

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

JUNE 22, 2004



County Supervisors

R.J. "Bob" Beeler, District 1

Jane Dolan, District 2

Mary Anne Houx, District 3

Curt Josiassen, District 4

Kim Yamaguchi, District 5

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

Bruce Alpert, County Counsel

9:00 A.M. 1.00 CALL TO ORDER

1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.

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

1.03 Observation of a Moment of Silence.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

AUDITOR-
CONTROLLER

3.01 * Unclaimed Property Tax Refunds - the Auditor-Controller has verified unclaimed refunds which meet the requirements prescribed by Revenue and Taxation Code Sections 5096-5108, and is requesting Board approval to transfer those funds to the County General Fund - action requested - AUTHORIZE THE UNCLAIMED AMOUNTS TO BE TRANSFERRED TO THE COUNTY GENERAL FUND AS DETAILED IN THE AGENDA REPORT.

BEHAVIORAL
HEALTH

3.02 * Donated Musical Instrument - pursuant to Government Code Section 25355, a donation of an organ, valued at \$500, has been received from Dorothy Jean Shull. The organ will be used for musical programs at the Paradise Connections office - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.

3.03 * Public Defender - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Public Defender consortium of attorneys for the provision of services in support of the Substance Abuse and Crime Prevention Act plan. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$30,500 (department budget) for the extended term, and revises the agreement's attachments to reflect the extension. 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. X13551)

- 3.04 * Butte County Probation Department and Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the Probation Department for the provision of services in support of Substance Abuse and Crime Prevention Act programs. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$292,453 (department budget) for the extended term, and revises the agreement's attachments to reflect the extension. 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. X13481)
- 3.05 * Butte County Department of Employment and Social Services, Butte County Probation Department and Butte County Department of Behavioral Health - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the departments of Employment and Social Services and Probation for the provision of services in support of the Supportive and Therapeutic Options Program (STOP). The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$83,540 (department budget) for the extended term, and revises agreement language and attachments to provide for quarterly invoicing procedures. 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. X14541)
- 3.06 * Henry Ganzler, Ph.D. - Amendment - approval is requested for an amendment to the agreement with Henry Ganzler, Ph.D., for the provision of professional services in the specialized field of psychology. The amendment reduces the maximum amount payable by \$5,400, and revises the agreement's exhibits to reflect the reduction. 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. X14252)

- 3.07 * Sidney Ganzler, Ph.D. - Amendment - approval is requested for an amendment to the agreement with Sidney Ganzler, Ph.D., for the provision of professional services in the specialized field of psychology. The amendment reduces the maximum amount payable by \$13,750, and revises the agreement's exhibits to reflect the reduction. 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. X14253)
- 3.08 * Kevin W. Chan, M.D. - Amendment - approval is requested for an amendment to the agreement with Kevin W. Chan, M.D., for the provision of professional services in the specialized field of psychiatry. The amendment reduces the maximum amount payable by \$45,900, and revises the agreement's attachments to reflect the reduction. 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. X14291)
- 3.09 * Michael Hitchko, Ph.D. - Amendment - approval is requested for an amendment to the agreement with Michael Hitchko, Ph.D., for the provision of professional services in the specialized field of psychology. The amendment increases the maximum amount payable by \$800 (department budget), and revises the agreement's attachments to reflect the increase. 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. X14302)
- 3.10 * Harvey Tullin, M.D. - Amendment - approval is requested for an amendment to the agreement with Harvey Tullin, M.D., for the provision of professional services in the specialized field of psychiatry. The amendment reduces the maximum amount payable by \$13,320, and revises the agreement's attachments to reflect the reduction. 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. X14223)

- 3.11 * Victor D. Mlotok, M.D. - Amendment - approval is requested for an amendment to the agreement with Victor D. Mlotok, M.D., for the provision of professional services in the specialized field of psychiatry, including oversight of medical treatment. The amendment reduces the maximum amount payable by \$20,200, and revises the agreement's attachments to reflect the reduction. 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. X14290)
- 3.12 * George Richard Heitzman, M.D. - Amendment - approval is requested for an amendment to the agreement with George Richard Heitzman, M.D., for the provision of professional services in the specialized field of psychiatry. The amendment increases the maximum amount payable by \$11,880 (department budget), and revises the agreement's attachments to reflect the increase. 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. X14327)
- 3.13 * Enloe Medical Center - Amendment - approval is requested for an amendment to the agreement with Enloe Medical Center for conducting initial medical evaluations of clients prior to admission to the Psychiatric Health Facility. The amendment reduces the maximum amount payable by \$5,000. 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. X14450)
- 3.14 * Gene Desautels, D.O./Urgent Medical Clinic - Amendment - approval is requested for an amendment to the agreement with Gene Desautels, D.O./Urgent Medical Clinic for conducting health history and physical examinations of clients in the Psychiatric Health Facility. The amendment reduces the maximum amount payable by \$20,000. 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. X14222)

- 3.15) * Oroville Hospital - Amendment - approval is requested for an amendment to the agreement with Oroville Hospital for conducting initial medical evaluations of clients prior to admission to the Psychiatric Health Facility. The amendment reduces the maximum amount payable by \$59,200. 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. X14786)
- 3.16) * Helios Health Care LLC d.b.a. Chico Creek Care & Rehabilitation - Amendment - approval is requested for an amendment to the agreement with Helios Health Care LLC d.b.a. Chico Creek Care & Rehabilitation for the provision of meals to clients in the Psychiatric Health Facility. The amendment increases the maximum amount payable by \$1,998 (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. X14234)
- 3.17) * Tri-County Treatment - Amendment - approval is requested for an amendment to the agreement with Tri-County Treatment for the provision of short term residential recovery services and day care rehabilitation services for clients of the various drug court programs and CalWORKs programs. The amendment increases the maximum amount payable by \$12,552.50 (department budget), and revises the agreement's amendments to reflect the increase. 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. X14476)
- 3.18) * Willow Glen Care Center - Amendment - approval is requested for an amendment to the agreement with Willow Glen Care Center for the provision of day rehabilitation services. The amendment reduces the maximum amount payable by \$19,052. 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. X14396)

- 3.19 * Echo Consulting Services of California, Inc. - Amendment - approval is requested for an amendment to the agreement with Echo Consulting Services of California, Inc., for the provision of software and support for the department's Medi-Cal billing system. The amendment extends the term of the agreement through June 30, 2005, increases the maximum amount payable by \$95,552.34 (department budget) for the extended term, and revises the agreement's attachments to reflect the extension. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14443)
- 3.20 * FamiliesFirst, Inc. - Amendment - approval is requested for an amendment to the agreement with FamiliesFirst, Inc., for the provision of medication support services and day rehabilitation services for Youth Services clients receiving Medi-Cal benefits. The amendment increases the maximum amount payable by \$12,706.20 (department budget), and revises the agreement's attachments to reflect the increase. 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. X14420)
- 3.21 * Skyway House - Amendment - approval is requested for an amendment to the agreement with Skyway House for the provision of day rehabilitation services, long term residential recovery services, and alcohol/drug free housing for participants of the various substance abuse programs. The amendment provides for the addition of perinatal services, increases the maximum amount payable by \$32,056.15 (department budget), and revises the agreement's attachments to reflect the addition. 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. X14461)
- 3.22 * Cherokee Restoration Fellowship - Amendment - approval is requested for an amendment to the agreement with Cherokee Restoration Fellowship for the provision of long term residential treatment services and alcohol/drug free housing for participants of the various substance abuse programs. The amendment increases the maximum amount payable by \$15,756.93 (department budget), and revises the agreement's attachments to reflect the increase. 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. X14475)

- 3.23 * Sutter Center for Psychiatry - Amendment - approval is requested for an amendment to the agreement with Sutter Center for Psychiatry for the provision of inpatient hospitalization for adolescent clients. The amendment extends the term of the agreement through June 30, 2005, revises agreement language regarding patient rights, and adds attachments regarding Medi-Cal services for children and adolescents. 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. X14505)
- 3.24 * Butte County Public Health Department and Butte County Department of Behavioral Health - approval is requested for a Memorandum of Understanding with the Public Health Department for the provision of HIV education, counseling, testing and referral services. The term of the agreement is July 1, 2003, through June 30, 2005, with a maximum amount payable of \$59,212 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.25 * Harvey Tullin, M.D. - approval is requested for an agreement with Harvey Tullin, M.D., for the provision of professional services in the specialized field of psychiatry. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$85,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.26 * Samuel A. Brown, M.D. - approval is requested for an agreement with Samuel A. Brown, M.D., for the provision of professional services in the specialized field of psychiatry, and oversight of medical treatment. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$76,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.27 * James R. Glover, M.D. - approval is requested for an agreement with James R. Glover, M.D., for the provision of professional services in the specialized field of psychiatry, including oversight of medical treatment. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$227,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.28) * Thomas Lancaster, M.D. - approval is requested for an agreement with Thomas Lancaster, M.D., for the provision of professional services in the specialized field of psychiatry, including oversight of medical treatment. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$68,500 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.29) * Lawrence C. Mayerle, M.D. - approval is requested for an agreement with Lawrence C. Mayerle, M.D., for the provision of professional services in the specialized field of psychiatry. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$57,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.30) * Henry Ganzler, Ph.D. - approval is requested for an agreement with Henry Ganzler, Ph.D., for the provision of professional services in the specialized field of psychology. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$68,700 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.31) * Sidney Ganzler, Ph.D. - approval is requested for an agreement with Sidney Ganzler, Ph.D., for the provision of professional services in the specialized field of psychology. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$25,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.32) * Willow Dejesus - approval is requested for an agreement with Willow Dejesus for consultation services in the area of sensory integration for clinicians providing services to infants and toddlers. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$30,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 3.33 * Oroville Hospital - approval is requested for an agreement with Oroville Hospital for conducting initial medical evaluations of clients prior to admission to the Psychiatric Health Facility. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$69,200 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.34 * Enloe Medical Center - approval is requested for an agreement with Enloe Medical Center for conducting initial medical evaluations of clients prior to admission to the Psychiatric Health Facility. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$40,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.35 * Merced Manor - approval is requested for an agreement with Merced Manor for the provision of Institutions for Mental Disease services to chronically disordered patients. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$102,256.07 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.36 * Crestwood Behavioral Health, Inc. - approval is requested for an agreement with Crestwood Behavioral Health, Inc., for the provision of Institutions for Mental Disease and Enhancement services to referred clients. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$613,791 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- 3.37 * 7th Avenue Center - approval is requested for an agreement with 7th Avenue Center for the provision of Institutions for Mental Disease services to referred clients. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$120,656.25 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.38 * Housing Authority of the County of Butte - approval is requested for an agreement with the Housing Authority of the County of Butte for the provision of housing assistance payments and/or deposits for clients participating in the Adult System of Care program. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$60,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.39 * Helios Health Care LLC d.b.a. Chico Creek Care & Rehabilitation - approval is requested for an agreement with Helios Health Care LLC d.b.a. Chico Creek Care & Rehabilitation for the provision of meals to clients in the Psychiatric Health Facility. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable of \$48,668.40 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

BOARD OF SUPERVISORS

3.40 * Resolution of Recognition for the Western United States Senior Softball Championships - Supervisor Houx is requesting the Board adopt a resolution recognizing the Western United States Senior Softball Championships which will be held August 6-11, 2004, at the Westside Little League Fields in Chico - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

CHILD SUPPORT SERVICES

3.41 * Unanticipated Revenue - approval is requested to accept and appropriate \$37,870 (66% Federal/34% State) of additional Electronic Data Processing Funds. The funds are provided for the department's CASES system conversion - action requested - APPROVE BUDGET TRANSFER B-467 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

CLERK OF THE BOARD

3.42 * Approval of Minutes - action requested - APPROVE MINUTES OF JANUARY 13, 2004; JANUARY 27, 2004; FEBRUARY 10, 2004; AND FEBRUARY 24, 2004.

COUNTY COUNSEL

3.43 * Neil H. McCabe - Amendment - approval is requested for an amendment to the agreement with Neil H. McCabe for the provision of specialized legal services. The amendment extends the term of the agreement through June 25, 2005, and revises language regarding cancellation of the agreement. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14307)

- (3.44) * Resolution Recognizing and Reinforcing Principles of Public Accountability in Payment of Compensation to County Employees - approval is requested for a resolution which makes explicit the County's existing practices of requiring a high degree of accountability for expenditures of public funds on salaries and wages as it pertains to Fair Labor Standards regulations - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

FIRE
DEPARTMENT

- (3.45) * Upgrade in Level of Service - approval is requested to upgrade two Fire Captain positions to Fire Captain-Paramedics. The upgrade will allow for local Emergency Medical Services continuing education training for employees. The training is required to maintain Emergency Medical Technician status. The cost of the upgrades will be provided by overtime savings realized from local training. Additional funds will not be needed for the two upgrades - action requested - AUTHORIZE THE UPGRADE OF TWO FIRE CAPTAIN POSITIONS TO FIRE CAPTAIN-PARAMEDIC POSITIONS.

HUMAN
RESOURCES

- (3.46) * Resolution to Amend the Salary Ordinance - approval is requested for a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY CRIMINAL - extends the position end dates of one flexibly staffed sunset position of District Attorney II/I, and one sunset position of Paralegal from 6-30-04 to 6-30-05. DEVELOPMENT SERVICES - deletes one flexibly staffed position of Information Systems Analysts III/II/I. Adds one flexibly staffed position of Senior Planner/Associate Planner. LIBRARY - extends the position end date of one 3/4-time sunset position of Library Assistant III from 6-30-04 to 12-31-04. NEAL ROAD SANITARY LANDFILL - extends the position end date of one flexibly staffed term position of Senior Landfill Equipment Operator/Landfill Equipment Operator from 6-30-04 to 12-31-04. SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS (REFERENCE D) - adds language revising the severance provisions, pursuant to the resolution for elected and appointed department head benefits approved on May 11, 2004 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- (3.47) * Memorandum of Understanding - the County and the Butte County Employees' Association have met and conferred for a successor Memorandum of Understanding which provides the following major provisions: 1) salaries will remain unchanged; 2) an increase in County contribution to employee health premiums effective January 1, 2004; and 3) a reopening provision upon implementation of the Countywide classification and compensation study. The term of the agreement is September 29, 2003, through September 30, 2004 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

LIBRARY

3.48) * Unanticipated Revenue - approval is requested to accept and appropriate \$273 of unanticipated revenue received from the California State Library to reimburse costs associated with People with Disabilities training held March 17-19, 2004 - action requested - APPROVE BUDGET TRANSFER B-468 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.49) * Donations for Books - pursuant to Government Code Section 25355, donations of \$280 from the Chico Friends of the Library, and \$200 from the Oroville Friends of the Library, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

3.50) * Donations for Operations - pursuant to Government Code Section 25355, a donation of \$368.83 has been received from the Paradise Friends of the Library for extra help staff hours - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-469 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

PROBATION

3.51) * Budget Transfer - approval is requested for a transfer of \$100,000 from the Juvenile Hall budget to the Institutional and Correctional Payments budget to cover a shortage created by increased fees for California Youth Authority placements. The department has sufficient appropriations for the transfer - action requested - APPROVE BUDGET TRANSFER B-470 (4/5 vote required) TRANSFERRING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.52) * Juvenile Justice Crime Prevention Act Agreements - approval is requested for agreements with various agencies for services in support of the Schiff-Cardenas Crime Prevention Act of 2000. The County has received a State allocation of \$589,555 for the fiscal year 2004-2005 program. The Juvenile Justice Coordinating Council has met and agreed to fund the following community based organization agreements. The term of each agreement is July 1, 2004, through June 30, 2005: 1) Boys and Girls Club - maximum amount payable of \$163,944; 2) Paradise Unified School District - maximum amount payable of \$59,000; 3) Gary Bess Associates - maximum amount payable of \$36,071; 4) Feather River Tribal Health - maximum amount payable of \$34,000; 5) Northern Valley Parent Education Network - maximum amount payable of \$163,944; 6) Superior Court of California, County of Butte - maximum amount payable of \$ 13,882; and 7) Butte County Probation Department - maximum amount payable of \$99,648. The plan also approves \$2,948 for administrative overhead and includes \$16,118 for the Drug Court program - action requested - APPROVE AGREEMENTS (7) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

PUBLIC
HEALTH

3.53) * California Department of Health Services - approval is requested for a replacement revenue agreement with the California Department of Health Services for administrative services related to Medi-Cal Administrative Activities and Targeted Case Management programs. On October 28, 2003, the Board approved an agreement for these services for \$683,687, but that agreement was not completed by the State and changes to the State's budget have resulted in the need for a revised agreement. The term of the revised agreement will remain July 1, 2003, through June 30, 2004, but the maximum amount payable to the County was reduced to \$401,927. The budgeted costs associated with the agreement will need to be reduced by \$281,760 as a result of the revision - 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-471 DECREASING ANTICIPATED REVENUE BY \$281,760 AS DETAILED IN THE AGENDA REPORT.

- 3.54 * Cathleen Gentry - Amendment - approval is requested for an amendment to the agreement with Cathleen Gentry for the provision of consulting services for the Medi-Cal Administrative Activities and Targeted Case Management (MAA/TCM) Consortium of Counties program. The amendment increases the maximum amount payable by \$2,000 (MAA/TCC Trust Fund). 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. X14313)
- 3.55 * Fixed Asset Purchase - approval is requested for the fixed asset purchase of a Microsoft SQL Server Processor License, with a one year software assurance, in the estimated amount of \$19,000. The cost of the purchase will be fully funded by the Regional Registry Grant. The server will be used to hold immunization records - action requested - APPROVE FIXED ASSET PURCHASE OF SERVER LICENSE AS DETAILED IN THE AGENDA REPORT.
- 3.56 * Shasta Consortium of Community Health Centers - approval is requested for a revenue agreement with the Shasta Consortium of Community Health Centers for funds to facilitate the implementation of the Regional Immunization Registry. The term of the agreement is July 1, 2003, through June 30, 2004, with a maximum amount payable to the County of \$262,894 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
- PUBLIC
WORKS
- 3.57 * City of Chico - Amendment - approval is requested for an amendment to the agreement with the City of Chico for reconstruction of West Eighth Avenue between State Highway 32 to the Esplanade. The County and City are working jointly on the project. The amendment revises the project responsibilities with regard to project construction, work within the Union Pacific Railroad right-of-way, project construction inspection and administration, project cost accounting and billing, and project funding and time schedules. 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.
- 3.58 * Covered Electronic Waste Recovery and Recycling Payment System Application - approval is requested to apply to the California Integrated Waste Management Board to become an approved collector of Cathode Ray Tubes pursuant to the Electronic Waste and Recycling Act of 2003 - action requested - ADOPT RESOLUTION AUTHORIZING APPLICATION AND AUTHORIZE THE CHAIR TO SIGN.

SHERIFF'S
OFFICE

- 3.59 * Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$129 from the Sheriff's Extradition Revolving Fund. The funds were expended on an extradition trip, but the receipts for the expenditures were inadvertently lost. The Auditor's Office and District Attorney's Office have investigated the loss and found no evidence that the shortage was a result of fraud or gross negligence. Board approval is also requested for a budget transfer of department funds to replenish the loss - action requested - GRANT RELIEF OF ACCOUNTABILITY; AND APPROVE BUDGET TRANSFER B-473 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.60 * Relief of Accountability - pursuant to Government Code Section 29390, approval is requested for relief of accountability for \$100 from the Prisoner's Cash Trust Fund. The lost funds were the result of a check issuance error. The Auditor's Office and District Attorney's Office have investigated the loss and found no evidence that the shortage was a result of fraud or gross negligence. Board approval is also requested for a budget transfer from the General Fund Appropriation for Contingencies to replenish the loss - action requested - GRANT RELIEF OF ACCOUNTABILITY; AND APPROVE BUDGET TRANSFER B-472 (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
- 3.61 * Budget Transfer - approval is requested for a transfer of \$3,400 from the Drug and Gang Activity Education Fund to reimburse costs expended to send two School Resource Officers to the National Safe Schools Conference - action requested - APPROVE BUDGET TRANSFER B-474 (4/5 vote required) TRANSFERRING, ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.62 * Vehicle and Equipment Donations - pursuant to Government Code Section 25355, the donation of a 1986 Chevrolet Bounder Motor Home, valued at \$11,555, has been received from Dan Gamel RV Center of Chico. The vehicle will be used as a field safe-haven for the Drug Endangered Children program. To assist in the vehicle preparation, the Rotary Club of Oroville has donated interior equipment, furniture and fixtures to reconstruct the interior of the vehicle to meet the needs of the program. The equipment is valued at \$12,000 - action requested - ACCEPT FIXED ASSET DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

TREASURER-

TAX COLLECTOR 3.63 *

Award of Agreement for Countywide Tourism Marketing - approval is requested to award an agreement for the countywide tourism marketing program to a proposed collaboration of the Chico Chamber of Commerce, Oroville Chamber of Commerce and Shasta Cascade Wonderland Association. The recommendation for award is the result of a competitive selection process with the Chico Chamber of Commerce/Oroville Chamber of Commerce/Shasta Cascade Wonderland Association proposal receiving the highest score from the evaluation committee. The term of the agreement is July 1, 2004, through June 30, 2007, and provides for a \$40,000 per year allocation, with a cap of \$13,250 per year in administrative expenditures. Program funding is provided by unincorporated area transit occupancy tax revenue - action requested - AWARD AGREEMENT TO CHICO CHAMBER OF COMMERCE/OROVILLE CHAMBER OF COMMERCE/SHASTA CASCADE WONDERLAND ASSOCIATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

OTHER DEPARTMENTS

AND AGENCIES 3.64 *

Butte County Children and Families Commission Fiscal Year 2004-2005 Budget - pursuant to Butte County Code Section 2-100.70, submitted is the fiscal year 2004-2005 budget for information and comment prior to submission to the Auditor-Controller - action requested - ACCEPT FOR INFORMATION.

4.00

REGULAR AGENDA

BOARDS,

COMMISSIONS AND

COMMITTEES 4.01 *

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.
2. Board Member or Committee Reports.

BUDGET AND
LEGISLATIVE
UPDATE

4.02

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

4.03 * Letter of Support for Assembly Constitutional Amendment (ACA) 10 - approval is requested for a letter of support for ACA 10, a proposed amendment to the State Constitution regarding classification of storm water and urban runoff management fees or charges. The proposal will make classification of the fees the same as similar fees and charges to sewer, water and refuse collection services, which are specifically exempt from voter approval requirements - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (PUBLIC WORKS)

4.04 * Butte County Solar Energy Project - Phase II Financing - approval is requested for a loan agreement with the California Energy Commission for Phase II (East Jail Facility) of the solar energy project. The total financing costs of Phase II will be \$569,303, with the loan from the California Energy Commission representing \$390,770 of that amount - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (GENERAL SERVICES)

4.05 Items Removed from the Consent Agenda for Board Consideration and Action.

5.00**PUBLIC HEARINGS AND TIMED ITEMS**

10:30 A.M. 5.01 * Public Hearing - Durham Park and Recreation District Fees -Consideration of a resolution, pursuant to Butte County Code Section 16-46, increasing the amount of park facility fees for the area within the Durham Recreation and Park District - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

10:35 A.M. 5.02 * Public Hearing - Chico Area Recreation and Park District Fees - Consideration of a resolution, pursuant to Butte County Code Section 16-33, increasing the amount of park facility fees for the area within the Chico Area Recreation and Park District - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

10:40 A.M. 5.03 * Public Hearing - Countywide Fee Ordinance - at the Board of Supervisors meeting of May 25, 2004, a study was presented to the Board by the Maximus consulting firm. The purpose of the study was to assess the full recovery cost of providing certain services performed by the Agricultural Commissioner, Fire, Probation, Public Health (Environmental Health), Sheriff, and Treasurer-Tax Collector, where individuals or businesses benefit by such services. An ordinance has been prepared to amend various sections within Chapters 3, 11, 14, 23, 23C, 36, 40, 43 and 44 of the Butte County Code to implement the staff recommendations presented to the Board on May 25, 2004, as fully supported by the study conducted by Maximus. The recommended levels are at, or below, the full recovery cost determined through the detailed study - action requested - ADOPT ORDINANCE AMENDING CHAPTERS 3, 11, 14, 23, 23C, 36, 40, 43 AND 44 OF THE BUTTE COUNTY CODE AND AUTHORIZE THE CHAIR TO SIGN.

1:00 P.M. 5.04 * Public Hearing - Butte County Fiscal Year 2004-2005 Final Budget - action requested:

1. OPEN PUBLIC HEARING AND TAKE COMMENTS FROM COUNTY OFFICIALS AND THE PUBLIC;
2. CONSIDER RECOMMENDED ADJUSTMENTS TO THE PROPOSED BUDGET SUBMITTED BY THE CHIEF ADMINISTRATIVE OFFICER; AND
3. OPEN PUBLIC HEARING TO CONSIDER A TRANSFER OF \$1,200,000 FROM THE PUBLIC HEALTH REALIGNMENT TRUST FUND TO THE SOCIAL SERVICES REALIGNMENT TRUST FUND, PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 17600.20(c)1, AND FOLLOWING THE CLOSE OF THE PUBLIC HEARING, ADOPT A RESOLUTION APPROVING THE TRANSFER AND AUTHORIZE THE CHAIR TO SIGN. (CHIEF ADMINISTRATIVE OFFICER)

SPECIAL NOTE: Persons wishing to offer testimony for Board consideration during the final budget hearing should take note of California Government Code Section 29088, which states, in part, "...increases or additions (to the proposed budget) shall not be made after the public hearing, unless the items were proposed in writing and filed with the Clerk of the Board before the close of the public hearing."

6.00 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.

7.00 CLOSED SESSION

- 7.01 CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): JONES V. BROOKS (BUTTE COUNTY SUPERIOR COURT CASE NO. 84429).

- 7.02 CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE.

- 7.03 PUBLIC EMPLOYEE PERFORMANCE EVALUATION, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER.

Information and Procedures Concerning the Agenda and Conduct of the Board of Supervisors Meetings

Meeting Information:

Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or at the Clerk of the Board website at www.buttecounty.net/cob.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and Meeting Order:

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. Consent Agenda: these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. Regular Agenda: this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. Public Hearing and Timed Items: this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the: Clerk of the Board of Supervisors
County Administrative Office
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530-538-7631
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