

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

JULY 21, 2009



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Steve Lambert, District 4
Kim Yamaguchi, District 5

Gregory G. Iturria, Interim Chief
Administrative Officer and
Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:06 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Gregory G. Iturria, Interim Chief Administrative Officer; Bruce Alpert, County Counsel and Kathleen Moghannam, Assistant Clerk of the Board.

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

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (None)

CONSENT AGENDA

- 0918-001
1. Irrigated Lands Pilot Program - amendment - approval is requested for an amendment to the agreement between the State Water Resources Control Board, the Central Valley Regional Water Quality Control Board, the California Department of Pesticide Regulation, and Butte County Agriculture Commissioner. The Program provides technical and outreach support to the agricultural industry and the Central Valley Regional Board staff for the agricultural Conditional Waiver of Waste Discharge program. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$71,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Agriculture)
 2. Resolution Increasing the Amount of the Assessor's Office Change Fund - the Assessor's Office finds it necessary to increase its Departmental Change Fund from \$50.00 to \$150.00 to allow change making operations in the Chico and Paradise Branch Offices due to increased sales - action requested - ADOPT RESOLUTION 09-116 AND AUTHORIZE THE CHAIR TO SIGN. (Assessor)
 3. Gene Desautels, D.O., Medical Director, Urgent Medical Clinic - approval is requested for an agreement with Dr. Desautels to conduct physical examinations and obtain health histories for individuals in the Psychiatric Health Facility. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$34,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

4. J. Gregory Long, D.O. - approval is requested for an agreement with J. Gregory Long, D.O. for the provision of psychiatric services. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$305,600 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. J. Gregory Long, D.O. - approval is requested for an amendment to the agreement with J. Gregory Long, D.O. for the provision of psychiatric services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$182,060 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17299) (Behavioral Health)
6. Michael Hitchko, Ph.D. - approval is requested for an agreement with Michael Hitchko, Ph.D. for the provision of psychological services. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$45,973.95 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
7. Lynn Pappas, M.D. - approval is requested for an agreement with Lynn Pappas, M.D. for the provision of psychiatric services and consultation and chart review. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$71,760 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
8. Enloe Medical Center - Touchstone Program - approval is requested for an agreement with Enloe Medical Center for the provision of perinatal treatment services to women with substance abuse impairments. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$579,860 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

9. Victor D. Mlotok, M.D. - approval is requested for an agreement with Dr. Mlotok for the provision of psychiatric services and overseeing medical treatments for Behavioral Health clients. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$114,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
10. Victor Community Support Services, Inc. - approval is requested for an agreement with Victor Community Support Services, Inc. for the provision of school-based mental health services to children from Butte County with full scope Medi-Cal who meet the criteria of medical necessity. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$2,320,248 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
11. Northern Valley Catholic Social Services - Hearthstone/Four Winds Charter Schools - approval is requested for an agreement with Northern Valley Catholic Social Services for the provision of mental health services to children from Butte County with full scope Medi-Cal and non Medi-Cal children that meet the criteria of medical necessity who are referred and funded by the Connecting Circles of Care (CCOC) grant. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$154,438(department budget) - action requested -APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
12. Summitview Child Treatment Center - approval is requested for an agreement with Summitview for the provision of a residential treatment program specializing in the treatment of adolescent girls who are suicidal and engage in self-harm behavior. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$84,464 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

13. Esplanade Enterprises, Inc - approval is requested for an agreement with Esplanade Enterprises, Inc dba Merit Medi-Trans, Inc. for the provision of providing Emergent and Non-Emergent client transportation services. The term of the agreement is July 1, 2009 through June 30, 2010. The maximum amount of the contract shall not exceed \$74,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.(Contract No. 17671)(Behavioral Health)
14. Butte County Probation Department - approval is requested for an amendment to the agreement with Probation for the provision of services related to the Connecting Circles of Care program. The term of the agreement is July 1, 2008 through June 30, 2010 with a maximum amount payable of \$154,358 (department budget)- action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract X17388)(Behavioral Health)
15. First Responder Emergency Medical Services, Inc. - approve an amendment to the agreement with First Responder Emergency Medical Services for the provision of providing Emergent and Non-Emergent client transportation to and from local hospitals for evaluation. The amendment decreases the maximum amount payable to \$74,000, a decrease of \$25,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER. (Contract No. X17290)(Behavioral Health)
16. George Richard Heitzman, M.D.- approval is requested for an amendment to the agreement with George Richard Heitzman for psychiatry services for adult clients at the Oroville Outpatient Clinic. The amendment extends the contract through June 30, 2010 with a maximum amount payable of \$232,180 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER. (Contract No. X17318)(Behavioral Health)
17. Laurie Dana - approval is requested for an agreement with Laurie Dana for the development and oversight of Connecting Circles of Care (CCOC)social marketing and communications plan targeting Butte County. The term of the agreement is from July 1, 2009 through June 30, 2010 for a maximum amount payable of \$60,000 (department budget)- action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER. (Contract No. X17815)(Behavioral Health)

18. Butte County Department of Employment and Social Services for the Connecting Circles of Care program - approval is requested for an amendment to the agreement with Butte County Department of Employment and Social Services for the provision of wraparound services for children with emotional disturbances and their families. The amendment would extend the term of the agreement through June 30, 2010 with a maximum amount payable of \$156,400 (department budget) - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER. (Contract No. 17283)(Behavioral Health)
19. Windsor Healthcare - approval is requested for an agreement with Windsor Healthcare, LLC d.b.a. Windsor Chico Creek & Rehabilitation to provide meals for patients at the Psychiatric Health Facility. The term of this agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$51,254(department budget) - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER.(Behavioral Health)
20. Department of Employment and Social Services (DESS) - amendment - approval is requested for an amendment to the agreement with DESS for the provision of behavioral health services for children placed in group homes as authorized by the SB 933 Inter-Agency Unit. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$50,000 (realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17212) (Behavioral Health)
21. Medical Billing Professionals - approval is requested for an agreement with Medical Billing Professionals for the provision of Behavioral Health Information System Consultation Services. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$60,000 (department budget) - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

22. Medical Billing Professionals - approval is requested for an amendment to the agreement with Medical Billing Professionals to provide complex state reports, consulting and data storage. The amendment increases the number of hours of consultation and increases the maximum amount payable to \$72,000, an increase of \$12,000 (department budget) - action requested - APPROVE THE AMENDMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17264)(Behavioral Health)
23. Trilogy Integrated Resources LLC - approval is requested for an amendment to the agreement with Trilogy Integrated Resources LLC for the provision of a broad array of social services online via the Network of Care website to people with disabilities, the elderly, families and care givers, and kids at risk. The amendment extends the term of the contract through June 30, 2010 with a maximum amount payable of \$58,500. (Department budget utilizing CAP/IT MHSA funds) - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16828)(Behavioral Health)
24. MCPP Healthcare Consulting - approval is requested for an amendment to the agreement with MCPP Healthcare Consulting (MCPP) for the provision of providing technical support for Butte County Department of Behavioral Health Information Systems. The term of the agreement is through June 30, 2010 with a maximum payable amount of \$113,600 (department budget) - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17265)(Behavioral Health)
25. Tri-County Treatment - approval is requested for an amendment to the agreement with Tri-County Treatment for the provision of a drug rehabilitation facility for persons suffering from chemical dependency. The amendment will extend the number of Residential short-term days from 197 to 264 and increase the contract maximum to \$25,068 an increase of \$7,338 (department budget) - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND AUDITOR-CONTROLLER. (Behavioral Health)
26. APPROVAL OF MINUTES - action requested - APPROVE MINUTES OF JUNE 23, 2009. (Chief Administrative Office)

27. Tamara Miller - approval is requested for an amendment to the agreement with Tamara Miller, PE to add additional services related to coordinating the implementation of the sewer project in the Greater Chico Urban Area. Additional services will include continued coordination with the State Water Resources Control Board (SWRCB) to ensure the project remains in compliance, continued efforts to assist with the engineering of the project, and general project support. The amendment extends the term of the agreement to June 30, 2011 and provides an additional \$20,000 in total compensation - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract X15936)(Chief Administrative Office)
28. Broadbent & Associates - approval is requested for an amendment to the agreement with Broadbent & Associates for the provision of groundwater sampling and reporting per the requirements of the Regional Water Quality Control Board. The amendment adds four additional tasks to the contract with an additional maximum payable amount of \$7,500 - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16756)(Chief Administrative Office)
29. Budget Transfer - County Service Area (CSA) 158-Ishi Valley Estates - approval is requested for a budget transfer in the amount of \$6,300 as detailed in the agenda report. The transfer will move funds from the designated fund balance to the maintenance of equipment account for the installation of a fire hydrant pump - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)
30. Budget Transfer for County Service Area (CSA) 31 - Schohr's Swimming Pool for the remodeling and repair of the swimming pool restroom to comply with ADA (Americans with Disabilities Act) and to provide a safe facility for public use. The transfer will move funds from the designated fund balance to the professional and specialized services account - action requested - APPROVE \$49,000 BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)

31. Budget Transfer - approval is requested for a budget transfer in the amount of \$3,000 as detailed in the agenda report. The transfer will move funds from the Board of Supervisors budget unit to the Farm, Home and 4-H budget unit - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)
32. McDonough Holland and Allen PC - approval is requested for a retainer agreement with McDonough Holland and Allen PC to advise Butte County on financial matters - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (County Counsel)
33. Northern Valley Catholic Social Services (NVCSS) - amendment - approval is requested for an amendment to the agreement with NVCSS for the provision of Cal Learn Program Case Management Services. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$596,600 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract X16785)(Employment and Social Services)
34. Northern Valley Catholic Social Services - approval is requested for an agreement with Northern Valley Catholic Services for the provision of providing Parent Education classes, group and family counseling and assessment services to Children's Services clients. The term of the agreement is from July 1, 2009 through June 30, 2011 with a maximum payable amount of \$143,200 (department budget) - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
35. Counseling Solutions - approval is requested for an agreement with Counseling Solutions for the provision of providing Parent Education Classes and Individual, Group and Family Counseling Services. The term of the agreement is July 1, 2009 through June 30, 2011 with a maximum amount payable of \$220,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)

36. Youth for Change - approval is requested for an agreement with Youth for Change for the provision of the Promoting Safe and Stable Families (PSSF) program services and Child Abuse Prevention, Intervention and Treatment (CAPIT) program services. The term of the agreement is for July 1, 2009 through June 30, 2011 with a maximum amount payable of \$390,000 (department budget) - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR CONTROLLER. (Employment and Social Services)
37. Agreements for the Facilitating All Resources Effectively (FARE) Program - approval is requested for agreements (2) with Youth for Change and Northern Valley Catholic Social Services (NVCSS) for the provision of facilitation services to Children's Services clients. The terms of both agreements will be July 1, 2009 through June 30, 2011. The maximum amount payable for Youth for Change shall not exceed \$163,068 (\$81,534 per fiscal year, department budget). The maximum amount payable for NVCSS shall not exceed \$163,487 (\$81,744 per fiscal year (department budget) - action requested - APPROVE AGREEMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
38. RecordXpress of California LLC, dba Access Information Management - amendment - approval is requested for an amendment to the agreement with RecordXpress of California LLC, dba Access Information Management for records management and destruction services. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$72,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
39. Daniel E. Dusina - approval is requested for an amendment to the agreement with Daniel E. Dusina for the provision of teaching monthly financial management classes required for clients of the Bad Check Program. The amendment extends the term of the agreement to June 30, 2010 with a net change of \$3,900 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR - CONTROLLER. (Contract No. X15134)(District Attorney)

40. Butte County Fire Department - approval is requested for a Cooperative Agreement with the Butte County Fire Department and El Medio Fire Protection District Dispatch for the provision of providing dispatch services to the El Medio Fire Protection District. The term of the contract is from July 1, 2009 through June 30, 2012. - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Fire)
41. Oroville Memorial Hall Committee - action requested - APPOINT RON SCHARBOR, DELEGATE, VENE THOMPSON, ALTERNATE, AMERICAN LEGION OROVILLE POST 95; ROBERT SIMPSON, DELEGATE, MILITARY ORDER OF COOTIES, PUP TENT RED FEATHER NO. 7; ROLAND "BUD" STRANG, DELEGATE, DENNIS WOLFE, ALTERNATE, VETERANS OF FOREIGN WARS OF THE U.S. OROVILLE POST 1747; ROY BOYETTE, DELEGATE, STANLEY RINEHART, ALTERNATE, VETERANS OF FOREIGN WARS OF THE U.S. WARREN SCOTT POST 9602; JOHN ARCHIBALD, DELEGATE; JAMES BRUCE, DELEGATE, ROBERT MOREHOUSE, DELEGATE, SAM BEBOUT, ALTERNATE, EMANUEL JOHNSON, ALTERNATE, CITIZEN VETERANS. TERMS TO END JUNE 30, 2010. (General Services)
42. Pacific Gas & Electric Company - Easement for Oroville Veterans Memorial Hall Remodel - the engineering process for the installation of the elevator in the Oroville Veterans Memorial Hall revealed the need for upgrades to the existing electrical service. Granting a 114 square foot easement near the southwest corner of Assessor's Parcel Number 012-041-006 to Pacific Gas & Electric Company will facilitate the placement of a transformer necessary for the upgrades - action requested - DIRECT THE DIRECTOR-GENERAL SERVICES TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS TO GRANT THE REQUIRED EASEMENT TO PACIFIC GAS & ELECTRIC COMPANY. (General Services)
43. Mutual Land Conveyance - Montgomery Street, Oroville - on March 20, 2008 Butte County acquired Assessor's Parcel Numbers (APN) 012-041-005 and 012-041-003 from the City of Oroville and the Oroville Redevelopment Agency. In order to avoid potential conflicts from an inconsistent property line along the frontage of APN 012-041-003, Butte County proposes to convey 1,205 square feet to the City of Oroville. In turn, the City will convey to Butte County a twelve-foot by one-hundred seven feet public right of way adjacent to APN 012-041-005 to avoid potential conflicts over ownership rights to that twelve-foot path. Given the mutual benefit no compensation is due to either party - action requested - 1)DIRECT THE DIRECTOR-GENERAL SERVICES TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS, INCLUDING THE CERTIFICATE OF ACCEPTANCE FOR THE TWELVE FOOT PATH ADJACENT TO APN 012-041-005; AND 2)DECLARE THE PORTION OF APN 012-041-003 TO BE SURPLUS TO THE COUNTY AND DIRECT THE DIRECTOR-GENERAL SERVICES TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS TO

CONVEY THE SURPLUS PROPERTY TO THE CITY OF OROVILLE. (General Services)

44. Resolution for Employer Paid Member Contributions (EPMC) - in order to allow for more flexibility for the Board of Supervisors to pay different levels of EPMC to CalPERS in response to Butte County's current economic difficulties, it is necessary to further define coverage groups for the CalPERS benefit. The attached Resolution defines fourteen (14) different coverage groups which will allow the Board of Supervisors to negotiate and implement different EPMC rates for each group as necessary - action requested - ADOPT THE RESOLUTION 09-117 FOR EMPLOYER PAID MEMBER CONTRIBUTIONS. (Human Resources)
45. Resolution Establishing a Policy with Regard to Waiver of Compensation for Elected Officials - proposed is a resolution establishing a policy regarding voluntary waiver of compensation for the elected offices of County Auditor-Controller, County Clerk-Recorder, County District Attorney, County Sheriff, County Treasurer-Tax Collector and County Assessor - action requested - ADOPT RESOLUTION 09-118 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
46. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows:

BEHAVIORAL HEALTH - Requests to add one(1) position of Accountant, Senior/Accountant and delete one (1) position of Program Manager, Behavioral Health Information Systems Services. These changes will leave the total allocations in budget unit 541-011 unchanged at 280.75 and the allocated positions in the department unchanged at 302.25.

PUBLIC WORKS - requests to delete one (1) position of Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant. This change will decrease the total allocations in budget unit 440-004 from 5 to 4 and decrease the allocated positions in the department from 133.75 to 132.75.

WATER AND RESOURCE CONSERVATION - requests to delete one (1) position of Manager, Program Development from a one hundred percent (100%) position to a fifty percent (50%) FTE effective July 1, 2009. The department is also requesting to delete one (1) position of Manager, Program Development. These changes will decrease the allocated positions in the department from 5 to 3.5.

GENERAL SERVICES - requests to delete budget units 060-002, 720,723 and 724. The positions from these budget units will be moved to budget unit 020-003. In addition the General Services Department is requesting to delete the following positions: Manager, Facilities Services; Facilities Project Specialist; Office Specialist/Office Assistant; Account Clerk, Senior/Account Clerk; and Property Manager. The department is also requesting to add one (1) position of Real Property Agent, Senior. In addition the department also requests to reclassify one (1) position of Auditor-Accountant, Associate/Auditor-Accountant/Auditor-Accountant, Senior to Contracts Specialist, Senior. This reclassification was agreed to by both the Butte County Employee's Association and the Human Resources Department. These changes are one component of the departments reorganization that was approved by the Board of Supervisors as part of the FY 2009-2010 budget. After all components of the department's reorganization are complete, the total allocations in the department will be decreased to 48.

HUMAN RESOURCES - requests to delete one(1) position of Labor Relations Officer/Labor Relations Analyst. This change will decrease the allocated positions in the department from 19 to 18.

SHERIFF - requests to delete two(2) positions of Deputy Sheriff and one (1) position of Crime Prevention Officer. The department also requests to add one (1) position of Deputy Sheriff (position to end 06/30/12). The department also requests to extend the following sunset positions through June 30, 2010: three (3) Sheriffs Clerk III, II, I (position to end 06/30/10), one (1) position of Crime Prevention Officer (position to end 06/30/10), four (4) Deputy Sheriff (position to end 06/30/10) and one (1) Sheriff's Sergeant (position to end 06/30/10). These changes will decrease the total allocated positions in the department from 274 to 272.

PUBLIC HEALTH - requests to add one (1) position of Nutrition Specialist, Senior/Nutrition Specialist. Funding for the position will be provided by an increase in the Women's, Infants and Children (WIC) grant due to the caseload growth. This change will increase the allocated positions in the department from 157.05 to 158.05.

LIBRARY - requests to change one (1) position of Library Assistant, Senior/Library Assistant from a one hundred percent (100%) FTE to a fifty percent (50%) FTE effective July 1, 2009. The department also requests to delete one (1) Library Assistant position and add one (1) Library Assistant (position to end 06/30/10). The department is also requesting to extend the three (3) sunset positions for Library Assistant through June 30, 2010. In addition, at the May 5, 2009 Board of Supervisors meeting, the department requested to delete a fifty percent (50%) position of Library Assistant effective July 1, 2009. Since that time the effective date of the elimination has changed and should now have an effective date of July 22, 2009. These changes will decrease the total allocations in the department to 26.25.

EMPLOYMENT AND SOCIAL SERVICES - requests to delete one (1) position of Supervisor, Support Services and add one (1) position of Eligibility Specialist. This new position is being created to fulfill an agreement passed by the Board on June 23, 2009 (agenda item 3.13) to assist Behavioral health clients with applying for and receiving Medi-Cal and/or CMSP benefits. Cost to be reimbursed to DESS by Department of Behavioral Health. Funding for this position was included in both Departments' final approved FY 09/10 budget. These changes will leave the total allocations in the department unchanged at 533.

INFORMATION SYSTEMS - requests to change budget unit 704 to 7040. In addition the department requests to delete budget unit 725 and move the positions in that budget unit to the newly created budget unit 7040.

CLERK RECORDER - requests to delete one (1) position of Deputy County Clerk Recorder III/II/I. This change will decrease the allocated positions in budget unit 470-001 from 15.45 to 14.45 and decrease the allocated positions in the department from 25 to 24.

DISTRICT ATTORNEY - requests to delete one (1) position of Supervising, Deputy District Attorney and one (1) Deputy District Attorney IV/III/II/I and add one (1) Deputy District Attorney IV/III/II/I. A current Supervisor, Deputy District Attorney has agreed to voluntarily demote to a Deputy District Attorney IV to accommodate an office reorganization. These changes will decrease the total allocated positions in the department unchanged at 81.5 - ADOPT RESOLUTION 09-119 AND AUTHORIZE CHAIR TO SIGN. (Human Resources)

47. Library Donations - pursuant to Government Code Section 25355, donations of \$600 from the Oroville Friends of the Library; \$245 from the Chico Friends of the Library; \$100 from Sigma Phi Gamma, Delta Nu Chapter; \$100 from Maudie Penney have been received for the purchase of books; \$471.53 from the Paradise Friends of the Library has been received for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
48. Library Advisory Board - action requested - APPOINT SALLY MCNALL TO BOARD WITH TERM TO END DECEMBER 31, 2010.(Library)
49. Budget Transfer - Juvenile Justice Crime Prevention ACT (JJCPA) Funds Re-appropriation - approval is requested for a budget transfer in the amount of \$310,208 as detailed in the agenda report. The transfer will move funds from restricted fund balance (Fund 50) to the JJCPA budget unit to cover qualified expenditures incurred in fiscal year 2008-09 - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Probation)
50. Medifax-Edi - approval is requested for an amendment to the agreement with Medifax-Edi for the provision of auditing claims for conformance to Medi-Cal and Medicare. The amendment extends the term of the agreement to June 30, 2010 and sets the maximum amount payable at \$45,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER (Contract No. X11682) (Public Health)
51. Gen Probe - approval is requested for a sole source agreement with Gen Probe for loaning of test equipment and providing test kits to the Public Health Department for testing for Chlamydia and Gonorrhoea. The term of the agreement is July 1, 2009 through June 30, 2012 with a maximum amount payable of \$40,884 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER. (Public Health)

52. California Department of Public Health Services - amendments - approval is requested for two amendments to the Master Agreement with California Department of Health Services for funding of a variety of AIDS related services. The term of the master agreement remains July 1, 2007 through June 30, 2010 and increases the maximum amount payable to the County by \$9,952 for fiscal year 2008-09 and \$6,952 for fiscal year 2009-10. The County will invoice the State for program costs for fiscal year 2008-09, and the increase for 2009-10 has been included in the 2009-10 Budget - action requested - APPROVE MASTER AGREEMENT AMENDMENTS AS DETAILED IN THE AGENDA REPORT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN AMENDMENT NO. 3 TO THE AIDS PREVENTION MOU AND THE HIV TESTING AND COUNSELING PROGRAM MOU SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
53. Resolution Renaming the Neal Road Sanitary Landfill as the Neal Road Recycling and Waste Facility - to reflect the changes at the Neal Road facility, especially with planned expansion in the area of resource recovery, staff has worked with the Board's Waste Committee's recommendation to change the name of the Neal Road Sanitary Landfill to Neal Road Recycling and Waste Facility - action requested - ADOPT RESOLUTION 09-120 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
54. Etech Controls Corporation - approval is requested for an agreement with Etech Controls Corporation for the provision of providing maintenance and support services to the electronic control systems that monitor the jail. The term of the agreement is July 1, 2009 through June 30, 2012 with a three year maximum payable amount of \$59,400 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER. (Sheriff-Coroner)
55. CSU Chico Research Foundation - approval is requested for an agreement with Chico Research Foundation to provide Legal Research Assistants (LRAs) at the jail library. The term of the agreement is from August 1, 2009 through June 30, 2010 with a maximum payable amount of \$35,504 - action requested - APPROVE THE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER. (Sheriff-Coroner)

- 56. California Forensic Medical Group (CFMG) - approval is requested for an amendment to the agreement with California Forensic Medical Group for the provision of medical services to the inmate/ward population. The amendment increases the maximum amount payable to \$3,241,054 and changes the language of the contract to accommodate the addition of federal marshal prisoners to the county jail facility - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER (Contract No. X17316)(Sheriff-Coroner)

- 57. Resolution Authorizing and Approving Amendments to Resolution 09-064, which Authorized Participation in the California Statewide Communities Development Authority(CSCDA) Tax and Revenue Anticipation Notes(TRAN) Program for Fiscal Year 2009-10 - in order to allow for more flexibility for issuance, including the ability to participate in the CSCDA Pooled program, Stand Alone issuance, Private Placement or a combination thereof, the resolution authorizes various financing documentation and authorizes the Chief Administrative Officer, Treasurer, Assistant Treasurer and Auditor-Controller to sign financial documentation in connection with the issuance of the TRAN. The resolution also appoints the law firm of Orrick, Herrington & Sutcliffe as bond counsel to the County - action requested - ADOPT THE RESOLUTION 09-121 AND AUTHORIZE THE CHAIR TO SIGN; DIRECT THE TREASURER AND AUDITOR TO CONTINUE TO EXPLORE ALL VIABLE OPTIONS FOR SUCCESSFUL ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES (TRAN) FOR FY 2009-10. (Treasurer-Tax Collector)

- 58. Butte County Child Abuse Prevention Council - submitted are annual reports for the Butte County Child Abuse Prevention Council and the Frank Watters and Mary Anne Houx Children's Fund - action requested - ACCEPT FOR INFORMATION. (Other Departments and Agencies)

- 59. Butte County Children and Families Commission - action requested - REAPPOINT JOHN BURGHARDT, MAUREEN KIRK, SANDRA MACHIDA, MARK LUNDBERG AND MARLENA SPARKS TO TERMS TO END JUNE 30, 2011. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA.
 2 M
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

REGULAR AGENDA

0918-002 Boards, Commissions and Committees.

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

SUPERVISOR DOLAN AND SUPERVISOR KIRK REPORTED THAT THE COMPENSATION COMMITTEE HAS HELD MULTIPLE MEETINGS AND THAT A CONCURRENCE HAS BEEN REACHED WITH EVERY BUTTE COUNTY DEPARTMENT HEAD. EACH HAS AGREED TO A 10% REDUCTION IN COMPENSATION.

SUPERVISOR LAMBERT REPORTED ON THE SUMMIT MEETING THAT TOOK PLACE IN SACRAMENTO OVER THE LAST WEEKEND. THE SUMMIT WAS ATTENDED BY VARIOUS STATE, CITY, COUNTY AND SCHOOL BOARD REPRESENTATIVE IN ORDER THE DISCUSS THE CURRENT STATE BUDGET SITUATION. (8:03)

SUPERVISOR YAMAGUCHI ALSO REPORTED HIS ATTENDANCE AT THE SUMMIT IN SACRAMENTO.

CHAIR CONNELLY REPORTED HIS ATTENDANCE AT A MEETING WITH THE BUREAU OF INDIAN AFFAIRS REGARDING INDIAN GAMING. (10:07)

CHAIR CONNELLY REPORTED HE AND A FEW BOAT OWNERS MET WITH DAN LOGUE AND ASSEMBLYMAN NIELSEN REGARDING THE CHANGE OF OWNERSHIP MARINA AT THE OROVILLE DAM.(12:57)

CHAIR CONNELLY REPORTED HE ATTENDED A CALIFORNIA STATE ASSOCIATION OF COUNTIES' TRAINING REGARDING EMPLOYEE NEGOTIATIONS.

0918-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER REPORTED THAT THE GOVERNOR AND LEGISLATIVE LEADERS IN SACRAMENTO HAVE AGREED TO \$26 BILLION DOLLARS IN BUDGET ADJUSTMENTS, INCLUDING \$15.5 BILLION IN CUTS. IT IS TENTATIVELY EXPECTED TO GO TO BOTH HOUSES WITHIN THE STATE LEGISLATURE FOR A VOTE ON THURSDAY, JULY 23RD.

0918-004 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE ON GENERAL PLAN.

0918-005 Update Regarding Upcoming Butte County Code Amendments.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE ON UPCOMING CODE AMENDMENTS.

SUPERVISOR DOLAN REQUESTED THAT THE DEPARTMENT LOOK INTO WHAT CAN BE DONE ABOUT MOTOR CROSS TRACKS THAT ARE ON PRIVATE PROPERTY. THE FULL BOARD AGREED THAT NOISE AND DUST ISSUES NEED TO BE CONTROLLED.

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

PUBLIC HEARINGS AND TIMED ITEMS

0918-006 Public Hearing - Use of Justice Assistance Grant (JAG) for Fiscal Year 2009/2010 - Butte County has been allocated JAG grant funds in the amount of \$23,365 which requires a public hearing for the County's use of the funds. There is no County match. The District Attorney's office plans to use these funds for the replacement of computers and other technology equipment - action requested - ACCEPT PUBLIC COMMENT AND RATIFY SUBMITTAL OF GRANT APPLICATION. (District Attorney)

MIKE RAMSEY, DISTRICT ATTORNEY ADDRESSED THE BOARD.

PUBLIC HEARING OPENED: 9:45 A.M.
PUBLIC HEARING CLOSED: 9:45 A.M.

MOTION: I MOVE TO RATIFY SUBMITTAL OF GRANT APPLICATION.

M 2

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

0918-007 Public Hearing - Zoning Code Amendment ZCA08-0002 - Butte County Wireless Communication Facilities - consideration of an amendment to Chapter 24 Section 262 of the Butte County Code establishing a use permit procedure and guidelines allowing modification to the current setback standard of one-foot of facility setback for each one-foot of tower height, where such facilities are located in a non-residential zoning district, are at least 300 feet from any permitted residential dwelling, and meet additional criteria - action requested - ADOPT RESOLUTION 09-122 ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT ORDINANCE 4006 AMENDING BUTTE COUNTY CODE SECTION 24-262 AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

PRESENTATION BY CHUCK THISTLEWAITE, PLANNING MANAGER AND STACY JOLLIFFE, PRINCIPAL PLANNER.

PUBLIC HEARING OPENED: 9:52 A.M.
PUBLIC HEARING CLOSED: 9:52 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT ORDINANCE AMENDING BUTTE COUNTY CODE SECTION 24-262 AND AUTHORIZE THE CHAIR TO SIGN.

M 2

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

RECESS: 9:58 A.M.
RECONVENE: 10:05 A.M.

0918-008 Public Hearing - Appeal of Planning Commission's Denial of Certificate of Correction application COR07-0002 to remove a note on Lot 28 of the Sierra Foothills #2 Subdivision map, Zinfandel Drive., recorded February 6, 1986 in Book 100, Pages 83 and 84 - action requested - ADOPT A RESOLUTION WITH FINDINGS DENYING THE APPEAL. (Development Services)(54:21)

PRESENTATION BY STEVE TROESTER, SENIOR PLANNER.

PUBLIC HEARING OPENED: 10:18 A.M.
PUBLIC HEARING CLOSED: 11:40 A.M.

JIM MCCROSSIN, JACQUIE MCCROSSIN, AND JARED HANCOCK ADDRESSED THE BOARD.

MR. DAN HAYS ADDRESSED THE BOARD.

THE PUBLIC HEARING FOR THIS ITEM WAS CLOSED AT 11:40. IN ORDER TO ALLOW STAFF AND THE BOARD TIME REVIEW THE DOCUMENTS SUBMITTED DURING THE HEARING, THE BOARD CONTINUED THIS ITEM CLOSED TO AUGUST 25, 2009 AT 9:45 A.M. IT WILL A TIME CERTAIN ITEM FOR BOARD DELIBERATION AND DETERMINATION ONLY.

THERE WAS NO ACTION TAKEN ON THIS ITEM TODAY.

0918-009 Public Hearing - Resolution Approving the Submittal of a State Community Development Block Grant (CDBG) Application - consideration of a resolution to approve the submittal of a CDBG application for Planning and Technical Assistance (PTA) activities. The proposed application is for \$35,000 to complete an Entrepreneurial Knowledge-Based Enterprise Action Plan - action requested - ADOPT RESOLUTION 09-123 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)(1:11:49)(1:33:06)(2:25:18)

PRESENTATION BY JENNIFER MACARTHY, MANAGER OF PROGRAM DEVELOPMENT AND MARC NEMANIC OF TRI COUNTY ECONOMIC DEVELOPMENT CORPORATION.

PUBLIC HEARING OPENED: 11:48 A.M.
PUBLIC HEARING CLOSED: 11:48 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)

0918-010 Timed Item - Update on the Stewardship Council and Request for Appointment to an Ad Hoc Committee - The Stewardship Council is a private, non-profit organization that has been working on conservation projects throughout the State. One of its primary goals is to ensure that over 140,000 acres of watershed lands throughout California are conserved for a broad range of beneficial public values. Staff from the Stewardship Council will provide information on the Council's progress and discuss options the County may want to consider - action requested - ACCEPT FOR INFORMATION; AND APPOINT TWO BOARD MEMBERS TO AN AD HOC COMMITTEE TO WORK WITH STAFF AND THE STEWARDSHIP COUNCIL. (Chief Administrative Office/Water and Resource Conservation)

PRESENTATION BY SHARI MCCracken, DEPUTY ADMINISTRATIVE OFFICER AND HEIDI KROLICK OF THE STEWARDSHIP COUNCIL. (2:38:31)

MOTION: I MOVE TO APPOINT CHAIR CONNELLY AND SUPERVISOR YAMAGUCHI TO AN AD HOC COMMITTEE TO WORK WITH STAFF AND THE STEWARDSHIP COUNCIL.
M 2

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

0918-011 Review of Chapter 4 of the Butte County Code - Animal Ordinance as requested - action requested - ACCEPT FOR INFORMATION. (Department of Public Health)

PRESENTATION BY PHYLLIS MURDOCK, DIRECTOR OF PUBLIC HEALTH.

0918-012 Public Comment

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.

KAY PERKINS, WHO IS A MASTER GARDNER IN BUTTE COUNTY, PRESENTED INFORMATION ON THE MASTER GARDNER PROGRAM.

SUPERVISOR DOLAN DISCUSSED THE BOTTLED WATER PLANT PROPOSED IN GLENN COUNTY. SHE INDICATED THAT IF APPROVED THE PLANT WOULD DRAW WATER FROM AN AQUIFER THAT IS SHARED BY GLENN AND BUTTE COUNTIES. SHE REQUESTED THAT THIS SUBJECT BE PLACED ON A BOARD OF SUPERVISORS AND/OR WATER COMMISSION AGENDA. (3:09:52)

0918-013 Recessed at 12:26 p.m. as the Butte County Board of Supervisors and Convene as the Thompson Flat Cemetery District Board of Directors.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
MINUTES
JULY 21, 2009

Called to order at 12:27 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Kirk, Lambert, Yamaguchi and Chair Connelly. Also present: Assisant Clerk, Kathleen Moghannam.

Consent Agenda

- 0903-001 1. Fiscal Year 2009/2010 District Budget - approval is requested for the Fiscal Year 2008/2009 Cemetery District Budget in the amount of \$8,353 - action requested - ADOPT BUDGET AND AUTHORIZE THE CHAIR TO SIGN THE STATEMENT OF PROVISION FOR RESERVES AND DESIGNATIONS.
- 2. Gridley-Biggs Cemetery District - amendment - approval is requested for an amendment to the agreement with the Gridley-Biggs Cemetery District for the operation and maintenance of the Thompson Flat Cemetery. The amendment extends the term through June 30, 2010 and increases the maximum amount payable by \$1,200 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

MOTION: I MOVE TO ADOPT BUDGET AND AUTHORIZE THE CHAIR TO SIGN THE STATEMENT OF PROVISION FOR RESERVES AND DESIGNATIONS; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

M 2

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

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 is prohibited from taking action on any item not listed on the agenda.

Adjournment

Adjourned at 12:28 p.m. as the Thompson Flat Cemetery District Board of Directors and reconvene as the Butte County Board of Supervisors.

CLOSED SESSION

0918-014 THE BOARD RECESSED AT 12:28 P.M. TO CLOSED SESSION REGARDING:

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND LIBRARY DIRECTOR.

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. FIRST RESPONDER EMS, COUNTY OF BUTTE, ET AL V. CALIFORNIA EMS, ET AL; THIRD DISTRICT COURT OF APPEAL CASE NO. C060407
3. BUTTE COUNTY V. NIGC (NATIONAL INDIAN GAMING COMMISSION); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA

POTENTIAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(C) - 1 POTENTIAL CASE.

THE BOARD RECONVENED AT 3:09 P.M. FROM CLOSED SESSION REGARDING:

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND LIBRARY DIRECTOR.

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. FIRST RESPONDER EMS, COUNTY OF BUTTE, ET AL V. CALIFORNIA EMS, ET AL; THIRD DISTRICT COURT OF APPEAL CASE NO. C060407
3. BUTTE COUNTY V. NIGC (NATIONAL INDIAN GAMING COMMISSION); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA

POTENTIAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(C) - 1 POTENTIAL CASE.

ONE ANNOUNCEMENT:

BRUCE ALPERT, COUNTY COUNSEL ANNOUNCED THAT THE BOARD UNANIMOUSLY VOTED TO INITIATE LITIGATION WITH THE LEAGUE OF CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES AGAINST THE CONTROLLER AND FINANCE DIRECTOR FOR THE STATE OF CALIFORNIA IF THE ROAD FUND MONIES KNOWN AS "HUTA" ARE RE-ALLOCATED AND TAKEN FROM THE COUNTY AND OTHER JURISDICTIONS.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:15 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JULY 21, 2009 AT 9:00 A.M.

BILL CONNELLY, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

Gregory G. Iturria, Interim Chief Administrative
Officer and Clerk of the Board

By: _____