

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

OCTOBER 13, 2009



County Supervisors

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

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

Bruce Alpert, County Counsel

Called to order at 9:04 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Gregory G. Iturria, Interim Chief Administrative Officer; Bruce Alpert, County Counsel and Kathleen Moghannam, Assistant Clerk of the Board.

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

Observation of a Moment of Silence.

0924-001 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

1. Butte County Behavioral Health Board - action requested - APPOINT KIRK LEE AS A CONSUMER MEMBER TO A TERM TO END DECEMBER 31, 2012. (Behavioral Health)

THE DEPARTMENT REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA. THERE WAS NO ACTION TAKEN ON THIS ITEM.

2. Pacific Municipal Consultants (PMC) - amendment - approval is requested for an amendment to the agreement with PMC for the provision of work related to the Las Plumas Master Environmental Assessment Project. The amendment extends the term of the agreement through March 31, 2010. Funding for this agreement was submitted by the project applicants in January 2009 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Development Services)

SUPERVISOR YAMAGUCHI REQUESTED THAT THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

CONSENT AGENDA

- 0924-002
1. California Department of Food and Agriculture (CDFA) - approval is requested for a revenue agreement with CDFA to implement the Federal Emergency Order Restricting Interstate Movement of Nursery Stock and conduct emergency response activities as related to detections of Sudden Oak Death in nurseries. The term of the agreement is July 1, 2009 though June 30, 2010 with a maximum amount payable to the County of \$37,254.43 -action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Agriculture)

2. Budget Transfer - approval is requested to accept and appropriate \$360,000 in unanticipated revenue received from the State Department of Alcohol & Drug Programs as detailed in the agenda report. These funds, which are required to be utilized by September 30, 2010, will be used to increase the availability of treatment services for pregnant women and women with dependent children - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)
3. Ahmed Abouesh, M.D. - amendment - approval is requested for an amendment to the agreement with Ahmed Abouesh, M.D. for the provision of treatment. The amendment increases the maximum amount payable by \$26,000 (department budget utilizing realignment funds). All other terms and provision remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
4. Housing Authority of the County of Butte (HACB) - amendment - approval is requested for an amendment to the agreement with HACB for the provision of housing assistance payments and/or deposits for consumers participating in the Homeless Mentally Ill Program. The amendment increases the maximum amount payable by \$10,494 (department budget utilizing HUD grant funds). All other terms remain the same - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. Net Smart New York, Inc. - amendment - approval is requested for an amendment to the agreement with Net Smart New York, Inc. to purchase InfoScriber Software and to renew the annual maintenance for the Electronic Medical Record (EMR) software utilized by the department. The cost of the InfoScriber Software is \$8,788 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE FIXED ASSET PURCHASE OF SOFTWARE AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)

6. Fiscal Year (FY) 2009/2010 Mental Health Budget Adjustments - approval is requested for budget adjustment as detailed in the agenda report. The Managed Care Allocation, which is funded through the State's General Fund, was reduced by half. This reduction is a loss of \$1,276,558. The department has identified \$915,140 of FY 2008/2009 Mental Health Services Act (MHSA) savings that can be carried over to this fiscal year. The department has also received notification that its Prevention & Early Intervention plan has been approved and has received an additional \$1,876,839 from the State to fund MHSA programs for a net budget increase of \$1,515,421 -action requested - APPROVE BUDGET TRANSFERS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Behavioral Health)
7. Licensure of 30-month Driving-Under-the-Influence (DUI) Programs - pursuant to the California Code of Regulations, approval is requested for three letters to the California Department of Alcohol and Drug Programs to recommend the approval of applications for licensure of DUI programs and services. Butte County's current State licensed providers of counseling and education services for those convicted of DUI offenses are Solutions for Positive Choices (Solutions) and Prevention Education Program (PEP) - action requested - APPROVE LETTER RECOMMENDING APPROVAL OF APPLICATION FOR LICENSE FOR SOLUTIONS AND PEP AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
8. Recognizing Tom DiGrazia Upon His Retirement as Manager of the Silver Dollar Fair -action requested - ADOPT RESOLUTION 09-149 AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Dolan)
9. Department Head Compensation Committee - submitted is a progress report from the Compensation Committee regarding their review of management compensation issues - action requested - ACCEPT FOR INFORMATION; AND DESIGNATE HUMAN RESOURCES DIRECTOR AS BOARD REPRESENTATIVE TO MEET WITH NON-REPRESENTED EMPLOYEES FOR DISCUSSION OF RECOMMENDED CHANGES TO THE RESOLUTION OF THE COUNTY OF BUTTE SALARY AND BENEFITS OF NON-REPRESENTED CLASSIFICATIONS. (Board of Supervisors)
10. Linda Mielke - approval is requested for an employment agreement with Linda Mielke for the Director of Libraries. The term of the agreement is October 14, 2009 through October 13, 2012 with an initial annual salary of \$89,574. A \$3,000 allowance is provided to cover actual relocation expenses - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

11. 2010 Regular Board Meeting Calendar - action requested - APPROVE AND ADOPT 2010 REGULAR BOARD MEETING CALENDAR, AMENDING IF NEEDED. (Chief Administrative Office)
12. Water and Resource Conservation Department - submitted is an update to the Board's direction given at the fiscal year 2009/2010 budget hearings held in May 2009. At the hearings, the Chief Administrative Officer informed the Board of Supervisors that lack of funding opportunities for the Water and Resource Conservation Department could lead to the elimination and consolidation of this department. Due to start-work orders for its two Proposition 50 grants and prior Board of Supervisor approval of necessary budget and position allocation adjustments, it is anticipated that the department is financially viable for at least the next two years -action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)
13. Distribution of Excess Proceeds from the Sale of Tax-Defaulted Property - From June 14-17, 2008, the Butte County Tax Collector sold sixteen parcels of tax-defaulted property. Pursuant to Revenue and Taxation Code Section 4675, priorities are set for distribution of excess proceeds. Claims were received on five of the sixteen parcels - action requested - ADOPT RECOMMENDATIONS REGARDING DISTRIBUTION OF EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY AS PREPARED BY COUNTY COUNSEL; AND ORDER DISTRIBUTION PURSUANT TO REVENUE AND TAXATION CODE SECTION 4675. (County Counsel)
14. Appeal of Planning Commission's Denial of Tentative Parcel Map (TMP08-0007) for South Land Development, LLC - Per the request of the appellant, the appeal hearing has been set for November 10, 2009 - action requested - SET HEARING FOR NOVEMBER 10, 2009 AT 10:30 A.M. (Development Services)
15. Accept Unanticipated Revenue - approval is requested to accept \$24,612 in unanticipated revenue received from the State Department of Insurance. These funds will be used for the investigation and prosecution of auto insurance fraud and car theft- action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (District Attorney)

16. Accept Unanticipated Revenue - approval is requested to accept \$300,000 received through the Violence Against Women Recovery Act as authorized by the American Recovery and Reinvestment Act of 2009. There is a County match of \$100,000 required which is available in the department's current budget - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (District Attorney)
17. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows:

PUBLIC HEALTH - requests to add one position of Administrative Assistant, Senior/Administrative Assistant. Partial funding for this position will come from SB 12/612 with the remainder coming from Bioterrorism funding. This change will increase the total allocations in the department from 161.05 to 162.05.

BEHAVIORAL HEALTH - requests to add one position of Supervisor, Behavioral Health Education; one position of Psychiatric Technician, Senior/Psychiatric Technician; three positions of Administrative Analyst, Senior/Administrative Analyst/Associate; one position of Information Systems Technician, Senior/Information Systems Technician/Associate; and one position of Information Systems Analyst, Senior/Information Systems Analyst/Associate. The department also requests to delete one position of Mental Health Clinician/Mental Health Clinician Intern. The new Supervisor, Behavioral Health Education position along with four (4) other positions will be funded with the additional revenue from the Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Plan. The other two (2) positions being added are currently budgeted for in the FY 09-10 budget and are funded by MHSA. Pursuant to reductions in Substance Abuse Crime Prevention Act (Prop 36) funding in the State FY 09-10 budget, the department is also requesting the changes as detailed in the agenda report that will move seven (7) positions between budget units in order to move staff into funded programs. These changes will increase the total allocations in the department from 303.25 to 309.25.

DISTRICT ATTORNEY - requests to add one position of Investigator I/II (position to end 09/30/10) and one position of District Attorney Victim Counselor (position to end 09/30/10). These positions will be funded by the new VAWA grant. These changes will increase the total allocations in the department from 81.5 to 83.5 - action requested - ADOPT RESOLUTION 09-150 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

18. Library Donations - pursuant to Government Code Section 2535 - \$2,400 from Paradise Friends of the Library; \$820 from Chico Friends of the Library; \$600 from Oroville Friends of the Library; \$2,500 from Target; and \$200 from Maudie Penny have been received for Books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
19. California Department of Parks and Recreation (DPR) - approval is requested for a revenue agreement with DPR's Off-Highway Motor Vehicle Recreation Division which provides annual funding to groom snowmobile trails and provide roadway snow removal for winter recreation in Butte County. The Fiscal Year 2009/2010 award is \$60,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE DIRECTOR OF PUBLIC WORKS TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
20. Introduction of an Ordinance Establishing Speed Limits on Certain Roads Within Butte County - In response to citizens' concerns regarding the speed on Keefer Road from Hicks Lane to Cohasset Road, the department has performed a speed study and Engineering & Traffic Survey. Based on these findings, it is recommended that the speed limit be changed from 35 mph to 45 mph - action requested - WAIVE THE READING OF THE ORDINANCE. (Public Works)
21. Superior Court of California, County of Butte - amendment - approval is requested for an amendment to the agreement with the Court. The amendment is needed in order to meet the State's legislative requirement of a budgetary reduction of 4.62% in security compensation due to the closure of the Courts one day per month. This is a total contract reduction of \$78,676 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Sheriff-Coroner)
22. Butte County Office of Education (BCOE) - amendment - approval is requested for an amendment to the agreement with BCOE for the provision of a School Resource Officer at Las Plumas High School. The amendment extends the term of the agreement through September 30, 2009 and increases the maximum amount payable by \$9,531 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Sheriff-Coroner)

- 23. Monthly Investment Report - Submitted is the monthly investment report dated August 31, 2009, in accordance with Butte County Statement of Investment Policy dated July 1, 2009 - action requested - ACCEPT FOR INFORMATION. (Treasurer-Tax Collector)
- 24. Drought Task Force (DTF) Status Report - submitted is an update to the DTF's January 27, 2009 report which contains recommendations that efforts be focused on educating the public about preparing for drought impacts and identification of financial assistance programs - action requested - ACCEPT FOR INFORMATION. (Water and Resource Conservation)
- 25. Insufficient Nominee Appointments in Lieu of Election - Reclamation District No. 833 - action requested -PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10515, APPOINT DANE ANDES AND JERRY S. DAVIS AS TRUSTEES TO TERMS TO END DECEMBER 6, 2013. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA AS CHANGED. (ITEM 3.04 WAS REMOVED FROM THE AGENDA BY THE DEPARTMENT, AND NO ACTION WAS TAKEN. ITEM 3.16 WAS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.)

M 2

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

GREGORY ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER INTRODUCED LINDA MIELKE, THE NEW DIRECTOR OF LIBRARIES. SHE WILL BEGIN WORK ON OCTOBER 14, 2009.

REGULAR AGENDA

0924-003 Boards, Commissions and Committees.

- 1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT ROBERT HAYS TO THE OROVILLE MOSQUITO ABATEMENT DISTRICT.

M 2

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

0924-004 Board Member or Committee Reports.

SUPERVISOR DOLAN REPORTED IN A MEETING WITH THE CITY OF CHICO RELATED TO THE PROPOSED CLASS ONE BIKE ROUTE. SHE REQUESTED COUNTY STAFF HAVE FORMAL DISCUSSIONS WITH THE CITY RELATED TO THE PROJECT.

0924-005 California State Association of Counties - action requested - APPOINT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO A ONE YEAR TERM BEGINNING NOVEMBER 17, 2009.

MOTION: I MOVE TO APPOINT SUPERVISOR CONNELLY AS REPRESENTATIVE AND SUPERVISOR LAMBERT AS ALTERNATE REPRESENTATIVE.

M 2

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

0924-006 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

GREGORY G. ITURRIA, CHIEF ADMINISTRATIVE OFFICER REPORTED THAT GOVERNOR SCHWARZENEGGER SIGNED 478 BILLS AND VETOED 221 BILL ON SUNDAY, OCTOBER 11, 2009. HE REPORTED THAT COUNTY STAFF SHOULD HAVE MORE DETAILS BY THE END OF THIS WEEK REGARDING THE FISCAL IMPACTS OF THE BILLS. HE WILL PROVIDE A MORE DETAILED REPORT AT THE NEXT BOARD MEETING.

0924-007 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT TO THE BOARD. THE BOARD DIRECTED DEVELOPMENT SERVICES TO INCREASE OUTREACH TO THE PUBLIC TO GET INPUT ON THE FUTURE ADOPTION OF A ZONING ORDINANCE.

0924-008 Organizational Transfer of Responsibility for Veterans Service Office - approval is requested to transfer the organizational and budgetary functions of the Veterans Service Office (VSO) from General Services (GS) to the Department of Employment & Social Services (DESS) in order to include the VSO within a department that provides direct service to the public and to enhance coordination of services. This transfer will not change the physical location or the current hours of operation of the VSO. This action will also not impact the operation of the Veterans Memorial Halls, which will remain with the General Services Department. Staff vetted this proposed transfer with the various Veterans Organizations in Butte County and did not receive any negative feedback on the proposal. If approved, this action would require Human Resources to delete the VSO positions from GS and add the same positions into DESS within the salary ordinance - action requested -

A. APPROVE THE TRANSFER OF ORGANIZATIONAL AND BUDGETARY RESPONSIBILITY OF THE VETERANS SERVICE OFFICE FROM GENERAL SERVICES TO DESS. (General Services); AND

B. IF THE ACTION LISTED IN "A" ABOVE IS APPROVED, ADOPT RESOLUTION 09-151 TO AMEND THE SALARY ORDINANCE THAT DOCUMENTS THE ORGANIZATIONAL TRANSFERS RELATED TO THE VETERANS SERVICE OFFICE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources).

RICHARDS HALL, DIRECTOR OF GENERAL SERVICES AND CATHI GRAMS, DIRECTOR OF DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES PROVIDED A REPORT TO THE BOARD.

MOTION: I MOVE TO APPROVE THE TRANSFER OF ORGANIZATIONAL AND BUDGETARY RESPONSIBILITY OF THE VETERANS SERVICE OFFICE FROM GENERAL SERVICES TO DESS; AND ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE THAT DOCUMENTS THE ORGANIZATIONAL TRANSFERS RELATED TO THE VETERANS SERVICE OFFICE AND AUTHORIZE THE CHAIR TO SIGN.

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

0924-009 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Pacific Municipal Consultants (PMC) - amendment - approval is requested for an amendment to the agreement with PMC for the provision of work related to the Las Plumas Master Environmental Assessment Project. The amendment extends the term of the agreement through March 31, 2010. Funding for this agreement was submitted by the project applicants in January 2009 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Development Services)

SUPERVISOR YAMAGUCHI REQUESTED THAT THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES ADDRESSED THE BOARD.

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

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

0924-010 PUBLIC COMMENT

DOT MORRIS ADDRESSED THE BOARD REGARDING GENERAL PLAN 2030.

RECESS: 9:55 A.M.
RECONVENE: 10:17 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0924-011 Public Hearing - General Plan Amendment and Rezone (GPA-REZ 04N-04) of APNs 039-260-060 (3.13 acres) and 039-260-059 (1.3 acres) for Mead Brothers Partnership; and Consideration of an Appeal of Planning Commission's Condition of Approval for Tentative Subdivision Map (TSM08-0007) - consideration of a request to change the subject parcels from the existing General Plan designation of Orchard and Field Crops to Agricultural Residential. The rezone (REZ) would change the zoning designation from Agricultural 40-acre minimum parcel size to Suburban Residential, 1-acre minimum parcel size. The properties are located south of the intersection of Ord Ferry Road and Reinemer Road and north of the unincorporated town of Dayton. Mead Brothers Partnership has also submitted an appeal to modify Condition of Approval #19 for TSM08-0007 which requires the "urban" County road improvement standard with rolled curb, gutter and sidewalk. Staff recommends approval of appeal of Condition #19, contingent upon approval of the GPA-REZ - actions requested -

- A. ADOPT RESOLUTION 09-152 ADOPTING THE MITIGATED NEGATIVE DECLARATION WITH FINDINGS AND APPROVING GPA-REZ 04N-04; AND ADOPT ORDINANCE 4009 REZONING THE SUBJECT PROPERTIES FROM AGRICULTURAL 40-ACRE MINIMUM PARCEL SIZE TO SUBURBAN RESIDENTIAL, 1-ACRE MINIMUM PARCEL SIZE; AND

- B. IF ACTIONS LISTED IN "A" ABOVE ARE APPROVED, GRANT THE APPEAL TO MODIFY CONDITION OF APPROVAL #19 FOR TSM08-0007. (RESOLUTION 09-153)(Department of Development Services)

PRESENTATION BY STEVE TROESTER, SENIOR PLANNER WITH DEVELOPMENT SERVICES AND MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

PUBLIC HEARING OPENED: 10:25 A.M.
PUBLIC HEARING CLOSED: 10:37 A.M.

WES GILBERT AND JAMES MEAD ADDRESSED THE BOARD.

MOTION: I MOVE TO ADOPT RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION WITH FINDINGS AND APPROVING GPA-REZ 04N-04; AND ADOPT ORDINANCE 4009 REZONING THE SUBJECT PROPERTIES FROM AGRICULTURAL 40-ACRE MINIMUM PARCEL SIZE TO SUBURBAN RESIDENTIAL, 1-ACRE MINIMUM PARCEL SIZE.

M 2

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

MOTION: I MOVE TO GRANT THE APPEAL TO MODIFY CONDITION OF APPROVAL #19 FOR TSM08-0007.

M 2

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

MOTION: I MOVE TO APPROVE THE APPEAL AND MODIFY CONDITION #19 TO READ AS FOLLOWS: PRIOR TO THE RECORDATION OF THE FINAL MAP, CONSTRUCT OR PROVIDE A PERFORMANCE BOND AND LABOR AND MATERIAL BOND FOR THE CONSTRUCTION OF A ½+ 12' STREET SECTION ON REINEMER ROAD TO AN RS-3B COUNTY IMPROVEMENT STANDARD EXCLUDING ROLLED CURB, GUTTER, AND SIDEWALK, 3" AC, 8" AB, PRIME COAT, FOG SEAL AND 95 % RELATIVE COMPACTION. SUBMIT DESIGN TO THE LAND DEVELOPMENT DIVISION FOR APPROVAL PRIOR TO CONSTRUCTION. "R" VALUE DETERMINATION AND OTHER DATA MAY BE REQUIRED TO SUPPORT THE SECTION DESIGN. FORM A ZONE OF BENEFIT OR OTHER APPROVED MAINTENANCE ENTITY WITHIN THE COUNTY'S PERMANENT ROAD DIVISION FOR OPERATION AND MAINTENANCE OF STREET AND STORM DRAIN FACILITIES.

M 2

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

Recessed at 10:45 a.m. as the Butte County Board of Supervisors and Convened as the Butte County In-Home Supportive Services Public Authority Board.

PUBLIC AUTHORITY BOARD

MINUTES

OCTOBER 13, 2009

Called to order at 10:45 a.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Assistant Clerk, Kathleen Moghannam.

PUBLIC COMMENT (none)

0903-001 THE BOARD RECESSED TO CLOSED SESSION AT 10:45 A.M. REGARDING:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS/LAURA BRUNSON

EMPLOYEE ORGANIZATION: CUHW

THIS CLOSED SESSION ITEM WAS HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY BOARD OF SUPERVISORS CLOSED SESSION ITEMS.

THE BOARD RECONVENED AT 1:03 P.M. FROM CLOSED SESSION REGARDING:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS/LAURA BRUNSON/JACK HUGHES

EMPLOYEE ORGANIZATION: CUHW (No Announcements)

ADJOURNMENT

Adjourned at 1:03 p.m. as the Butte County In-Home Supportive Services Public Authority Board and reconvened as the Butte County Board of Supervisors.

CLOSED SESSION

0924-012 **THE BOARD RECESSED AT 10:45 A.M. TO CLOSED SESSION REGARDING:**

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

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a) - THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. WILLIAMS V. COUNTY OF BUTTE, CALIFORNIA SUPREME COURT, CASE NO. S175219; AND
3. ALAMEDA COUNTY, ET AL. V. STATE OF CALIFORNIA DWR; SACRAMENTO COUNTY SUPERIOR COURT, CASE NO. 05AS01775.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: COUNTY COUNSEL.

THESE CLOSED SESSION ITEMS WERE HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD CLOSED SESSION ITEMS.

THE BOARD RECONVENED AT 1:03 P.M. FROM CLOSED SESSION REGARDING:

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

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a) - THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. WILLIAMS V. COUNTY OF BUTTE, CALIFORNIA SUPREME COURT, CASE NO. S175219; AND
3. ALAMEDA COUNTY, ET AL. V. STATE OF CALIFORNIA DWR; SACRAMENTO COUNTY SUPERIOR COURT, CASE NO. 05AS01775.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: COUNTY COUNSEL.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 1:03 P.M., TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE

HELD TUESDAY, OCTOBER 20, 2009 AT 9:00
A.M.

BILL CONNELLY, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

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

By: _____