
CALL TO ORDER

Called to order at 9:09 a.m., in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Houx, Yamaguchi and Chair Beeler. Board members not present: Josiassen. Also present: Paul McIntosh, Chief Administrative Officer; Bruce Alpert, County Counsel; and Marion Reeves, Assistant Clerk of the Board.

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

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (69)

0423-001 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Butte County Children and Families Commission - approval is requested for a grant agreement with the Butte County Children and Families Commission for funds to develop the Butte County Breastfeeding Center. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$100,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.

THIS ITEM REMOVED FROM THE CONSENT AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON A SUBSEQUENT AGENDA.

CONSENT AGENDA

- 0423-002
1. Resolution in Recognition of Robert J. Voorhees upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION 04-201 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-09-04 [3.01])
 2. State of California, Department of Food and Agriculture - approval is requested for a revenue agreement with the State of California, Department of Food and Agriculture, for the County's trapping and monitoring of the Olive Fruit Fly. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the County of \$39,667.25 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40733)

- 0423-002 3. Revenue Adjustments - approval is requested for a budget transfer that will accept unanticipated revenue into certain budget units and reduce revenues in other budget units as a result of allocation letters for the Projects for Assistance in Transition from Homelessness grant, Substance Abuse Mental Health Services Administration grant, Supportive and Therapeutic Options Program grant, and Mental Health Fee-for-Service Managed Care programs - action requested - APPROVE BUDGET TRANSFER B-168 (4/5 vote required) ACCEPTING, ALLOCATING, AND REDUCING REVENUE LINE ITEMS AS DETAILED IN THE AGENDA REPORT.
4. Butte County Department of Public Health/Butte County Department of Behavioral Health - approval is requested for a Memorandum of Understanding with the Department of Public Health for funds to support tobacco cessation programs for fiscal year 2004-2005. The term of the agreement is July 1, 2004, through June 30, 2005, with a maximum amount payable to the Department of Public Health of \$50,000 (Behavioral Health Department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15239)
5. Marylee Morf as Trustee of the Marylee H. Morf Trust - approval is requested for a lease agreement with Marylee Morf as Trustee of the Marylee H. Morf Trust, for the property located at 592 Rio Lindo Avenue, Chico. The location is utilized by the Psychiatric Health Facility, the ACCESS Team and the Youth Crises Center. The term of the agreement is September 15, 2004, through August 31, 2014, with a maximum amount payable of \$1,564,049.44 for the multi-year term (\$111,215.56 for fiscal year 2004-2005 [department budget]) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
6. State of California, Department of Alcohol and Drug Programs - approval is requested for a grant agreement with the State of California, Department of Alcohol and Drug Programs, for funds to support the Drug Court Partnership Project for Project Year 5. The term of the agreement is July 1, 1999, through June 30, 2005, with a maximum amount payable to the County of \$132,867 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40153)

- 0423-002 7. United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance - approval is requested for a grant agreement with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for funds under the Single Jurisdiction Enhancement Drug Court Grant Program. The term of the agreement is September 1, 2004, through August 31, 2006, with a maximum amount payable to the County of \$199,532. The grant requires a County match of \$91,392 (department budget). Board approval is also requested to accept and appropriate \$82,806 into the fiscal year 2004-2005 budget, with the remaining funds to be allocated during the budget process for each subsequent fiscal year - 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-169 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
8. Wetland Mitigation Bank Trust Fund - approval is recommended by the Butte County Fish and Game Commission to utilize the funds remaining in the Wetland Mitigation Bank Trust Fund (\$45,137) to purchase mitigation credits from the Center for Natural Lands Management - action requested - APPROVE THE PURCHASE OF MITIGATION CREDITS FROM THE CENTER FOR NATURAL LANDS MANAGEMENT AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE; AND APPROVE BUDGET TRANSFER B-167 (4/5 vote required) ACCEPTING AND ALLOCATING THE TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.
9. Sharon A. Stone - Amendment - approval is requested for an amendment to the employment agreement with Sharon A. Stone to serve as Director-Child Support Services. The amendment extends the term of the agreement through January 31, 2008. 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.
10. Resolution in Appreciation of Lou Ellen Saville Upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION 04-209 AND AUTHORIZE THE CHAIR TO SIGN.
11. Resolution in Appreciation of Barbara Ann Dopson Upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION 04-210 AND AUTHORIZE THE CHAIR TO SIGN.

- 0423-002
12. Certification of Statement of Votes Cast - pursuant to California Elections Code Section 15372, submitted is the Certification of Statement of Votes Cast for the Consolidated General Election held within the County of Butte on November 2, 2004 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.
 13. Stephen A. Streeter - Amendment - approval is requested for an amendment to the agreement with Stephen A. Streeter for the provision of consulting services in the area of planning. The amendment provides for the addition of Interim Manager-Planning services at the rate of \$75.00 per hour (department budget) through February 28, 2005, or until the department has successfully filled the position. 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. X15073)
 14. Approve Field Purchase Order - pursuant to the Butte County Purchasing Policy Manual, approval is requested for payment of Field Purchase Order F05-058, in the amount of \$4,862.62 (department budget). The department purchased two computer systems for the GIS Division incorrectly using a Field Purchase Order. Under the County's purchasing procedures, Field Purchase Orders are limited to purchases of \$2,500 or less, and exceptions to the policy require Board approval - action requested - APPROVE PAYMENT OF FIELD PURCHASE ORDER F05-058 IN THE AMOUNT OF \$4,862.62.
 15. Facilities Alteration - approval is requested for alterations to the lobby area of the building located at 7 County Center Drive, Oroville. The proposed remodel will remove a portion of the counter space to provide additional lobby space, and will include the installation of a "help desk" area which will allow applicants to sit down with Plan Application Assistants at workstations to process permit applications. The project estimate is \$12,901, and Board approval is also requested to transfer the needed funds from the General Fund Appropriation for Contingencies to the department's budget to provide for the project - action requested - APPROVE SPECIAL MAINTENANCE FACILITIES PROJECT; AND APPROVE BUDGET TRANSFER B-170 (4/5 vote required) ACCEPTING AND ALLOCATING \$12,901 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

- 0423-002 16. Valley Toxicology Service, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with Valley Toxicology Service, Inc., for the provision of substance analysis and expert court testimony. The amendment extends the term of the agreement through June 30, 2005, and increases the maximum amount payable by \$62,000 (department budget) for the extended term. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14133)
17. Transfer of Funds - approval is requested to transfer \$50,000 from the Automated Warrant System Assessment Trust Fund to the department's budget to pay costs associated with the Central Criminal Justice Data Base Project. The funds for the project were unexpended in fiscal year 2003-2004 and were transferred to the trust fund to accrue interest until needed for the project - action requested - APPROVE A BUDGET TRANSFER B-172 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.
18. State of California, Office of Traffic Safety - approval is requested for a grant agreement with the State of California, Office of Traffic Safety, for funds to purchase auto extrication equipment and a rescue squad. The term of the agreement is October 1, 2004, through September 30, 2005, with a maximum amount payable to the County of \$273,127. The grant also requires a \$45,000 County match (Community Cost Share Trust Fund). Board approval is also requested for a budget transfer of funds to provide the allocation needed for the equipment purchases - action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; APPROVE FIXED ASSET PURCHASE OF EQUIPMENT AS DETAILED IN THE GRANT AGREEMENT; AND APPROVE BUDGET TRANSFER B-151 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.
19. Equipment Donations - approval is requested to accept two new Wild Land Fire Engines donated by the Berry Creek Volunteer Fire Company and the Kelly Ridge Volunteer Fire Company. Each new engine is a 2005 4x4 International Chassis with a Placer Fire Equipment manufactured body. One engine will be stationed at Butte County Volunteer Fire Station 61 in Berry Creek, and one will be stationed at Butte County Volunteer Fire Station 66 in the Kelly Ridge/Wyandotte area. The equipment is donated with the provision that it be returned to the donating company when it is no longer of use to the County - action requested - ACCEPT DONATIONS FOR THE USEFUL LIFE OF THE EQUIPMENT; DIRECT THE ADDITION OF THE EQUIPMENT TO THE COUNTY'S FIXED ASSET LIST; AND APPROVE LETTERS OF APPRECIATION AND AUTHORIZE THE CHAIR TO SIGN.

- 0423-002 20. Applied Testing Consultants - Amendment - approval is requested for an amendment to the agreement with Applied Testing Consultants for the provision of testing services associated with the Courthouse Expansion construction project. The amendment expands the scope of work to include additional inspection services and materials testing needed for the project, and increases the maximum amount payable by \$38,700 (project budget) for the additional services. 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. X14625)
21. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - adds one sunset position of Deputy District Attorney IV/III/II/I (position end date of 6-30-05). PUBLIC HEALTH-GENERAL SERVICES - deletes one position of Information Systems Analyst III/II/I. Adds one position of Information Systems Analyst III. Extends the position end dates for the following sunset positions from 12-31-04 to 12-31-05: one position of Medical Records Technician II/I; one position of Public Health Assistant II/I; and three positions of Public Health Nurse III/II/I. BEHAVIORAL HEALTH-GENERAL SERVICES - adds one position of Administrative Analyst III/II/I and one position of Office Assistant III/II/I. CHILD SUPPORT SERVICES - converts two flexibly staffed positions of Accounting Specialist/Senior Account Clerk/Account Clerk to two flexibly staffed ~~sunset term~~ positions of Accounting Specialist/Senior Account Clerk/Account Clerk (position end dates 9-30-05). NEAL ROAD SANITARY LANDFILL-MANAGEMENT - extends the position end date of one flexibly staffed term position of Senior Landfill Equipment Operator/Landfill Equipment Operator from 12-31-04 to 6-30-05 - action requested - ADOPT RESOLUTION 04-211 AND AUTHORIZE THE CHAIR TO SIGN.
22. Request to Close Libraries on December 24, 2004 - approval is requested to close the Chico, Oroville and Paradise Libraries on Friday, December 24, 2004. Due to Saturday hours at these branches, they are scheduled to be open on Friday, December 24, 2004, when other County offices will be closed for the Christmas holiday. The employees scheduled to work that day are willing to utilize accumulated time-off to cover the closure. The Butte County Employees Association and Butte County Management Employees Association have agreed to the proposal through the meet and confer process - action requested - AUTHORIZE THE CHICO, OROVILLE, AND PARADISE BRANCH LIBRARIES TO CLOSE ON FRIDAY, DECEMBER 24, 2004.

- 0423-002 23. Library Donations - pursuant to Government Code Section 25355, donations of \$984 from the Paradise Friends of the Library, \$675 from the Chico Friends of the Library, and \$100 from the Meriam Library, California State University, Chico, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
24. Private Industry Council - Amendment - approval is requested for an amendment to the agreement with the Private Industry Council for the provision of teen staff to work in the Teen Clinic in Oroville. The amendment increases the maximum amount payable by \$2,938 (grant funds) to allow additional work hours. 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. X14763)
25. State of California, Department of Health Services - approval is requested for a Master Agreement with the State of California, Department of Health Services, for funds to provide a variety of AIDS related services. The term of the agreement is July 1, 2004, through June 30, 2007, with a maximum amount payable to the County of \$937,860 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND AUTHORIZE THE DIRECTOR-PUBLIC HEALTH TO SIGN MEMORANDA OF UNDERSTANDING FOR HIV/AIDS PROGRAM SERVICES SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
26. Lower Honcut Road Bridge Across Wilson Creek Painting Project; County Project No. 04452-03-1 - Notice of Completion - the project consisted of the removal of existing paint coatings and corrosion, and application of a new paint coat system, removal and replacement of the metal beam bridge rail with concrete barrier rail, and installation of metal beam guard rail and terminal end treatments at the four corners of the structure. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.
27. Resolution Declaring All-Way Stop Intersection - approval is requested for a resolution which will declare the intersection of Monte Vista Avenue and Autrey Lane in Oroville, an all-way stop controlled intersection - action requested - ADOPT RESOLUTION 04-112 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO PLACE APPLICABLE SIGNS AND PAVEMENT MARKINGS AT THE APPROPRIATE ENTRANCES THERETO.

- 0423-002 28. Resolution Making Application to the Butte County Local Agency Formation Commission Regarding a Proposal to Annex to Established County Service Area No. 169 (Pheasant Landing Subdivision) - Stephen Schuster has requested annexation to County Service Area No. 169 to provide storm drainage maintenance and street lighting services to his proposed contiguous Sierra Moon Subdivision. Mr. Schuster, as property owner, has agreed to the existing maximum per parcel service charge of \$1,069, which will allow him to proceed without a ballot proceeding - action requested - ADOPT RESOLUTION 04-113 AND AUTHORIZE THE CHAIR TO SIGN.
29. Delta Oilfield Services, Inc. - Amendment - approval is requested for an amendment to the agreement with Delta Oilfield Services, Inc., for pumping and transportation of liquids from the Neal Road Landfill leachate containment pond and septage containment pond. The amendment increases the cost per gallon rate from \$0.02 to \$0.035 per gallon, reduces the amount of leachate to be pumped from 3 million gallons to 1,714,285 gallons, and increases the amount of septage supernatant liquid to be pumped from 3.5 million gallons to 7 million gallons. The revisions to the scope of work result in an overall increase of \$122,500 (Septage Management 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. X14691)
30. Facilities Alteration - approval is requested to transfer \$27,220 from the Sheriff's Impact Fees Trust Fund to the department's budget to fund the modification of office space in the East Facility. The space will be used to consolidate and relocate the administrative accounting and jail accounting divisions to that location - action requested - APPROVE BUDGET TRANSFER B-175 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.
31. Resolution Confirming and Increasing the Change Fund for the Tax Collection Division - approval is requested for a resolution which will increase the change fund for the Tax Collection Division from \$200.00 to \$500.00. The increase will allow the operation of four cash drawers with sufficient change - action requested - ADOPT RESOLUTION 04-114 AND AUTHORIZE THE CHAIR TO SIGN.
32. Monthly Investment Report - submitted is the Monthly Investment Report dated October 29, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

- 0423-002 33. State of California, Department of Water Resources - Amendment No. 18 to Water Supply Contract - approval is requested for Amendment No. 18 to the agreement with the State of California, Department of Water Resources, for the allocation of 27,500 acre-feet of water from the State Water Project at Lake Oroville. The amendment sets the Table A allocation at 1,200 acre-feet, and extends the agreement two years. The amendment will allow the County to avoid payment of the full entitlement, and provide additional time to negotiate an additional contract - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 34. State of California, Department of Water Resources Grant Application - approval is requested to apply to the State of California, Department of Water Resources, for up to \$250,000 in grant funds to support development of the Basin Management Objective Information Center (BMOIC). The BMOIC is a web-based information center with GIS components that will support development and management of county-wide basin management objectives - action requested - ADOPT RESOLUTION 04-115 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-WATER AND RESOURCE CONSERVATION TO SUBMIT GRANT APPLICATION.

MOTION I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.21 REVISED TO CORRECT TO READ, "...CHILD SUPPORT SERVICES - CONVERTS TWO FLEXIBLY STAFFED POSITIONS OF ACCOUNTING SPECIALIST/SENIOR ACCOUNT CLERK/ACCOUNT CLERK TO TWO FLEXIBLY STAFFED ~~SUNSET~~ TERM POSITIONS...", AND THE REMOVAL OF ITEM 3.24.

M S

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

PRESENTATION BY CHAIR BEELER OF A RESOLUTION IN RECOGNITION OF HER RETIREMENT FROM THE COUNTY OF BUTTE TO LOU ELLEN SAVILLE.

PRESENTATION BY CHAIR BEELER OF A RESOLUTION IN RECOGNITION OF HER RETIREMENT FROM THE COUNTY OF BUTTE TO BARBARA ANN DOPSON.

PRESENTATION BY CHAIR BEELER OF A RESOLUTION IN RECOGNITION OF HIS RETIREMENT FROM THE COUNTY OF BUTTE TO ROBERT VOORHEES.

REGULAR AGENDA

0423-003 Boards, Commissions and Committees. (486)

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO REAPPOINT DON STEEL, DISTRICT 5 REPRESENTATIVE, TO THE BUTTE COUNTY HOUSING AUTHORITY BOARD.

S M

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

2. Board Member or Committee Reports. (530)

SUPERVISOR DOLAN REPORTED THAT THE SACRAMENTO RIVER CONSERVATION AREA FORUM HAS RELEASED ITS ANNUAL REPORT, AND INFORMED THE BOARD THAT THE FORUM HAS ESTABLISHED A WEBSITE WHICH INCLUDES INFORMATION ON FEDERAL, STATE, LOCAL AND PRIVATE AGENCY LOCATIONS WHERE RECREATION OPPORTUNITIES ARE AVAILABLE. THE WEBSITE ADDRESS IS WWW.SACRAMENTORIVER.ORG.

0423-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (604) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INTRODUCED NANCY BROWER, DIRECTOR-LIBRARIES, AND MEMBERS OF THE LIBRARY LITERACY PROGRAM, TO PRESENT THE CALIFORNIA STATE ASSOCIATION OF COUNTIES' 2004 CHALLENGE AWARD GIVEN TO BUTTE COUNTY FOR THE "LITERACY ON THE MOVE" PROGRAM.

0423-005 An Ordinance of the County of Butte Adding Chapter 49 to the Butte County Code Relating to Seizure and Forfeiture of Nuisance Vehicles and Establishing Unlawful Refuse Dumping Violations - consideration of an ordinance which will allow for the seizure and forfeiture of vehicles used when illegally dumping refuse in violation of the ordinance (nuisance vehicles), and sets forth an administrative enforcement program for such violations - action requested - WAIVE READING OF THE ORDINANCE. (746)

BOARD DIRECTED TO STAFF TO AMEND THE ORDINANCE TO INCORPORATE THE LANGUAGE RECOMMENDED BY THE DISTRICT ATTORNEY AND TO RETURN THE REVISED ORDINANCE TO THE BOARD FOR ADOPTION.

RECESS: 9:54 A.M.

RECONVENE: 10:09 A.M.

REGULAR AGENDA

- 0423-006 Lake Oroville Relicensing - Report to the Board - update on the Federal Energy Regulatory Commission (FERC) Lake Oroville Relicensing Project, Protection, Mitigation and Enhancement measures, and settlement negotiations - action requested - ACCEPT FOR INFORMATION; AND BOARD DISCUSSION AND DIRECTION AS NEEDED. (1540) (**00)
- PRESENTATION BY BRUCE ALPERT, COUNTY COUNSEL, AND PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER.
- 0423-007 Items Removed from the Consent Agenda for Board Consideration and Action. (NONE)

PUBLIC HEARINGS AND TIMED ITEMS

- 0423-008 Public Hearing - Adoption of Resolutions of Necessity to Acquire Certain Real Property - the Public Works Department has been involved in negotiations with several property owners in order to acquire rights-of-way and easements for the Oroville-Quincy (FH-119) Highway Reconstruction Phase II Project. Negotiations have reached an impasse with nine of the property owners and it has become necessary to begin the process of acquisition by eminent domain to proceed with the project - action requested - ADOPT RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN. (**00)

PUBLIC HEARING OPENED: 11:26 A.M.

PUBLIC WORKS STAFF INFORMED THE BOARD THAT SEVERAL PROPERTY OWNERS HAVE SETTLED WITH THE COUNTY AND AS A RESULT OF THOSE NEGOTIATIONS, THE FOLLOWING PROPERTY OWNERS' ITEMS ARE REMOVED FROM THE ACTION REQUESTED: STEVEN A. ROBINSON (ATTACHMENT 5), JOAN E. BOOMER (ATTACHMENT 6), AND WAYNE ROWE (ATTACHMENT 9).

ADDITIONALLY MARIA FRANCO (ATTACHMENT 3) HAS REQUESTED THAT THE BOARD CONTINUE THE HEARING WITH REGARD TO HER PROPERTY UNTIL DECEMBER 14, 2004, TO ALLOW HER THE OPPORTUNITY TO APPEAR BEFORE THE BOARD TO DISCUSS THIS MATTER.

MOTION: I MOVE TO ADOPT RESOLUTIONS 04-216, 04-217, 04-218, 04-219, AND 04-220, AND AUTHORIZE THE CHAIR TO SIGN, WITH EXCLUSION OF ROBINSON, BOOMER AND ROWE, AND THAT WE CONTINUE THE HEARING FOR FRANCO UNTIL DECEMBER 14, 2004.

VOTE: S M
1 Y 2 Y 3 Y 4 NP 5 Y (Motion Carried)

0423-009 Public Hearing - Local Law Enforcement Block Grant (LLEBG) - pursuant to United States Department of Justice regulations, consideration of the allocation and spending of Local Law Enforcement Block Grant funds in the amount of \$21,570 (plus \$2,397 County match) for the District Attorney's Office for fiscal year 2004 - action requested - OPEN PUBLIC HEARING TO ACCEPT INPUT ON THE SPENDING PROPOSAL FOR FISCAL YEAR 2004; CLOSE PUBLIC HEARING; ACCEPT THE RECOMMENDATION OF THE ADVISORY COMMITTEE AND AUTHORIZE THE FISCAL YEAR 2004 SPENDING PLAN; AND APPROVE REVENUE AND APPROPRIATION REVISIONS AS DETAILED IN THE AGENDA REPORT. (**1197)

PUBLIC HEARING OPENED: 11:27 A.M.
PUBLIC HEARING CLOSED: 11:27 A.M.

MOTION: I MOVE TO ACCEPT THE RECOMMENDATION OF THE ADVISORY COMMITTEE AND AUTHORIZE THE FISCAL YEAR 2004 SPENDING PLAN; AND MOVE TO APPROVE BUDGET TRANSFER B-171, MAKING REVENUE AND APPROPRIATION REVISIONS AS DETAILED IN THE AGENDA REPORT.

M S
VOTE: 1 Y 2 Y 3 Y 4 NP 5 Y (Motion Carried)

RECESS: 11:30 A.M.

RECONVENE: 11:44 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0423-010 Public Hearing - Development Impact Fees - consideration of ordinances adding and/or amending sections of the Butte County Code regarding certain fees chargeable for new residential and nonresidential development as follows: 1. An Ordinance of the County of Butte Adding Article XVIII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Library Facilities in the Unincorporated and Incorporated Area of Butte County; 2. An Ordinance of the County of Butte Adding Article XIX to Chapter 3 of the Butte County Code to Establish Development Impact Fees for General Government Facilities in the Unincorporated and Incorporated Area of Butte County; 3. An Ordinance of the County of Butte Adding Article XX to Chapter 3 of the Butte County Code to Establish Development Impact Fees for General Government Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 4. An Ordinance of the County of Butte Adding Article XXI to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Sheriff Facilities, Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 5. An Ordinance of the County of Butte Repealing Article V, Section 10-50 Through 10-60 and Adding Article XXII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Road Improvements in the Unincorporated and Incorporated Area of Butte County; 6. An Ordinance of the County of Butte Adding Article XXIII to Chapter 3 of the Butte County Code to Establish Development Impact Fees for Fire Facilities, Vehicles and Equipment in the Unincorporated and Incorporated Area of Butte County; 7. An Ordinance of the County of Butte Amending Sections 3.11, 3.14, and 3.20 of Article II of Chapter 3 of the Butte County Code; and consideration of a Resolution Amending Section 13.01-1, Entitled "Requirement Class 1", of the Butte County Improvement Standards Dated June 2002 - action requested - ADOPT ORDINANCES AND RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (**1347)(***00)

PUBLIC HEARING OPENED: 11:45 A.M.

COUNTY COUNSEL INFORMED THE BOARD OF TYPOGRAPHICAL ERRORS AND MINOR CORRECTIONS FOR THE VARIOUS ORDINANCES AND RESOLUTIONS.

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

S M

VOTE: 1 N 2 Y 3 Y 4 NP 5 N (Motion Failed to Carry)

PUBLIC HEARING CONTINUED OPEN TO DECEMBER 14, 2004, TO ALLOW STAFF TIME TO PROVIDE THE BOARD WITH ADDITIONAL INFORMATION.

CLOSED SESSION

0423-011 **RECESS:** THE BOARD RECESSED AT 12:53 P.M. TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; A CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO 54956.9(b)(1): ONE POTENTIAL CASE; AND A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. WHEAT V. COUNTY OF BUTTE (BUTTE SUPERIOR COURT CASE NO. 128644), 2. NATIONAL ALLIANCE FOR THE MENTALLY ILL V. COUNTY OF BUTTE (UNITED STATES DISTRICT COURT EASTERN DISTRICT CASE NO. CIV-S-03-1087); AND A PUBLIC EMPLOYEE EVALUATION/EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER. (**654)

RECESSED AT 12:55 P.M. AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENE AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
NOVEMBER 30, 2004

Called to order at 1:55 p.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Dolan, Houx, Yamaguchi, and Chair Beeler. Board members not present: Josiassen. Also Present: Marion Reeves, Deputy Clerk.

Agenda Items (NONE)

Closed Session

0411-001 **RECESS:** RECESSED AT 1:55 P.M., TO A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (**692)

RECESSED AT 2:21 P.M. AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

RECESSED AT 2:41 P.M. AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND RECONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD

Closed Session

0411-001 **RECONVENE:** THE BOARD RECONVENED AT 2:41 P.M., FROM A CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND CRAIG JORY. EMPLOYEE ORGANIZATION: UNITED DOMESTIC WORKERS OF AMERICA. (**717)

Public Comment

0411-002 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda. (**1610)

1. DAVID W. SMITH ADDRESSED THE BOARD TO DISCUSS BUDGETS AND NEGOTIATIONS.
2. EVAN LEVANG, INDEPENDENT LIVING CENTER OF NORTHERN CALIFORNIA, ADDRESSED THE BOARD TO DISCUSS THE NEED FOR FURTHER NEGOTIATIONS FOR HOME HEALTH CARE WORKERS.
3. BRANDI ZELLERS, BOARD MEMBER OF THE INDEPENDENT LIVING CENTER OF NORTHERN CALIFORNIA, ADDRESSED THE BOARD TO DISCUSS THE NEED FOR HIGHER WAGES FOR WORKERS.
4. SARA BATES ADDRESSED THE BOARD TO EXPRESS HER DISGUST WITH THE LACK OF HEALTH CARE FOR WORKERS AND THE COUNTY'S LACK OF WILLINGNESS TO PASS ALONG MONEY AVAILABLE TO THE WORKERS.
5. ROBERT WOODS ADDRESSED THE BOARD TO URGE THE COUNTY TO REDRESS THE LOW PAY OF IN-HOME WORKERS.
6. BOB LAFASSO ADDRESSED THE BOARD TO DISCUSS HIS CONCERN WITH HOW ADVERSARIAL THE NEGOTIATION PROCESS HAS BECOME.

 SUPERVISOR DOLAN APOLOGIZED FOR HER NEED TO LEAVE.
7. NICOLE NELSON ADDRESSED THE BOARD TO URGE HIGHER WAGES FOR WORKERS.
8. KRISTEN DREOLA READ A STATEMENT PREPARED BY MICHELLE PARKER, TO ADDRESS THE NEED FOR A UNION CONTRACT FOR IHSS WORKERS.
9. JOHN MARTINEZ ADDRESSED THE BOARD TO ENCOURAGE HIGHER WAGES AND BENEFITS FOR WORKERS.

0411-002 10. JIM COONS ADDRESSED THE BOARD TO STATE THAT THE SITUATION HE IS IN WITH THE NEED TO TAKE CARE OF HIS MOTHER, COULD HAPPEN TO THE BOARD.

11. CHRISTY ROSENQUEST ADDRESSED THE BOARD TO STATE THAT THE SPEAKERS WHO HAVE VIOLATED THE NEGOTIATIONS AGREEMENT ARE UNION WORKERS AND TO STATE THAT THE LOW WAGES RESULTS IN FEWER WORKERS.

Adjournment

Adjourned at 3:40 p.m. as the Butte County In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

BUTTE COUNTY BOARD OF SUPERVISORS

PUBLIC COMMENT

0423-013 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. (**3771) (NONE)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:40 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, DECEMBER 14, 2004, AT 9:00 A.M.

R.J. BEELER, CHAIR

ORIGINAL SIGNED IN 2005 BY KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____