

Called to Order at 9:09 a.m., in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Houx, Josiassen and Chair Yamaguchi. Also present: Paul McIntosh, Chief Administrative Officer, Bruce Alpert, County Counsel, and 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. (49)

CONSENT AGENDA

- 0502-001
1. Resolution in Appreciation of Bob Thomas - Supervisor Josiassen is requesting the Board adopt a resolution in appreciation of Bob Thomas upon his retirement from the Gridley-Biggs Cemetery District - action requested - ADOPT RESOLUTION 05-013 AND AUTHORIZE THE CHAIR TO SIGN.
 2. Tri-County Economic Development Corporation - Amendment - approval is requested for an amendment to the Master Subrecipient Agreement with Tri-County Economic Development Corporation for the provision of staff services related to the State Community Development Block Grant Program. The proposed amendment revises Exhibit No. 9, Project Budget, to allow for reduced distribution to an authorized subcontractor. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13032)
 3. Relief of Accountability - approval is requested for relief of accountability for a fixed asset document scanner (fixed asset no. 24622). The equipment was inadvertently sent to surplus without proper documentation. The District Attorney and Auditor-Controller have reviewed the request - action requested - GRANT RELIEF OF ACCOUNTABILITY.
 4. Peerless Building Maintenance - Amendment - approval is requested for an amendment to the agreement with Peerless Building Maintenance for the provision of janitorial services for county-leased buildings. The amendment extends the term of the agreement through December 31, 2005. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14638)
 5. Resolution to Establish Trust Fund - approval is requested for a resolution which will create a new trust fund for child support payments. The action is being taken in support of the conversion to the new Child Support Automation System CASES - action requested - ADOPT RESOLUTION 05-014 AND AUTHORIZE THE CHAIR TO SIGN.

- 0502-001 6. Resolution to Establish Trust Fund - approval is requested for a resolution which will create a new trust fund for issuing excess and pass-on payments. The action is being taken in support of the conversion to the new Child Support Automation System CASES - action requested - ADOPT RESOLUTION 05-015 AND AUTHORIZE THE CHAIR TO SIGN.
7. Resolution to Establish Trust Fund - approval is requested for a resolution which will create a new trust fund for issuing disregard payments. The action is being taken in support of the conversion to the new Child Support Automation System CASES - action requested - ADOPT RESOLUTION 05-016 AND AUTHORIZE THE CHAIR TO SIGN.
8. Dr. and Mrs. M. Robert Ching - Amendment - approval is requested to ratify a lease agreement amendment with Dr. and Mrs. M. Robert Ching for the property located at 1474 Myers Street, Oroville. The property was sold to the Egedio and Elena Marchi Family Trust in November 2004, and the proposed amendment provides for a change in payee. All other terms and provisions remain the same. The agreement was signed prior to Board action to insure timely payment to the new payee - action requested - RATIFY LEASE AGREEMENT AMENDMENT.
9. Transfer for November Election Costs - approval is requested to accept and appropriate \$85,000 in Help America Vote Act grant funds, and \$30,000 in unanticipated revenue from increased elections billings to help offset unanticipated election costs associated with the General Election held November 2, 2004. The unanticipated election expenses totaled \$162,454, and Board approval is also requested to transfer the remaining needed funds, in the amount of \$37,454, from the General Fund Appropriation for Contingencies - action requested - APPROVE BUDGET TRANSFER B-226 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE, INCLUDING A TRANSFER FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES, AS DETAILED IN THE AGENDA REPORT.
10. FMY Associates, Inc. - approval is requested for an agreement with FMY Associates, Inc., for the provision of services ~~legal~~ analytical relating to the Federal Energy Regulatory Commission's re-licensing of the California Department of Water Resources' facility at Lake Oroville. The agreement commences December 1, 2004, and continues through completion of the Scope of Work, with an hourly compensation rate of \$295 per hour (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.

- 0502-001 11. Carol A. Smoots - Amendment - approval is requested for an amendment to the agreement with Carol A. Smoots, of Thelen, Reid & Priest, LLP., for the provision of legal services relating to the Federal Energy Regulatory Commission's relicensing of the California Department of Water Resources' facility at Lake Oroville. The amendment revises the term commencement date from December 14, 2004, to November 11, 2004. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.
12. Butte Justice Agencies Data Sharing Project - Memorandum of Understanding Amendment - approval is requested for an amendment to the Memorandum of Understanding between the Superior Court of California, County of Butte, the District Attorney's Office, the Sheriff's Office, the Probation Department, and the Information Systems Department regarding the Butte Justice Agencies Data Sharing Project. The amendment revises the project description to include activities in support of Phase 2 of the project, and increases the maximum amount payable by \$50,000 for the additional work. Funding for the amendment is available from the Automated Warrant System Assessment account, and Board approval is also requested for a transfer of those funds - action requested - APPROVE BUDGET TRANSFER B-227 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
13. Resolution Adopting the Indigent Burial Policy for the County of Butte - approval is requested for a resolution which will rescind and replace the County's Indigent Burial Policy adopted in 1975 with an updated policy - action requested - ADOPT RESOLUTION 05-017 AND AUTHORIZE THE CHAIR TO SIGN.
14. Youth For Change - Amendment - approval is requested for an amendment to the agreement with Youth For Change for the provision of services to support the Promoting Safe and Stable Families program and adoption promotion and support services. The amendment increases the maximum amount payable by \$5,084 (department budget) for additional services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13830)
15. Butte County Office of Education-Regional Occupational Program - approval is requested for an agreement with the Butte County Office of Education-Regional Occupational Program for the provision of the Career Discoveries Program. The term of the agreement is January 1, 2005, through June 30, 2006, with a maximum amount payable of \$113,143 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0502-001 16. Family Tree Services - Amendment - approval is requested for an amendment to the agreement with Family Tree Services for the provision of supervised visitation and parenting services for Children's Services clients. The amendment increases the maximum amount payable by \$25,000 (department budget) for additional services. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X14941)
17. Accept Revenue and Fixed Asset Purchase - approval is requested to accept and appropriate \$2,915 received from the Kelly Ridge Volunteer Fire Company to assist in the purchase of a new squad for the Company. In November 2004, the department was awarded a grant in the amount of \$60,000 from the Office of Traffic Safety for the purchase of a new squad, however, the bid amount for the purchase totaled \$62,915. The donated funds will provide the remaining needed allocation, and Board approval is also requested to increase the fixed asset purchase approval for the squad to \$62,915 - action requested - APPROVE BUDGET TRANSFER B-228 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE INCREASE OF FIXED ASSET PURCHASE OF SQUAD TO \$62,915.
18. Accept Unanticipated Revenue - approval is requested to accept and appropriate \$204,959 received from the Superior Court of California, County of Butte, to provide the appropriation needed for change orders associated with the Courthouse expansion project - action requested - APPROVE BUDGET TRANSFER B-229 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
19. Wood Rodgers, Inc. - Amendment - approval is requested by the Emergency Services Division for an amendment to the agreement with Wood Rodgers, Inc., for preparation of a Floodplain Management Plan. The amendment revises the scope of work to include a countywide flood mitigation plan, extends the term of the agreement through February 28, 2006, to allow completion of the additional work, and increases the maximum amount payable by \$50,000. Funding for the additional work will be provided by grant funds from the Federal Emergency Management Agency's Flood Mitigation Assistance Grant and Board approval is also requested to accept and appropriate \$50,000 in grant funds - action requested - APPROVE BUDGET TRANSFER B-230 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X13945)

- 0502-001 20. Introduction of a Salary Ordinance Amendment - approval is requested for a salary ordinance amendment which will amend the current salary ordinance substantially as follows: incorporates the changes necessary to implement the classification portion of the County's classification/compensation study; adds one position of Forensic Accountant to the District Attorney-Criminal budget; adjusts the salary range for the position of Revenue and Reimbursement Officer, Senior to \$14.72-\$17.89; adjusts the salary range for the position of Assistant Chief Investigator to \$25.44-\$32.46; adjusts the salary range for the position of Program Manager, Employment and Social Services to \$31.85-\$38.71; adjusts the salary range for the position of Program Manager, Environmental Health to \$26.51-\$32.23 (effective 9-25-04), and adjusts the salary range for the position of Supervisor, Environmental Health to \$24.11-29.31 - action requested - WAIVE READING OF THE ORDINANCE.
21. Donations for Books - pursuant to Government Code Section 25355, donations of \$1,239.70 from the Oroville Friends of the Library, and \$200 from the Fraternal Order of Eagles, Chico Auxiliary #218, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
22. Donations for Operations - pursuant to Government Code Section 25355, donations of \$5,000 from the Chico Friends of the Library, and \$700 from the Paradise Friends of the Library, have been received to fund extra-help staff support for the Books By Mail program and the Paradise Branch Library - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-231 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
23. Library Advisory Board Appointments - action requested - APPOINT MARIAN MILLING TO A TERM TO END DECEMBER 31, 2006, AND B.T. CHAPMAN AND JACKIE WESTBROOK TO TERMS TO END DECEMBER 31, 2008; AND REAPPOINT DORIS LITHGOW, FRED DAVIS AND CINDY GARIGLIANO TO TERMS TO END DECEMBER 31, 2008.
24. Appointment to Specified Salary Step - pursuant to Personnel Rule 11.13, approval is requested to appoint an Assistant Director of Public Works candidate to Step 4 of the salary range based on credentials and experience. Board approval is also requested for a Side Letter Agreement with the Butte County Management Employees' Association concerning moving expenses and potential reimbursement - action requested - APPOINT ASSISTANT DIRECTOR OF PUBLIC WORKS CANDIDATE TO STEP 4 OF THE SALARY RANGE; AND APPROVE SIDE LETTER AGREEMENT CONTINGENT UPON APPROVAL OF THE BUTTE COUNTY MANAGEMENT EMPLOYEES' ASSOCIATION.

- 0502-001 25. Tamara Miller, P.E. - approval is requested for an agreement with Tamara Miller, P.E., for preparation of the permit package for the Neal Road Landfill Solid Waste Facility Permit. The term of the agreement is October 1, 2004, through June 30, 2005, with a maximum amount payable \$30,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15305)
26. Resolution Supporting Renewal of the Chico/Northern Butte County Recycling Market Development Zone - approval is requested for a resolution of support for continuation of a program which provides incentives to businesses that use recycled materials to make new or other manufactured products - action requested - ADOPT RESOLUTION 05-018 AND AUTHORIZE THE CHAIR TO SIGN.
27. Purchase of Vehicles - approval is requested for the fixed asset purchase of two 4-wheel drive pick-up trucks in the combined amount of \$90,000 (department budget). The vehicles will be used at the Neal Road Sanitary Landfill and are replacing vehicles that are beyond economic repair - action requested - APPROVE FIXED ASSET PURCHASE OF TWO 4-WHEEL DRIVE PICK-UP TRUCKS.
28. Construction of Module 4, Phase B, Neal Road Sanitary Landfill - approval is requested to advertise for bids for the construction of a landfill waste containment module. The project will consist of excavation, construction of a soil and geo-membrane liner system, placement of a soil operations layer, and installation of a leachate and storm water collection system - action requested - AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO RELEASE A REQUEST FOR BIDS FOR CONSTRUCTION OF A LANDFILL WASTE CONTAINMENT MODULE.
29. James M. Callas - Amendment - approval is requested for an amendment to the employment agreement with James M. Callas for the position of Undersheriff. The amendment extends the term of the agreement through December 31, 2006, increases the annual salary rate by \$4,134 (department budget), and provides for additional compensation for possession of advanced Police Officer Standards and Training certifications - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.
30. Monthly Investment Report - submitted is the Monthly Investment Report dated December 31, 2004, in accordance with the Statement of Investment Policy dated July 1, 2004 - action requested - ACCEPT FOR INFORMATION.

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.10 AMENDED TO CLARIFY THAT FMY ASSOCIATES PROVIDES ANALYTICAL SERVICES, NOT LEGAL SERVICES, AND ITEM 3.22 AMENDED TO INCLUDE THE BUDGET TRANSFER NECESSARY TO MOVE THE FUNDS INTO THE DEPARTMENT'S BUDGET.
S M

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

REGULAR AGENDA

0502-002 Boards, Commissions and Committees. (97)

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT BEBBA AQUAYO TO THE BUTTE COUNTY BEHAVIORAL HEALTH BOARD.

M S

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

MOTION: I MOVE TO APPOINT/REAPPOINT DISTRICT 1 REPRESENTATIVES AS FOLLOWS: REAPPOINT LOU CECCHI, AGRICULTURAL ADVISORY BOARD; CONNIE MENAS, BUTTE COUNTY FAIR BOARD; BOB POST, BUTTE COUNTY FISH AND GAME COMMISSION; AND D.C. JONES, BUTTE COUNTY RESOURCE CONSERVATION DISTRICT; AND APPOINT JAMES "HARREL" WILSON, BUTTE COUNTY PLANNING COMMISSION; MICHAEL C. KORB, SURFACE MINING AGGREGATE OPERATIONS COMMITTEE; CLARENCE H. LOBO, JR., BUTTE COUNTY HOUSING AUTHORITY BOARD; BILL CONNELLY, ECONOMIC DEVELOPMENT CORPORATION OF BUTTE COUNTY/INDUSTRIAL DEVELOPMENT AUTHORITY.

M S

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

MOTION: I MOVE TO APPOINT LAWRENCE GRUNDMANN, JR., DISTRICT 1 REPRESENTATIVE, BUTTE COUNTY WATER COMMISSION.

M S

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

MOTION: I MOVE TO APPOINT RYAN SCHOHR, DISTRICT 4 REPRESENTATIVE, TO THE BUTTE COUNTY WATER COMMISSION.

S M

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

MOTION: I MOVE TO APPOINT ROGER GREEN, DISTRICT 4 REPRESENTATIVE, TO THE SURFACE MINING AGGREGATE OPERATIONS COMMITTEE.

S M

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

MOTION: I MOVE TO APPOINT/REAPPOINT DISTRICT 5 REPRESENTATIVES AS FOLLOWS: REAPPOINT: JERRY MENDON, AGRICULTURAL ADVISORY COMMISSION; DON STEELE, BUTTE COUNTY HOUSING AUTHORITY BOARD; DOUG FLESHER, BUTTE COUNTY FAIR BOARD; ED CHOMBEAU, BUTTE COUNTY RESOURCE CONSERVATION DISTRICT; FERNANDO MARIN, BUTTE COUNTY PLANNING COMMISSION, BILL FITZGERALD, SURFACE MINING AGGREGATE OPERATIONS COMMITTEE, STEVE SEIDENGLANZ, ECONOMIC DEVELOPMENT CORPORATION OF BUTTE COUNTY/INDUSTRIAL DEVELOPMENT AUTHORITY; AND DAVID BRYNING, BUTTE COUNTY FISH AND GAME COMMISSION; AND APPOINT GEORGE BARBER, BUTTE COUNTY WATER COMMISSION.

S M

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

SUPERVISOR JOSIASSEN PRESENTS A RESOLUTION OF APPRECIATION TO BOB THOMAS UPON HIS RETIREMENT FROM THE GRIDLEY-BIGGS CEMETERY DISTRICT.

0502-002 2. Board of Supervisors Committee and Subcommittee Assignments - consideration of the various board, commission, committee and subcommittee assignments for Board of Supervisors members - action requested - ALTER OR REAFFIRM CURRENT ASSIGNMENTS LISTING; AND MAKE NEEDED APPOINTMENTS.

MOTION: I MOVE TO APPOINT SUPERVISOR CONNELLY, REPRESENTATIVE, AND SUPERVISOR YAMAGUCHI, ALTERNATE, TO THE LOCAL AGENCY FORMATION COMMISSION.

M S

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

MOTION: I MOVE TO APPOINT SUPERVISOR CONNELLY TO THE FERC RELICENSING SUBCOMMITTEE; SUPERVISOR HOUX, BUTTE BASIN WATER USERS ASSOCIATIONS; SUPERVISOR YAMAGUCHI, REPRESENTATIVE, SUPERVISOR CONNELLY, ALTERNATE, REGIONAL COUNCIL OR RURAL COUNTIES; SUPERVISOR CONNELLY, ALTERNATE, FIRE SAFE COUNCIL; SUPERVISOR CONNELLY, REPRESENTATIVE, COMMUNITY DEVELOPMENT BLOCK GRANT REHABILITATION LOAN COMMITTEE; SUPERVISOR YAMAGUCHI, ALTERNATE, CALIFORNIA STATE ASSOCIATION OF COUNTIES; SUPERVISOR CONNELLY, REPRESENTATIVE, BUTTE COUNTY INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE; SUPERVISOR CONNELLY, OROVILLE RECREATIONAL ADVISORY COMMITTEE REPRESENTATIVE; SUPERVISOR JOSIASSEN, REPRESENTATIVE, AND SUPERVISOR YAMAGUCHI, ALTERNATIVE, NATIONAL ASSOCIATION OF COUNTIES; SUPERVISOR JOSIASSEN REPRESENTATIVE, SUPERVISOR YAMAGUCHI, ALTERNATE, GRIDLEY REDEVELOPMENT ADVISORY COMMITTEE; SUPERVISOR JOSIASSEN, ALTERNATE, UPPER SACRAMENTO RIVER ADVISORY COUNCIL; SUPERVISOR CONNELLY, ALTERNATE, SIERRA NEVADA CONSERVANCY BOARD; SUPERVISOR CONNELLY, WEST FEATHER RIVER LEVEE RECONSTRUCTION AGENCY-JOINT EXERCISE OF POWERS; AND FURTHER MOVE TO CONFIRM ALL OTHER APPOINTMENTS AS LISTED.

VARIOUS NOMINATIONS (MOTIONS AND/OR SECONDS) WERE MADE FOR EACH OF THE VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES, AFTER WHICH THE BOARD DECIDED TO TAKE THE FINAL VOTE AS A SLATE OF APPOINTMENTS.

M/S M M/S M M

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

3. Butte County Water Advisory Committee - action requested - ACCEPT THE RECOMMENDATION OF THE WATER COMMISSION AND APPOINT CATHERINE COTTLE, BERNOY BRADFORD, MYRON OPENSHAW, AND LES HERINGER.

MOTION: I MOVE TO ACCEPT THE RECOMMENDATION OF THE WATER COMMISSION AND APPOINT CATHERINE COTTLE, BERNOY BRADFORD, MYRON OPENSHAW, AND LES HERINGER.

M S

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

0502-002 4. Board Member or Committee Reports.

SUPERVISOR DOLAN PROVIDED A REPORT ON THE LATEST MEETING OF THE SACRAMENTO RIVER CONSERVATION AREA FORUM.

0502-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (1088) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, INFORMED THE BOARD THAT THE COUNTY'S SOLAR POWER PROJECT WAS FEATURED IN AN ARTICLE IN CALIFORNIA COUNTY MAGAZINE.

1. Federal Legislative Platform - action requested - ACCEPT THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO SEEK FEDERAL FUNDING AS DETAILED IN THE AGENDA REPORT AND/OR BOARD DIRECTION ON ALTERNATIVE PROJECTS.

MOTION: I MOVE TO ACCEPT THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER TO SEEK FEDERAL FUNDING AS DETAILED IN THE AGENDA REPORT AND/OR BOARD DIRECTION ON ALTERNATIVE PROJECTS.

M S

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

2. Board Calendar Modification - discussion regarding possible changes to the Board Meeting Dates Calendar for the month of March - action requested - BOARD DIRECTION.

MOTION: I MOVE TO DIRECT THE BOARD HEARING CALENDAR BE AMENDED, RESCHEDULING THE MEETING OF MARCH 8, 2005, TO MARCH 1, 2005.

S M

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

0502-004 Resolution Honoring Butte County Employees for Dedicated Years of Service - presentation of awards to employees with 30 years of service to the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND PRESENT AWARDS TO EMPLOYEES WITH 30 YEARS OF SERVICE. (1422)

MOTION: I MOVE TO ADOPT RESOLUTION 05-019 AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

JEANNE GRAVETTE, DIRECTOR-HUMAN RESOURCES, PRESENTED AWARDS FOR 30 YEARS OF SERVICES TO DOUGLAS ARNOLD, J.C. HALTIWANGER, JOHN WARSON, STEVE MUSSELMAN, AND JACK HARLEY.

RECESS: 9:55 A.M.

RECONVENE: 10:09 A.M.

0502-005 Community Service Grant Program - Report to the Board - presentation of a program which provides volunteer community service opportunities to young people suspended or expelled from school - action requested - ACCEPT FOR INFORMATION. (1729)

PRESENTATION TO THE BOARD BY BOB MICHAELS AND KATIE NICHOLS, NORTHERN VALLEY CATHOLIC SOCIAL SERVICE, AND KRISTEN HARD, BUTTE COUNTY OFFICE OF EDUCATION.

0502-006 Butte Creek Watershed Floodplain Management Plan - presentation and public comment on the final draft Floodplain Management Plan - action requested - ACCEPT FOR INFORMATION; AND ACCEPT PUBLIC COMMENT. (2536)(**00)

RECESS: 11:24 A.M.

RECONVENE: 11:37 A.M.

0502-007 Butte County Tourism Program - Report to the Board - status report on tourism activities - action requested - ACCEPT FOR INFORMATION. (**1485)

PRESENTATION TO THE BOARD BY JENNIFER MCCARTHY, PROGRAM MANGER, BUTTE COUNTY ADMINISTRATION, AND DEBRA LUCERO, DEBRA LUCERO AND ASSOCIATES.

0502-008 Wastewater Ponds in Butte County - Report to the Board - report regarding the use of wastewater ponds for treatment, storage and/or disposal - action requested - ACCEPT FOR INFORMATION; AND BOARD DIRECTION AS NEEDED. (**2954)(***00)

BOARD DIRECTION TO STAFF TO CREATE AN ORDINANCE CONCERNING WASTEWATER PONDS, BASED ON THE RESOLUTION, WHICH WILL INCLUDE POSSIBLE OPTIONS TO DEAL WITH ISSUES IN THE MORE RURAL AREAS SUCH AS DUCK CLUBS, TRAILER PARKS, AND OTHER ITEMS DISCUSSED TODAY, AND THAT WE KNOW ARE GOING ON AND NEED TO BE DEALT WITH. ADDITIONALLY, IF A DISTRICT NEEDS TO BE FORMED, THAT PROCESS SHOULD BE STARTED AS SOON AS POSSIBLE.

0502-009 An Ordinance of the County of Butte, California, Adding Chapter 49 to the Butte County Code Establishing Unlawful Refuse Dumping Violations, An Administrative Enforcement Program for Such Violations and a Civil Remedial Process for the Forfeiture of Vehicles Connected with the Unlawful Dumping of Refuse - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 1-11-05 [4.05]) (**1451)

MOTION: I MOVE TO ADOPT ORDINANCE 3894 AND AUTHORIZE THE CHAIR TO SIGN.
S M

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

0502-010 Items Removed from the Consent Agenda for Board Consideration and Action. (NONE)

PUBLIC HEARINGS AND TIMED ITEMS (NO ITEMS)

PUBLIC COMMENT

0502-011 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. (**1495)

1. SEAN PLUMBER, K-9 CROSSROADS, ADDRESSED THE BOARD TO REQUEST THE BOARD CONSIDER A USE PERMIT FEE WAIVER FOR THE TRAINING CENTER BEING CONSTRUCTED IN YANKEE HILL. THE CENTER WILL BE A PLACE WHERE INDIVIDUALS NEEDING THE DOGS WILL COME AND STAY WHILE THEY ARE BEING TAUGHT TO WORK WITH THE DOG.

MR. PLUMBER DIRECTED TO SUBMIT A LETTER OF REQUEST TO THE CHIEF ADMINISTRATIVE OFFICER.

CLOSED SESSION

0502-012 RECESS: THE BOARD RECESSED AT 1:19 P.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): C.S.M.C.S (Case #ARB-03-2357); A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; AND CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): PACIFIC GAS AND ELECTRIC COMPANY V. COUNTY OF BUTTE, ET. AL. (FRESNO COUNTY SUPERIOR COURT CASE NO. 05CE CG 00003 MWS). (**1626)

0502-012 RECONVENE : THE BOARD RECONVENED AT 3:30 P.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): C.S.M.C.S (Case #ARB-03-2357); CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE; PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND COUNTY COUNSEL; AND CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): PACIFIC GAS AND ELECTRIC COMPANY V. COUNTY OF BUTTE, ET. AL. (FRESNO COUNTY SUPERIOR COURT CASE NO. 05CE CG 00003 MWS). (***1668) (NO ANNOUNCEMENTS)

ADJOURNMENT : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:30 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, FEBRUARY 8, 2005, AT 9:00 A.M.

KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Office and Clerk of the Board

By: _____