPROVE MINUTES OF SEPTEMBER 28, 2007; AND OCTOBER 1, 2007. (Chief Administrative Officer)
6. Donation of Surplus Radios - approval is requested by the Office of Emergency Services to donate one Kenwood Model TK-862G radio to each of the Emergency Operation Centers (EOC) in the county. Each radio has a microphone, power cable, bracket, and installation hardware - action requested - APPROVE DONATION OF RADIOS. (Chief Administrative Officer)

7. Resolution Extending Non-Exclusive Cable Television for the Unincorporated Areas of Butte County - consideration of a resolution extending the term of the agreement with Comcast of Southern California, Inc. and Comcast of Northern California II, Inc. The time required to conclude negotiations and allow for public review will extend beyond the expiration date of October 31, 2007. In order to avoid interruption of cable service, it is in the public interest to extend the current franchise through December 31, 2007 - action requested - ADOPT RESOLUTION 07-157 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Officer)
8. Fiscal Year 2007 State Homeland Security Grant - approval is requested to accept and appropriate \$468,212 in unanticipated revenue from the Office of Homeland Security. The funds will be used as follows: 1) A total of \$382,344 for the purchase of radios for local fire, law enforcement, and Public Health interoperability; 2) \$15,000 for community outreach and equipment for the Sheriff's Department; 3) \$10,000 for a consultant to plan an emergency response exercise; 4) \$46,822 for Weapons of Mass Destruction and Disaster related training; and 5) \$14,046 for Management and Administrative costs - action requested - APPROVE BUDGET TRANSFER B-78 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Officer)
9. Judicial Council of California, Administrative Office of the Courts (AOC) - amendment - approval is requested for an amendment to the agreement for the remodel of the space in the Butte County Courthouse that was recently vacated by the law library. While the remodel project will be paid by the local Court and managed by the AOC, the Court requested the amendment to reflect the change in the estimated cost for the project -action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Officer)
10. Fixed Asset Purchase - approval is requested for the purchase of a computer system and Fujitsu Scanner for scanning voter registration cards. The estimated cost is \$7,200 (department budget) - action requested -APPROVE FIXED ASSET PURCHASE OF COMPUTER SYSTEM AND SCANNER IN THE AMOUNT OF \$7,200. (Clerk-Recorder)
11. Transfer Tax Refunds (2) - pursuant to Revenue and Taxation Code 5096, approval is requested for the refund of documentary transfer taxes that were erroneously collected on two documents: an Assignment of Assumption of Lease Agreement recorded on July 26, 2007 and a Grant Deed recorded on August 28, 2007 - action requested - AUTHORIZE REFUND OF \$2,467.45 TO FIRST AMERICAN TITLE INSURANCE COMPANY AND REFUND OF \$110 TO THEODORE M. CLUVER. (Clerk-Recorder)

12. Confidential Voter Registration for Public Safety Officers - approval is requested for the County Clerk-Recorder/Registrar of Voters to make confidential the residence address, telephone number and email address shown on voter registration cards of certain public safety officials, including peace officers, judges, and government attorneys practicing criminal law - action requested - AUTHORIZE THE COUNTY CLERK-RECORDER/REGISTRAR OF VOTERS TO IMPLEMENT THE VOTER CONFIDENTIALITY PROVISIONS PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 2166.7. (Clerk-Recorder)
13. Budget Transfer and Fixed Asset Purchase - approval is requested for the purchase of two HP ProLiant servers and accessories in the amount of \$14,500 to replace existing servers - action requested - APPROVE BUDGET TRANSFER B-77 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF SERVERS AND ACCESSORIES IN THE AMOUNT OF \$14,500. (Clerk-Recorder)
14. Overland, Pacific, & Culter, Inc.- approval is requested for an agreement with Overland, Pacific, & Culter, Inc. for the provision of real estate related, relocation services in connection with the project referred to as Veterans Memorial Park - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel)
15. Regents of the University of California - UC Davis - approval is requested for a sole source agreement with Regents of the University of California - UC Davis for the provision of training related to welfare reform requirements. The term of the agreement is July 1, 2007 through June 30, 2008 with a maximum amount payable by the County of \$43,350 (department budget). UC Davis provides an In-Kind contribution of \$7,650 -action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
16. Office of the District Attorney (DA) - approval is requested for an agreement between the Department of Employment and Social Services and the DA for the provision of Investigative Services. The term of the agreement is July 1, 2007 through June 30, 2008 with a maximum amount payable of \$700,000 (department budget). Reimbursement for services will be made on a quarterly basis - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
17. Resolution Recognizing National Fire Prevention Week -action requested - ADOPT RESOLUTION 07-158 AND AUTHORIZE THE CHAIR TO SIGN. (Fire)

18. Resolution to Continue the Water Infiltration Remediation at Courthouse Expansion - consideration of a resolution to continue the action taken by Resolution Number 07-153 which was adopted at the September 25, 2007 Board of Supervisors meeting. Section 22050(c) of the Public Contract Code requires that the Board adopt a resolution at each subsequent meeting until the findings of the initial resolution are no longer relevant - action requested - ADOPT RESOLUTION 07-159 (4/5 vote required) AND AUTHORIZE THE CHAIR TO SIGN.  
(General Services)
19. Superior Court of California, County of Butte - amendment - approval is requested for an amendment to the agreement with Superior Court of California, County of Butte for the Basement Infill Project. The Court has provided revised cost figures, not necessarily related to the water infiltration remediation, that increase the maximum amount payable by \$47,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-79 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X16080)  
(General Services)
20. Notice of Completion for Asphalt Repairs on Driveway between 25 County Center Drive and 1 Court Street - all work for this project has been completed in accordance with plans and specifications - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION.  
(General Services)
21. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: HUMAN RESOURCES - requests to change the range of the Superintendent, Juvenile Hall from 63 to 64 effective July 1, 2007. PUBLIC HEALTH - requests that one vacant position of Environmental Health Specialist, Associate; Environmental Health Specialist; and Environmental Health Specialist, Senior be changed to a position of Environmental Health Technician. The department also requests to flexibly staff five positions of Environmental Health Specialist to Environmental Health Specialist, Associate; Environmental Health Specialist; or Environmental Health Specialist, Senior. BEHAVIORAL HEALTH - requests to delete the following: 1) Three positions of Behavioral Health Counselor; Behavioral Health Counselor, Senior; and Mental Health Worker from budget unit 541-011; 2) One position of Mental Health Clinician; Mental Health Clinician Intern; 3) One position of Medical Records Technician; Medical Records Technician, Senior; and 4) One position of Behavioral Health Counselor; Behavioral Health Counselor, Senior; and Mental Health Worker from budget unit 541-013. DEVELOPMENT SERVICES - adds one position of Planner, Principal - action requested - ADOPT RESOLUTION 07-160 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

22. Gail Strickland - approval is requested for a sole source agreement with Gail Strickland for the provision of assessment, treatment, counseling, and case management to at-risk youth and families. The term of the agreement is September 25, 2007 through June 30, 2008 with a maximum amount payable of \$55,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-80 ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Probation)
23. Accept Donation - approval is requested to accept the donation of the use of a portion of the Highway 70 Industrial Park for a waste tire amnesty event that will be held on October 13, 2007. The owner of the facility is Steven Seidenglanz. The Department of Public Works will have the use of the facility for ten days from set up to post event cleanup - action requested - ACCEPT DONATION AND AUTHORIZE THE CHAIR TO SIGN A LETTER OF APPRECIATION. (Public Works)
24. Waste Recovery West, Inc. - approval is requested for an agreement with Waste Recovery West, Inc. for the provision of services related to the transportation and disposal/recycling of waste tires collected at two upcoming tire amnesty events. The term of the agreement is October 1, 2007 through June 30, 2008 with a maximum amount payable of \$45,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-81 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Public Works)
25. Contract Change Order for the Construction of Module 4, Phase C, Neal Road Sanitary Landfill - approval is requested for a Contract Change Order that provides for increased funding for additional subgrade preparation on the floor of Module 4, Phase C. This change increases the contract by \$7,999.10 - action requested - APPROVE CHANGE ORDER AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16744) (Public Works)
26. Resolution Authorizing the Director of Public Works to Submit Applications for 2007 State (SR2S) and Federal Safe Route (SRTS) to Schools Grants - consideration of a resolution authorizing the Director of Public Works to act as Official Representative in nominating and submitting four grant applications - action requested - ADOPT RESOLUTION 07-161 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 27. Budget Transfer and Fixed Asset Purchase - The Sheriff's Office entered into a four-year lease/purchase for a 2008 Ford F350 truck for the boating enforcement program. The lease/purchase is funded through the Department of Boating and Waterways. It is required to book this lease/purchase into the fixed asset account - action requested - APPROVE FIXED ASSET PURCHASE OF 2008 FORD F350 TRUCK; AND ACCEPT UNANTICIPATED REVENUE (Budget transfer B-83) FROM LOAN PROCEEDS THAT OFFSET PURCHASE. (Sheriff)
- 28. Elite Universal Security - amendment - approval is requested for an amendment to the agreement with Elite Universal Security. The firm guards inmates who have been transported to the hospital to receive extended care. The amendment increases the maximum amount payable by \$125,000. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16387) (Sheriff)
- 29. Monthly Investment Report - submitted is the Monthly Investment Report dated August 31, 2007, in accordance with the Statement of Investment Policy dated July 1, 2007 - action requested - ACCEPT FOR INFORMATION. (Treasurer)
- 30. Resolution Proclaiming October 2007 as Domestic Violence Awareness Month - action requested - ADOPT RESOLUTION 07-162 AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)
- 31. Sacramento River Reclamation District - the Secretary of the Sacramento River Reclamation District has certified that the number of Declarations of Candidacy for the 2007 Special District Election cycle did not exceed the number of director vacancies. Pursuant to Elections Code Section 10515, the District is requesting the Board appoint and declare elected the candidates who filed - action requested - APPOINT MIKE THOMPSON, ROY RONEY, SHIRLEY LEWIS AND DONALD O'DELL TO TERMS TO END DECEMBER 2, 2011. (Other Departments and Agencies)
- 32. Rock Creek Reclamation District - the Secretary of the Rock Creek Reclamation District has certified that the number of Declarations of Candidacy for the 2007 Special District Election cycle did not exceed the number of director vacancies. Pursuant to Elections Code Section 10515, the District is requesting the Board appoint and declare elected the candidates who filed - action requested - APPOINT ROBERT HENNIGAN, MARY JO LAUDERDALE, AND ED OVIEDO TO TERMS TO END DECEMBER 2, 2011. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEMS 3.23 AND 3.24 WHICH HAVE BEEN REMOVED FOR DISCUSSION.

2 M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)



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

0721-003 1. Catalyst Domestic Violence Services - amendment - approval is requested for an amendment to the agreement with Catalyst Domestic Violence Services for the facilitation of female only discussion groups at the Butte County Juvenile Hall. The amendment extends the term of the agreement through June 30, 2008 and increases the maximum amount payable by \$4,500 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Item 3.23) (Probation)

SUPERVISOR KIRK PULLED THIS ITEM FROM THE CONSENT AGENDA TO INDICATE THAT PROBATION WILL BE STARTING A PROGRAM IN THE FUTURE FOR MALE DISCUSSION GROUPS.

2. County Service Area (CSA) 169, Zone 4 - Sierra Moon Subdivision - approval is requested to establish an initial budget for CSA 169. The developer of the subdivision has funded the CSA for the first fiscal year as assessments cannot be established until the 2008/2009 tax roll - action requested - APPROVE THE INITIAL BUDGET FOR CSA 169, ZONE 4; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Item 3.24) (Public Works)

SUPERVISOR KIRK PULLED THIS ITEM FROM THE CONSENT AGENDA TO CONFIRM THAT THERE ARE FIFTY PARCELS WITH THE MAXIMUM CHARGE PER PARCEL OF \$1,069. (130)

MOTION: I MOVE TO APPROVE THE ACTIONS REQUESTED ON ITEMS 3.23 AND 3.24 (#1 AND #2 IN 0721-003) WITH THE NEW INFORMATION ON NUMBER OF PARCELS AND MAXIMUM PARCEL CHARGE ON ITEM 3.24.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

PRESENTATION OF RESOLUTION RECOGNIZING NATIONAL FIRE PREVENTION WEEK TO CHIEF MORRIS.

PRESENTATION OF RESOLUTION PROCLAIMING OCTOBER 2007 AS DOMESTIC VIOLENCE AWARENESS MONTH TO ANASTACIA SNYDER, EXECUTIVE DIRECTOR OF CATALYST DOMESTIC VIOLENCE SERVICE. (420)

SUPERVISOR DOLAN NOTED THAT TWO BUTTE COUNTY SHERIFF DEPUTIES, SERGEANT MATT KEELING AND DEPUTY JOE DEAL WERE AWARDED MEDALS OF VALOR FROM THE CALIFORNIA STATE FIRE FIGHTERS ASSOCIATION. (540)

**REGULAR AGENDA**

0721-004 Report by Sheriff Perry Reniff on the Las Plumas High School Incident. (Sheriff)

SHERIFF PERRY RENIFF PROVIDED A REPORT TO THE BOARD REGARDING THE COUNTY'S RESPONSE TO THE HOSTAGE INCIDENT AT LAS PLUMAS HIGH SCHOOL THAT TOOK PLACE ON SEPTEMBER 28, 2007. (677)(877)

0721-005 Community Response Vehicle (CRV) for the Drug Endangered Children's Program - presentation by District Attorney, Mike Ramsey - action requested - ACCEPT FOR INFORMATION. (District Attorney)

BUTTE COUNTY DISTRICT ATTORNEY MIKE RAMSEY PROVIDED A REPORT REGARDING THE COMMUNITY RESPONSE VEHICLE AND INVITED THE BOARD AND INTERESTED PARTIES TO TOUR THE VEHICLE WHICH WAS PARKED OUTSIDE OF THE CHAMBERS. (1317)

0721-006 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies. (None)
2. Board Member or Committee Reports.

SUPERVISOR DOLAN PROVIDED A REPORT ON THE CHAPMAN NEIGHBORHOOD COMMUNITY CLEANUP DAY IN CHICO. (1410)

0721-007 Update on Current Budget and Legislative Issues by the Interim Chief Administrative Officer.

STARLYN BROWN, INTERIM CHIEF ADMINISTRATIVE OFFICER PRESENTED A REPORT TO THE BOARD. SHE INFORMED THE BOARD THAT THE LEGISLATURE WAS STILL IN SPECIAL SESSION. SHE REPORTED THERE ARE CURRENT DISCUSSIONS REGARDING WATER BOND ISSUES AND HEALTH CARE REFORM. THERE IS A DRAFT DOCUMENT FOR HEALTHCARE THAT HAS BEEN CIRCULATED AND DISCUSSED, BUT NOTHING HAS BEEN CONFIRMED.

0721-008 Update of General Plan 2030 Process by Director-Development Services. (Development Services) (883)

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED THE BOARD WITH UPDATE NUMBER 20 OF THE GENERAL PLAN 2030 PROCESS. HE REPORTED ON THE PLANNING COMMISSION STUDY SESSION ON SEPTEMBER 28, 2007. THE PLANNING COMMISSION WILL MEET AGAIN ON OCTOBER 11, 2007.

PUBLIC HEARINGS AND TIMED ITEMS

0721-009 Public Hearing - Resolution to Vacate a Portion of Lincoln Boulevard - consideration of a resolution to vacate a portion of the public right of way along Lincoln Boulevard, Oroville - action requested - ADOPT RESOLUTION 07-163 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works) (2317)

PRESENTATION BY STUART EDELL FROM PUBLIC WORKS.

PUBLIC HEARING OPENED: 10:08 A.M.

PUBLIC HEARING CLOSED: 10:08 A.M.

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

2 M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0721-010 Public Hearing - Budget Transfer of Community Development Block Grant (CDBG) Program Income - State CDBG Program Income is defined as gross income received by the County that has been directly generated from the use of CDBG funds. The State requires that Program Income be substantially expended by the end of each fiscal year. Currently, grant no. 05-STBG-1621 is approved to fund Americans with Disabilities Act improvements to the Veterans Halls in Chico, Gridley, Paradise, and Oroville. Due to increased costs, the original grant will not cover the necessary improvements needed. At the April 24, 2007 meeting, the Board approved Program Income transfers for the Gridley and Paradise Veterans Halls. The current Program Income balance will allow a transfer of \$160,000 for the improvements to the Oroville Veterans Hall - action requested - APPROVE BUDGET TRANSFER B-74 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND ADOPT RESOLUTION 07-164 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)

PRESENTATION BY DAN BLAIR, MANAGER PROGRAM DEVELOPMENT

PUBLIC HEARING OPENED: 10:20 A.M.

PUBLIC HEARING CLOSED: 10:21 A.M.

MOTION: I MOVE TO APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY) (2863)

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RECESS: 10:22 A.M.

RECONVENE: 10:35 A.M.

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0721-011 Timed Item - Update on Lake Oroville Project 2100 - FERC Relicensing - Presentation by Carol Smoots of Perkins & Coie, Washington, D.C. and the FERC Subcommittee - action requested - ACCEPT FOR INFORMATION. (County Counsel)

PRESENTATION BY BRUCE ALPERT, COUNTY COUNSEL AND CAROL SMOOTS OF PERKINS & COIE. (2967)(3451)(\*1)

0721-012 Discussion Regarding Options for Informal Government Structures in Unincorporated Areas of Butte County - A few local communities have expressed interest in having a greater voice with the Board of Supervisors. Staff will present various options which range from formal to informal structures - action requested - ACCEPT FOR INFORMATION; AND PROVIDE DIRECTION TO STAFF ON HOW TO PROCEED. (Chief Administrative Office)(\*676)

PRESENTATION BY SHARI MCCracken, Deputy Administrative Officer. SHE PROVIDED INFORMATION ON THE FOLLOWING INFORMAL GOVERNMENT STRUCTURES: COMMUNITY ORGANIZATIONS, PLANNING ADVISORY ORGANIZATIONS AND MUNICIPAL ADVISORY COUNCILS (MACS) WHICH ARE THE MOST FORMAL OF THE THREE TYPES OF ORGANIZATIONS.

SUPERVISOR CONNELLY INDICATED THAT HE FEELS HE NEEDS TO HAVE ANOTHER MEETING WITH THE MEMBERS OF THE BERRY CREEK COMMUNITY TO DISCUSS THE DIFFERENCES BETWEEN THE TYPES OF ORGANIZATIONS AND WHAT ORGANIZATION WORKS FOR THEM. HE REQUESTED THAT STAFF FROM THE ADMINISTRATIVE OFFICE ATTEND MEETING AS WELL. HE INDICATED AT THIS TIME THEY WANTED TO FORM A MAC, BUT HE HAD NOT DISCUSSED THE OTHER OPTIONS WITH THE GROUP. HE DID INDICATE THAT HE HAD INFORMED THE RESIDENTS OF BERRY CREEK THAT THERE WOULD NOT BE ANY FUNDING FROM THE COUNTY AVAILABLE.

THE BOARD DIRECTED THE ADMINISTRATIVE STAFF TO WORK WITH SUPERVISOR CONNELLY AND MEMBERS OF THE BERRY CREEK COMMUNITY TO DETERMINE WHAT TYPE OF ORGANIZATION WOULD BE MOST APPROPRIATE FOR THEM. (\*1734)

**PUBLIC COMMENT** (None)

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.

0721-013 **THE BOARD RECESSED AT 11:44 A.M. TO CLOSED SESSION REGARDING:**

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a):

1. FOGARTY V. CITY OF CHICO, ET AL. - USDC CASE NO. 06-01007;
2. BORGE DEVELOPMENT V. COUNTY OF BUTTE - USDC CASE NO. 06-02228;
3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
4. FIRST RESPONDER, ENLOE & OROVILLE HOSPITAL V. NOR CAL-EMS AND COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: APN 012-041-004  
AGENCY NEGOTIATOR: BRUCE ALPERT  
NEGOTIATING PARTY: LESA FRANCO  
NEGOTIATIONS: PRICE AND TERMS OF PAYMENT.

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1) - ONE POTENTIAL CASE.

**THE BOARD RECONVENED AT 2:15 P.M. FROM CLOSED SESSION REGARDING:**

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a):

1. FOGARTY V. CITY OF CHICO, ET AL. - USDC CASE NO. 06-01007;
2. BORGE DEVELOPMENT V. COUNTY OF BUTTE - USDC CASE NO. 06-02228;
3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
4. FIRST RESPONDER, ENLOE & OROVILLE HOSPITAL V. NOR CAL-EMS AND COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 137303.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOV. CODE SEC. 54956.8:

PROPERTY: APN 012-041-004  
AGENCY NEGOTIATOR: BRUCE ALPERT  
NEGOTIATING PARTY: LESA FRANCO  
NEGOTIATIONS: PRICE AND TERMS OF PAYMENT.

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1) - ONE POTENTIAL CASE. (No Announcements)

**ADJOURNMENT** : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:15 P.M., TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE HELD THURSDAY, OCTOBER 11, 2007, AT 9:00 A.M.

\_\_\_\_\_  
JANE DOLAN, CHAIR

ATTEST:

Starlyn Brown, Interim Chief Administrative  
Officer and Clerk of the Board

By: \_\_\_\_\_