

Called to order at 9:08 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.

ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION. (66)

- 0509-001
1. Southside Oroville Community Center Exterior Evaluation - approval is requested for a transfer of \$20,000 from the General Fund Appropriation for Contingencies for the purpose of hiring a consultant to evaluate the exterior stucco failure at the Southside Oroville Community Center - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$20,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.
 2. Rapidtext, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with Rapidtext, Inc., for the provision of transcription services. The amendment extends the term of the agreement through June 30, 2006, increases the maximum amount payable to \$182,500 (department budget) for the multi-year term, and revises the agreement's exhibits to reflect the extended term. 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. (Contact No. X13973)
 3. Change Funds - Relief of Accountability and Fund Increases - pursuant to Government Code Section 29390, approval is requested for a relief of accountability for \$74 missing from the Records Division cash drawer. The Auditor's Office has reviewed the matter and found no evidence of fraud or gross negligence. In auditing the department a review of the department's change funds was also conducted. As result of that review the department is requesting the Board increase the change fund in the Records Division from \$75 to \$300, and increase the change fund in the Civil Division from \$50 to \$200. The Auditor's Office concurs with the requested increases - action requested - GRANT RELIEF OF ACCOUNTABILITY; AND ADOPT A RESOLUTION INCREASING THE CHANGE FUNDS AND AUTHORIZE THE CHAIR TO SIGN.

CONSENT AGENDA

- 0509-002
1. Fixed Asset Purchase - approval is requested for the fixed asset purchase of two specialized computer servers in the total estimated amount of \$29,285. The servers will be used for the department's billing system and will replace outdated equipment that is beyond economic repair. Approval is also requested for a transfer of funds between department budget line items to provide the appropriation necessary for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF TWO COMPUTER SERVERS; AND APPROVE BUDGET TRANSFER B-413 APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
 2. Mental Health Services Act (Proposition 63) Funding -approval is requested to accept and appropriate an additional allocation of \$12,500 under the Mental Health Services Act (Proposition 63). The funds will be used for planning the expansion of mental health services under the act - action requested - APPROVE BUDGET TRANSFER B-406 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
 3. Integrated Services for the Mentally Ill (AB 2034) Carryover Funds - approval is requested to accept and appropriate \$230,000 of fiscal year 2003-2004 Integrated Services for the Mentally Ill carryover funds into the current fiscal year budget. The funds will be used to help complete the Esplanade House project - action requested - APPROVE BUDGET TRANSFER B-407 ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
 4. S. Bonnie Lombardi dba Party Central - approval is requested for a lease and agreement with S. Bonnie Lombardi dba Party Central, for the vacant property located adjacent to 2430 Bird Street, Oroville. The property is used as a parking lot for the staff and clients at the Bird Street facility. The term of the lease agreement is March 1, 2005, through February 28, 2010, with a monthly lease rate of \$1 per month (for a total of \$60 [department budget]). The agreement also requires the County to pave and improve the lot to the requirements of the City of Oroville, at the estimated cost of \$5,425 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0509-002 5. 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 services for clients referred by Drug Court programs. The amendment increases the maximum amount payable by \$18,900.99 (department budget) for additional services, and revises the agreement's financial summaries 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. X15129)
6. Public Agency Retirement Services - Amendment - approval is requested for an amendment to the County's Public Agency Retirement Services (PARS) Separation Incentive Plan to incorporate spousal rights for registered domestic partners pursuant to the California Domestic Partners Rights and Responsibilities Act - action requested - ADOPT AND AUTHORIZE THE CHAIR TO SIGN RESOLUTION 05-069 AMENDING THE PLAN AND AUTHORIZING THE PLAN ADMINISTRATOR TO SIGN.
7. County of Butte Fiscal Year 2005-2006 Proposed Budget - submission of the fiscal year 2005-2006 proposed budget - action requested - ACCEPT PROPOSED BUDGET FOR FISCAL YEAR 2005-2006 AS THE BASIS FOR FINAL BUDGET HEARINGS; AND SET THE PUBLIC HEARING FOR CONSIDERATION OF THE FINAL BUDGET FOR TUESDAY, JUNE 14, 2005, AT 1:00 P.M., AND DIRECT THE CLERK OF THE BOARD TO PUBLISH NOTICE OF THE HEARING PURSUANT TO GOVERNMENT CODE SECTION 29066.
8. Butte County Resource Conservation District - Amendment - approval is requested for an amendment to the service agreement with the Butte County Resource Conservation District for the provision of County Counsel services to the District. The amendment extends the term of the agreement through June 8, 2006, and provides for annual extensions thereafter until cancelled by either party. 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. (Contract No. R40692)
9. Butte County Conflict of Interest Code - Amendment - approval is requested for a resolution which will amend the County's Conflict of Interest Code to incorporate the employee job classification changes recently adopted as part of the County's classification/compensation study - action requested - ADOPT RESOLUTION 05-070 AND AUTHORIZE THE CHAIR TO SIGN.

- 0509-002 10. J. Laurence Mintier & Associates - Amendment - approval is requested for an amendment to the agreement with J. Laurence Mintier & Associates for the provision of consulting services in support of the General Plan Technical Update. The amendment revises the scope of work to include tasks remaining to be completed under the update, revises the agreement's schedules to include the additional work, extends the term of the agreement through December 31, 2005, and increases the maximum amount payable by \$46,965 (department 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. X13952)
11. United States Department of Justice/United States Department of the Treasury - approval is requested for the Federal Annual Certification Report which provides a summary of equitable sharing activity for fiscal year 2004-2005 - action requested - APPROVE CERTIFICATION REPORT AND AUTHORIZE THE CHAIR TO SIGN.
12. Williamson Properties, Inc. - approval is requested for a lease agreement with Williamson Properties, Inc., for the property located at 2334 Fair Street, Chico (Fire Station 44). The term of the agreement is July 1, 2005, through June 30, 2006, with a monthly lease rate of \$2,200 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15402).
13. Acceptance of Fixed Asset Hazardous Materials Vehicles - approval is requested to accept two fixed asset hazardous materials vehicles (Haz Mat 1 and Haz Mat 64) purchased under grant programs in 1989 and 1996 from the California Department of Health Services and the California Department of Toxic Substances. The terms of the grants allowed for the transfer of the vehicles from the State to the County after 5 years of service - action requested - ACCEPT FIXED ASSET VEHICLES AND AUTHORIZE REGISTRATION AS COUNTY VEHICLES.

- 0509-002 14. Anderson & Associates, Inc. - Amendment - approval is requested by Risk Management for an amendment to the agreement with Anderson & Associates, Inc., for the provision of interim clerical services. The amendment increases the maximum amount payable by \$2,000 (department budget) to allow for continued clerical support until the division's vacant clerical position can be filled. All other terms and provisions remain the same. Board approval is also requested to transfer funds between budget line items to provide the appropriation necessary for the amendment - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-410 ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X14498)
15. Purchase of Fixed Asset Equipment - approval is requested by Emergency Services for the fixed asset purchase of an emergency generator in the estimated amount of \$20,000. The generator will be installed at the Butte County Search and Rescue facility in Chico. The purchase will be funded using Homeland Security Grant funds, and Board approval is also requested for the budget transfer necessary to complete the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF EMERGENCY GENERATOR; AND APPROVE BUDGET TRANSFER B-409 ALLOCATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT.
16. Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the Sheriff's Office is requesting approval of the advanced step hire of a Deputy Sheriff to Step 2 of the salary range, retroactive to April 9, 2005, based on experience. The Director-Human Resources concurs with the recommendation of the Sheriff's Office - action requested - AUTHORIZE ADVANCED STEP HIRE OF DEPUTY SHERIFF TO STEP 2 OF THE SALARY RANGE, RETROACTIVE TO APRIL 9, 2005, AS DETAILED IN THE AGENDA REPORT.

- 0509-002 17. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: DISTRICT ATTORNEY-CRIMINAL - extends the following sunset positions' ending dates from June 30, 2005, to June 30, 2006: 2 positions of Deputy District Attorney IV/III/II/I, 4 positions of Investigator II/I, 2 positions of Legal Clerk, and 1 position of Paralegal. ~~SHERIFF-CORONER - SERVICES - extends the position ending date of 1 sunset position of Sheriff's Clerk II/I from June 30, 2005, to June 30, 2006. Deletes 1 position of Sheriff's Clerk III/II/I. Adds 1 position of Criminal Records Specialist.~~ SHERIFF-CORONER - OPERATIONS - extends the position ending dates of 2 sunset positions of Deputy Sheriff from June 30, 2005, to June 30, 2006. SHERIFF-CORONER - SPECIAL ENFORCEMENT UNIT - extends the position ending date of 1 sunset position of Deputy Sheriff from June 30, 2005, to June 30, 2006. INFORMATION SYSTEMS - deletes 1 flexibly staffed position of Information Systems Technician, Senior/Information Systems Technician/Information Systems Technician, Associate. Adds 1 flexibly staffed position of Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE C, GENERAL UNIT CLASSIFICATIONS - adds the classification of Criminal Records Specialist (\$12.02 - \$14.61) - action requested - ADOPT RESOLUTION 05-071 AND AUTHORIZE THE CHAIR TO SIGN.
18. Library Donations - pursuant to Government Code Section 25355, a donation of \$250 from Burger King of Chico, has been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATION AND AUTHORIZE A LETTER OF APPRECIATION.
19. Purchase of Passenger Van - approval is requested for the fixed asset purchase of a large passenger van in the amount of \$35,525. The vehicle will be used to transport participants of Juvenile Justice Crime Prevention Act programs. The van will be purchased using Juvenile Justice Crime Prevention Act of 2000 funds, and Board approval is also requested for the budget transfer necessary to complete the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF LARGE PASSENGER VAN; AND APPROVE BUDGET TRANSFER B-411 ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.

- 0509-002 20. California Department of Health Services - Amendments - approval is requested for an amendment to the Master Agreement with the California Department of Health Services for the provision of AIDS related services. The amendment decreases the maximum amount payable to the County by \$28,178. The amendment to the State's Master Agreement requires an amendment to the Memorandum of Understanding regarding the AIDS Prevention Program, and Board approval is also requested for an amendment to the Memorandum of Understanding to reflect the decrease in revenue of \$28,178 - action requested - APPROVE MASTER AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE MEMORANDUM OF UNDERSTANDING AMENDMENT AND AUTHORIZE THE DIRECTOR-PUBLIC HEALTH TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract Nos. R40754B and R40755B)
21. Linda Lewis - approval is requested for a sole source agreement with Linda Lewis for the provision of epidemiology services to support the Bioterrorism Preparedness Plan. The term of the agreement is May 1, 2005, through August 31, 2005, with a maximum amount payable of \$37,000 (grant funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
22. Questa Engineering Corporation - approval is requested for an agreement with Questa Engineering Corporation for the preparation of a study to provide input to the Board on issues regarding wastewater policies, including compliance with AB885, oversight of systems including operation, maintenance and replacement, and the establishment of one or more regional sanitation districts. The term of the agreement is June 1, 2005, through May 31, 2006, with a maximum amount payable of \$79,770 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0509-002 23. Occupational and Physical Therapists - approval is requested for agreements with various Occupational and Physical Therapists who provide services to eligible clients of the California Children's Services Program. All of the proposed agreements are for the term of July 1, 2005, through June 30, 2006, and are funded by State funds (50%), Realignment funds (25%) and County funds (25% [department budget]). The following agreements are presented for Board approval: Bonnie Calhoon (maximum amount payable of \$74,088); Diane Willow Dejesus (maximum amount payable of \$32,928); Terri Johnson (maximum amount payable of \$86,436); Meg Palmer (maximum amount payable of \$20,580); Monica Schwartz (maximum amount payable of \$74,088); Patrick Slupski (maximum amount payable of \$74,088); Mary Sweeney (maximum amount payable of \$39,102); Denise Sanford (maximum amount payable of \$65,856); and Teresa Wood Hansen (maximum amount payable of \$74,088) - action requested - APPROVE AGREEMENTS (9) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
24. California Department of Health Services - approval is requested for a revenue agreement with the California Department of Health Services for funds to support lead poisoning prevention, education and case management services. The term of the agreement is July 1, 2005, through June 30, 2008, with a maximum amount payable to the County of \$271,475 for the multi-year term - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
25. Foley & Lardner - Amendment - approval is requested, on behalf of the Medi-Cal Administrative Activities and Targeted Case Management Consortium of Counties, for an amendment to the agreement with Foley & Lardner for the provision of legal services to the Consortium. The amendment increases the maximum amount payable by \$10,025 for the additional services. Funding for the agreement is provided by participation fees paid by counties in the Consortium - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15195)
26. Federal Highway Administration and SBC - approval is requested for agreements with the Federal Highway Administration and SBC providing for installation of SBC facilities in the road section during the Oroville Quincy Highway Reconstruction Project - action requested - ADOPT AND AUTHORIZE THE CHAIR TO SIGN RESOLUTION 05-072 AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND ENTER INTO AGREEMENTS.

- 0509-002 27. Adoption of Canine - approval is requested for a resolution providing for the adoption and recognition of a Belgian Malinois named Justus, donated by the Honorary Deputy Sheriff's Association, as an addition to the department's canine unit. Justus will be handled by Deputy David Ennis - action requested - ADOPT RESOLUTION 05-073 AND AUTHORIZE THE CHAIR TO SIGN.
- 28. Central Collections Division Augmentation - approval is requested for the additional expenditure of \$20,000 to complete the Central Collections Division augmentation project to provide for air conditioning equipment, telephone equipment storage cabinetry and electrical upgrades for the supply room. Funding for the increased expenditures will be provided by the Tax Collector's Trust Fund and approval is also requested for the necessary budget transfer - action requested - APPROVE BUDGET TRANSFER B-412 ACCEPTING AND APPROPRIATING TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE ADDITIONAL EXPENDITURE FOR CENTRAL COLLECTIONS DIVISION PROJECT.
- 29. Resolution Authorizing and Approving the Borrowing of Funds for Fiscal Year 2005-2006; the Issuance and Sale of a 2005-2006 Tax and Revenue Anticipation Note Therefor and Participation in the California Communities Cash Flow Financing Program - the proposed resolution will rescind and replace Resolution 05-058, approved April 26, 2005, authorizing a Tax and Revenue Anticipation Note (TRAN) issuance of up to \$20,000,000. Subsequent to approval of the resolution, the Tax Collector and Auditor-Controller determined that a higher TRAN amount may be necessary to maximize the benefits of the program. Proposed is a revised TRAN issuance in an amount not to exceed \$25,000,000 - action requested - ADOPT RESOLUTION 05-074 AND AUTHORIZE THE CHAIR TO SIGN.
- 30. Water Commission ~~Technical Advisory Committee~~ - on May 3, 2005, the Butte County Water Commission voted to recommend a candidate for the Landowner-Private Well Representative vacancy on the Water Commission ~~Technical Advisory Committee~~ - action requested - APPOINT JOHN LANE, LANDOWNER-PRIVATE WELL REPRESENTATIVE.

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH ITEM 3.18 AMENDED TO REMOVE THE ACTIONS REQUESTED FOR THE SHERIFF-CORONER-SERVICES DIVISION; ITEM 3.33 AMENDED TO REMOVE THE REFERENCE TO THE TECHNICAL ADVISORY COMMITTEE; AND THE REMOVAL OF ITEMS 3.16, 3.20 AND 3.30.

M S

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

REGULAR AGENDA

0509-003 Boards, Commissions and Committees. (126)

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT JOHN HARRINGTON, YOUTH MEMBER REPRESENTATIVE, AND TOM LEBLANC, FAMILY MEMBER REPRESENTATIVE, TO THE BUTTE COUNTY BEHAVIORAL HEALTH BOARD.

M S

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

2. Board Member or Committee Reports.

SUPERVISOR DOLAN PROVIDED NOTICE OF THE UPCOMING ANNUAL MEETING OF THE SACRAMENTO RIVER CONSERVATION AREA FORUM BOARD.

CHAIR YAMAGUCHI PROVIDED A REPORT ON THE SIERRA NEVADA CONSERVANCY BOARD MEETING AND THE REGIONAL COUNCIL OF RURAL COUNTIES MEETING.

0509-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (310) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PROVIDED THE BOARD WITH A REPORT ON THE RECENTLY RELEASED MAY REVISE, AND A REPORT ON THE RECENT CHANGES TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM'S CONTRIBUTION RATE CALCULATION WHICH WILL RESULT IN DECREASED AND MORE CONSISTENT CONTRIBUTION RATES IN THE FUTURE.

0509-005 Butte County Library Advisory Board - Report to the Board - report on activities for the period of July 2004 through March 2005 - action requested - ACCEPT FOR INFORMATION. (593)

REPORT TO THE BOARD BY NANCY BROWER, DIRECTOR-LIBRARIES, AND FRED DAVIS, CHAIR, BUTTE COUNTY LIBRARY ADVISORY BOARD.

0509-006 Code Enforcement Advisory Committee - Request to Support Additional Staff - consideration of a request by the Butte County Code Enforcement Advisory Committee to add an additional Code Enforcement Officer to the Development Services Department - action requested - ACCEPT FOR INFORMATION. (1233)

PRESENTATION TO THE BOARD BY NEIL MCCABE, CHAIR, CODE ENFORCEMENT ADVISORY COMMITTEE.

RECESS: 10:22 A.M.

RECONVENE: 10:38 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0509-007 Public Hearing - Adjustment of Drainage Impact Fees in Thermalito and Within the Chico Urban Area - pursuant to Article I, Section I, of the Butte County Charter, and Article XI, Section 7, of the California Constitution, consideration of a modification of established Development Impact Fees on new residential and nonresidential development in the unincorporated Chico Urban Area and unincorporated Thermalito area for storm drainage facilities. The Development Impact Fees will be modified and levied through the adoption of an ordinance, as well as through the amendment of existing ordinances authorizing the collection of Development Impact Fees - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (3025)

PUBLIC HEARING OPENED AT 10:39 A.M., AND CONTINUED OPEN TO TUESDAY, JUNE 14, 2005, AT 10:45 A.M., TO ALLOW STAFF ADDITIONAL TIME TO REVISE THE ORDINANCE AS NEEDED.

REGULAR AGENDA

0509-008 Adult and Children Service Programs - Report to the Board - information regarding Adult and Children Service Programs in the Department of Employment and Social Services - action requested - ACCEPT FOR INFORMATION. (3196) (**00)

PRESENTATION TO THE BOARD BY CATHI GRAMS, DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES.

0509-009 Adoption of an Ordinance Amending Portions of Chapter 19, Entitled "Sewage Disposal" and Portions of Article IV, Entitled "Flood Hazard Prevention" of Chapter 26, Entitled "Buildings" of the Butte County Code - consideration of an ordinance which reassigns the designation of County Flood Plain Administrator from the Director-Development Services to the Director-Public Works, and defines the duties and responsibilities of each department with respect to compliance with flood plain regulations - action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-10-05 [4.07]) (**1000)

MOTION: I MOVE TO ADOPT ORDINANCE 3909 AND AUTHORIZE THE CHAIR TO SIGN.
M S

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

0509-010 Thermalito Master Drainage Plans - Request For Proposal - consideration of the distribution of a Request For Proposal for the preparation of an engineering analysis of existing adopted Thermalito Master Drainage Plans for the purpose of providing recommendations to bring the plans into compliance with current policies, regulations and standards - action requested - APPROVE DISTRIBUTION OF A REQUEST FOR PROPOSAL. (**1160)

MOTION: I MOVE TO APPROVE THE DISTRIBUTION OF A REQUEST FOR PROPOSAL.
S M

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

0509-011 Items Removed from the Consent Agenda for Board Consideration and Action. (**1387)

1. Southside Oroville Community Center Exterior Evaluation - approval is requested for a transfer of \$20,000 from the General Fund Appropriation for Contingencies for the purpose of hiring a consultant to evaluate the exterior stucco failure at the Southside Oroville Community Center - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$20,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO DENY APPROVAL OF THE EXPENDITURE FOR THIS AND MOVE TO HOLD THE GENERAL CONTRACTOR RESPONSIBLE FOR THE REPAIR.

M S

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

2. Rapidtext, Inc. - Amendment - approval is requested for a sole source amendment to the agreement with Rapidtext, Inc., for the provision of transcription services. The amendment extends the term of the agreement through June 30, 2006, increases the maximum amount payable to \$182,500 (department budget) for the multi-year term, and revises the agreement's exhibits to reflect the extended term. 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. (Contact No. X13973)

MOTION: I MOVE TO APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

M S

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

0509-011 3. Change Funds - Relief of Accountability and Fund Increases - pursuant to Government Code Section 29390, approval is requested for a relief of accountability for \$74 missing from the Records Division cash drawer. The Auditor's Office has reviewed the matter and found no evidence of fraud or gross negligence. In auditing the department a review of the department's change funds was also conducted. As result of that review the department is requesting the Board increase the change fund in the Records Division from \$75 to \$300, and increase the change fund in the Civil Division from \$50 to \$200. The Auditor's Office concurs with the requested increases - action requested - GRANT RELIEF OF ACCOUNTABILITY; AND ADOPT A RESOLUTION INCREASING THE CHANGE FUNDS AND AUTHORIZE THE CHAIR TO SIGN.

MOTION: I MOVE TO GRANT THE RELIEF OF ACCOUNTABILITY; AND ADOPT RESOLUTION 05-075 INCREASING THE CHANGE FUNDS AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

RECESSED AT 11:46 A.M., AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

MINUTES

MAY 24, 2005

Called to order at 11:46 a.m., in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Dolan, Houx, Josiassen and Chair Yamaguchi. Also present: Marion Reeves, Deputy Clerk.

Agenda Items

0504-001 Request to Fill Vacant Position and Approval of Employment Agreement - approval is requested to fill a vacant Public Authority Services Specialist position. Public Authority employees are at-will positions and approval is also requested for an employment agreement for the position - action requested - APPROVE REQUEST TO FILL VACANT PUBLIC AUTHORITY SERVICES SPECIALIST POSITION; AND APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (**2126)

MOTION: I MOVE TO APPROVE THE REQUEST TO FILL THE VACANT PUBLIC AUTHORITY SERVICES SPECIALIST POSITION; AND APPROVE THE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

S M

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

0504-002 RTZ Associates - Amendment - approval is requested for an amendment to the agreement with RTZ Associates for maintenance and support of the HOMCare software program. The program is used to manage the In-Home Supportive Services Registry. The amendment extends the term of the agreement through June 30, 2006, increases the maximum amount payable by \$6,040.72 (department budget) for the extended term, and revises the agreement's exhibits to reflect the extended term. 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. X13957)

MOTION I MOVE TO APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

S M

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

Public Comment

0504-003 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. (**2255) (NONE)

Adjournment

ADJOURNED AT 11:50 A.M., AS THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AND RECONVENED AS THE BUTTE COUNTY BOARD OF SUPERVISORS.

BUTTE COUNTY BOARD OF SUPERVISORS

PUBLIC COMMENT

0509-012 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. (**2268) (NONE)

CLOSED SESSION

0509-013 **RECESS:** THE BOARD RECESSED AT 11:51 A.M., TO A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. WHEAT V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 128644); 2. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); 3. FISHER V. COUNTY OF BUTTE (U.S.D.C. EASTERN CASE NO. 05-00598-WBS-KJM); 4. FISHER V. COUNTY OF BUTTE (U.S.D.C. EASTERN CASE NO. 05-00600-WBS-JFM); CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND WILLIAM AVERY. EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT), BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT), DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT), BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT), PROFESSIONAL EMPLOYEES UNIT, SOCIAL SERVICES WORKERS UNIT, AND PROBATION PEACE OFFICERS' ASSOCIATION; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b): TWO POTENTIAL CASES. (**2272)

0509-013 **RECONVENE :** THE BOARD RECONVENED AT 2:08 P.M., FROM A CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. WHEAT V. COUNTY OF BUTTE (BUTTE COUNTY SUPERIOR COURT CASE NO. 128644); 2. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); 3. FISHER V. COUNTY OF BUTTE (U.S.D.C. EASTERN CASE NO. 05-00598-WBS-KJM); 4. FISHER V. COUNTY OF BUTTE (U.S.D.C. EASTERN CASE NO. 05-00600-WBS-JFM); CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVES: JEANNE GRAVETTE AND WILLIAM AVERY. EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT), BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT), DEPUTY SHERIFF'S ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT), BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT), PROFESSIONAL EMPLOYEES UNIT, SOCIAL SERVICES WORKERS UNIT, AND PROBATION PEACE OFFICERS' ASSOCIATION; AND CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b): TWO POTENTIAL CASES. (**2330)

ADJOURNMENT : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:08 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JUNE 14, 2005, AT 9:00 A.M.

KIM K. YAMAGUCHI, CHAIR

Attest:

Paul McIntosh, Chief Administrative
Office and Clerk of the Board

By: _____