

Called to order at 9:13 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. (72)

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

- 0525-001
1. Arnerich Massena & Associates, Inc. - approval is requested for an agreement with Arnerich Massena & Associates, Inc., for the provision of professional consulting services for the Butte County Employee 457 Deferred Compensation Plan. The term of the agreement is December 13, 2005, through December 13, 2010, with an initial payment for services in the amount of \$35,000, and a maximum amount payable of up to \$27,500 per year for continuing services. Board approval is also requested for a transfer from the General Fund Appropriation for Contingencies in the amount of \$48,750 to provide the appropriation needed for initial services and the remainder of the current fiscal year - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$48,750 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15843)
 2. Noise Study Funding - approval is requested to accept and appropriate \$7,500 received from a permit applicant to fund a noise study required by their permitting process. The funds need to be appropriated into the department's budget to provide the appropriation for the study's contract - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING APPLICANT FUNDS AS DETAILED IN THE AGENDA REPORT.

- 0525-001 3. Notice of Non-Renewal - Williamson Act Agreements - approval is requested to accept a Notice of Non-Renewal for Williamson Act Agreements as follows: 1) Antone and Dealinda Varisimo (Edwards et al. [1969]), APN 006-010-003 and 060-010-005, Williamson Act Contract Instrument Number 65042 in Book 1556 at Pages 370 through 376; 2) Robert Birkholz (Chaffin [1969]), Partial Non-Renewal, APN 026-250-022 for 12.73 acres, Williamson Act Contract Instrument Number 38964 in Book 1565 at Pages 476 through 482; 3) M & T Incorporated (1976), Partial Non-Renewal, APN 039-530-015 and 018, Williamson Act Contract Instrument Number 23188 in Book 2051 at Pages 61 through 73; 4) Christian Sommers (Richard E. Gravier [1968]), Partial Non-Renewal, APN 028-210-022, Williamson Act Contract Instrument Number 50744 in Book 1523 at Pages 513 through 520; 5) George R. Chaffin (1968), Partial Non-Renewal, APN 041-140-014, Recorded in Book 1515 at Pages 600-605; and 6) Charles Johnson and Mary Johnson (1978), APN 022-160-059, Williamson Act Contract Instrument Number 29887 in Book 2260 at Pages 62 through 71 - action requested - ACCEPT NOTICES OF NON-RENEWAL AND PARTIAL NON-RENEWAL AND DIRECT RECORDING OF NOTICES.
4. Farm and Ranch Solid Waste Cleanup and Abatement Grant - approval is requested to apply to the California Integrated Waste Management Board for funds under the Farm and Ranch Solid Waste Cleanup and Abatement Grant program. The funds will be used to cleanup large illegal dump sites on ranch and agricultural lands and pay for fencing and other security measures to aid in prevention of future illegal dumping - action requested - ADOPT RESOLUTION APPROVING APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL NECESSARY APPLICATIONS, CONTRACTS, AND DOCUMENTS NECESSARY TO SECURE THE GRANT FUNDING AND TO IMPLEMENT AND CARRY OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

CONSENT AGENDA

- 0525-002 1. Local Agency Improvement Fees - submitted is the Combined Report of Impact Fees or Local Agency Improvement Fees for Fiscal Year 2004-2005. Pursuant to Government Code Section 66006, this item will return on the agenda of January 10, 2006, for final review and action, and notice is hereby given that the information is on file and available for public inspection in the Chief Administrative Office, 25 County Center Drive, Oroville, Monday through Friday, 8:00 a.m. to 5:00 p.m. - action requested - ACCEPT FOR INFORMATION AND AS PUBLIC NOTICE OF AVAILABILITY; AND DIRECT THIS ITEM TO RETURN TO THE AGENDA OF JANUARY 10, 2006, FOR FINAL REVIEW AND ACTION.

- 0525-002 2. Acquisition of Assets by Butte County Association of Governments - approval is requested for the acquisition of individual fixed assets from Butte County by the Butte County Association of Governments (BCAG). In 2004 the Board invested in BCAG the powers, duties and responsibilities necessary for operating the Butte Regional Transit System and the proposed transfer of assets is in support of that action - action requested - APPROVE THE ACQUISITION OF INDIVIDUAL FIXED ASSETS AS DETAILED IN THE AGENDA REPORT BY THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS.
3. Butte County Children & Families Commission - Amendment - approval is requested for an amendment to the revenue agreement with the Butte County Children & Families Commission for funds to support the 0-5 Strong Starts, Infant/Toddler Mental Health Program. The amendment extends the term of the agreement through June 30, 2006, revises the Scope of Work and agreement's budget attachment, and revises the reimbursement provisions. All other terms and provisions remain the same. Board approval is also requested to reduce the department's revenue accounts by \$2,213 to reflect the actual revenue for the period of July 1, 2005, through June 30, 2006 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-164 REVISING AND REDUCING REVENUES AS DETAILED IN THE AGENDA REPORT. (Contract No. X14209)
4. Butte County Department of Employment and Social Services and Butte County Probation Department - Amendment - approval is requested for an amendment to the Memorandum of Understanding with the departments of Employment and Social Services and Probation for the provision of behavioral health services to individuals detained in the Juvenile Hall Facility. The amendment extends the term of the agreement through June 30, 2006, and increases the maximum amount payable by \$86,917 for fiscal year 2005-2006. All other terms and provisions remain the same. Federal and State allocations will provide 70% of the funding for the agreement, and Probation will reimburse the Department of Employment and Social Services up to 30% for services provided by the Department of Behavioral Health, and Board approval is also requested for a budget transfer necessary to accomplish the agreement's funding. The 30% represents the County's match needed to draw down Supportive and Therapeutic Options Program (STOP) allocation funds - 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-168 (4/5 vote required) ACCEPTING, APPROPRIATING AND TRANSFERRING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X14541)

- 0525-002
5. Woodson Lodge - approval is requested for a sole source agreement with Woodson Lodge for the provision of residential board and care services for department clients. The term of the agreement is September 30, 2005, through June 30, 2006, with a maximum amount payable of \$50,443.40 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
 6. Donna M. Jensen, LCSW - approval is requested for a sole source agreement with Donna M. Jensen, LCSW, for the provision of specialty mental health services to Medi-Cal recipients. The term of the agreement is December 13, 2005, until terminated by either party. Payment will be made on a services-rendered basis - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
 7. State of California, Office of Traffic Safety - Project Downshift Grant - approval is requested to accept and appropriate a grant award from the State of California, Office of Traffic Safety, to implement Project Downshift. The grant program is designed to educate young drivers on traffic safety, seatbelt use, and the dangers of driving under the influence of drugs and/or alcohol. The term of the grant is October 1, 2005, through September 30, 2007, with a maximum amount payable to the County of \$371,456 for the multi-year grant. Board approval is also requested to accept and appropriate \$71,961 into the current fiscal year budget - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET TRANSFER B-169 (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT REVENUE AS DETAILED IN THE AGENDA REPORT. (Contract No. R40820)
 8. Youth For Change - approval is requested for a sole source agreement with Youth For Change for the provision of short-term shelter services for adolescent clients of the Homeless Emergency Runaway Effort (HERE) Program. The term of the agreement is September 30, 2005, through September 29, 2006, with a maximum amount payable of \$43,800 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15819)

- 0525-002 9. Homeless Emergency Runaway Effort (HERE) Program Donation - pursuant to Government Code Section 25355, approval is requested to accept and appropriate \$930 donated in memory of Drew Spann. Drew did volunteer work with the HERE project, working with homeless and runaway youth. The donated funds will be used for a memorial tribute to Drew for the reception area of the HERE Project office - action requested - APPROVE BUDGET TRANSFER B-178 (4/5 vote required) ACCEPTING AND APPROPRIATING THE DONATED FUNDS AS DETAILED IN THE AGENDA REPORT.
10. Butte County Mosquito and Vector Control District - Supervisor Yamaguchi submits his nominee for District 5 representative - action requested - REAPPOINT ALLAN SEEFELDT, DISTRICT 5 REPRESENTATIVE, TO A TERM TO END DECEMBER 31, 2007.
11. Community Action Agency - Supervisor Connelly submits his nominee for District 1 representative - action requested - APPOINT ROCHELLE FRAZIER, DISTRICT 1 REPRESENTATIVE, TO A TERM TO END DECEMBER 31, 2008.
12. Oroville Cemetery District - Supervisor Connelly submits a recommendation for appointment to the Oroville Cemetery District - action requested - REAPPOINT MARK WISTERMAN, TRUSTEE, TO A TERM TO END JANUARY 1, 2010.
13. Resolution in Support of Continued Funding of the Secure Rural Schools and Community Self-Determination Act of 2000 - Supervisor Yamaguchi is requesting the adoption of a resolution in support of continued federal funding for PL 106-393 in the fiscal year 2007 federal budget - action requested - ADOPT RESOLUTION 05-148 AND AUTHORIZE THE CHAIR TO SIGN.
14. Adoption of an Ordinance Amending Article X, Section 2-71 of the Butte County Code - approval is requested for an ordinance which will increase the meeting compensation for Butte County Planning Commission members from \$30.00 per meeting to \$70.00 per meeting, and provide for reimbursement of Commission-related training and conference expenses. Board approval is also requested for a transfer of \$5,000 from the General Fund Appropriation for Contingencies to the Development Services Department's budget to provide the allocation for travel and training expenses - action requested - ADOPT ORDINANCE 3917 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-8-05 [3.04])

- 0525-002 15. Distribution of Request For Proposals - Centralized Electronic Land Use System - approval is requested to issue a Request For Proposals for a centralized electronic land use system that would provide for permitting, licensing, fee calculation/collection, code enforcement functions and on-line access that all participating departments could access and utilize. Anticipated one-time costs are estimated in the \$100,000 range for an all encompassing system - action requested - action requested - APPROVE DISTRIBUTION OF A REQUEST FOR PROPOSALS FOR A CENTRALIZED ELECTRONIC LAND USE SYSTEM.
16. Development of an Enterprise-wide Financial and Human Resources Information System - approval is requested to initiate the development of an enterprise-wide financial and human resources information system to support the expansion of the current Pentamation Open Series Accounting System. The enterprise-wide system would be managed by the Information Systems Department - action requested - DIRECT STAFF TO EXPRESS INTENT TO SUNGUARD-PENTAMATION TO MIGRATE TO THEIR FINANCEPLUS SERIES PRODUCT; AUTHORIZE THE ADDITION OF FOUR POSITIONS TO THE INFORMATION SYSTEMS DEPARTMENT AS DETAILED IN THE AGENDA REPORT; APPROVE THE PROPOSED SHIFT AND SEPARATION OF DUTIES BETWEEN THE AUDITOR-CONTROLLER AND THE INFORMATION SYSTEMS DIRECTOR; AND DIRECT STAFF TO EXPLORE STAFF LEVEL ADJUSTMENTS SO THE NET INCREASE IN POSITIONS IS ONLY TWO FULL-TIME POSITIONS.
17. Consolidated Area Housing Authority of Sutter County - Amendment - approval is requested for an amendment to the agreement with the Consolidated Area Housing Authority of Sutter County for administration of the County's Housing Rehabilitation Loan Program. The amendment provides for the 20 additional hours per week at a total cost of \$27,750, and requires the Housing Authority to execute an additional \$75,000 in loans. Funding for the additional amendment and additional loans will be provided by Community Development Block Grant Program Income, and Board approval is also requested for the necessary transfer of funds to provide the allocations needed - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
18. Resolution in Appreciation of Marilyn Jones upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION 05-149 AND AUTHORIZE THE CHAIR TO SIGN.

- 0525-002 19. Butte County District Attorney's Office - Plan of Cooperation - approval is requested for a Plan of Cooperation with the District Attorney's Office for investigative services. The term of the agreement is July 1, 2005, through June 30, 2006, with a quarterly maximum amount reimbursable to the District Attorney's Office of \$164,000 (department budget) - action requested - APPROVE PLAN OF COOPERATION AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
20. Certification of Statement of Votes Cast - pursuant to California Elections Code Section 15372, submitted is the Certification of Statement of Votes Cast for the Special Consolidated Statewide Election held within the County of Butte on November 8, 2005 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST.
21. Mustain Enterprises, Inc. d/b/a Action Repro Systems - Amendment - approval is requested for an amendment to the agreement with Mustain Enterprises, Inc. d/b/a Action Repro Systems, for the maintenance of map copying equipment. The amendment extends the term of the agreement through December 31, 2006, and all other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X158225)
22. Abbott & Kindermann, LLP - Amendment - approval is requested for an amendment to the agreement with Abbott & Kindermann, LLP, for the provision of specialized legal services relating to the General Plan. The amendment increases the maximum hourly rate by \$40 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
23. Land Conservation Act Applications for Inclusion - by unanimous vote, the Land Conservation Act Advisory Committee recommended four applications for inclusion into Land Conservation Act agreements. The Committee requests the Board approve the following four applications subject to a covenant that once new contract wording is amended, the applicants would simultaneously rescind and enter into the new contracts: 1) Wurlitzer Land and Farming Co. (APN 047-060-049, 048, 038, 047-070-041, 100 and 101) 558.6 acres, Orchard, 20 acre minimum; 2) Gary Lindberg (APN 029-170-076), 130 acres, Field Crop, 80 acre minimum; 3) John Thompson (APN 038-050-008), 419.93 acres, Field Crop, 80 acre minimum; and 4) Mapco Farms (APN 047-030-019) 262 acres, Orchard, 20 acre minimum - action requested - APPROVE THE APPLICATIONS AS DETAILED IN THE AGENDA REPORT SUBJECT TO A COVENANT THAT ONCE NEW CONTRACT WORDING IS AMENDED, THE APPLICANTS WILL SIMULTANEOUSLY RESCIND AND ENTER INTO NEW CONTRACTS.

- 0525-002 24. Actions to Support Position Reassignments - approval is requested for budget modifications to the District Attorney's and Sheriff's budget units to support the reassignment of four clerical positions assigned to the Butte Interagency Narcotics Task Force, from the District Attorney's Office budget to the Sheriff's Office budget - action requested - APPROVE BUDGET TRANSFER B-174 MODIFYING THE BUDGET UNITS AS DETAILED IN THE AGENDA REPORT; AND AUTHORIZE THE DISTRICT ATTORNEY TO PAY INCUMBENT EMPLOYEES FOR ALL ACCRUED COMPENSATORY OVERTIME BALANCES.
25. Butte County Department of Public Health - approval is requested for a Memorandum of Understanding with the Department of Public Health for the provision of public health nursing services for CalWORKs Welfare-to-Work participants. The term of the agreement is January 1, 2006, through June 30, 2007, with a maximum amount payable to the Public Health Department of \$160,200 (Employment and Social Services budget). Board approval is also requested for the budget transfer necessary allocate revenues between departments and establish appropriations needed - 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-176 ALLOCATING FUNDS AND MAKING ACCOUNT ADJUSTMENTS AS DETAILED IN THE AGENDA REPORT.
26. Child Welfare System Outcome Improvement Programs - approval is requested for three agreements with various agencies for the provision of Child Welfare System Outcome Improvement Programs. The department was awarded \$303,571 from the California Department of Social Services to support activities that are necessary to improve outcomes for children and families. Proposed are agreements with Catalyst Domestic Violence Services (\$67,725), Youth For Change (\$101,125), and the Butte County Department of Public Health (\$45,000). Board approval is also requested for a budget transfer to accept and appropriate the unanticipated revenue - action requested - APPROVE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-160 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AND MAKING ACCOUNT ADJUSTMENTS AS DETAILED IN THE AGENDA REPORT.
27. In-Home Supportive Services Advisory Committee -submitted are recommendations for reappointments to the Butte County In-Home Supportive Services Advisory Committee - action requested - REAPPOINT DAVID BROWN AND DIANE COOPER, ADVOCATES-COMMUNITY INTEREST REPRESENTATIVES, TO TERMS TO END DECEMBER 19, 2008, AND REAPPOINT ROSIE GRINNELL, CURRENT OR PAST RECIPIENT OF PERSONAL CARE SERVICES REPRESENTATIVE, TO A TERM TO END DECEMBER 19, 2008.

- 0525-002 28. In-Home Supportive Services Contract Bid Process - approval is requested to authorize the Department of Employment and Social Services to release an Invitation For Bid on January 9, 2006, for Contract Mode services for In-Home Supportive Services for the two year period of July 1, 2006, through June 30, 2008 - action requested - AUTHORIZE THE DEPARTMENT TO ISSUE AN INVITATION FOR BID FOR CONTRACT MODE SERVICES ON JANUARY 9, 2006.
29. Relief of Accountability - approval is requested for relief of accountability for various fixed asset items that are obsolete or no longer operable. The items have been disposed of or transferred to surplus for disposal - action requested - APPROVE RELIEF OF ACCOUNTABILITY FOR FIXED ASSET ITEM AS DETAILED IN THE AGENDA REPORT.
30. Fixed Asset Authorization Increase - approval is requested by the Facilities Services Division for an increase to the fixed asset purchase authorization for a tractor by \$5,000. Approval for the purchase was included in the 2005-2006 budget at \$16,000. Recent bids received were \$5,000 higher than originally approved and an increase to the purchase authority is required. Funding for the increase is provided through savings from other fixed asset purchases and no additional appropriations are required - action requested - APPROVE INCREASE TO FIXED ASSET PURCHASE AUTHORITY FOR A TRACTOR FROM \$16,000 TO \$21,000.
31. Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the District Attorney's Office is requesting the Board approve the Advanced Step Hire of an Investigator II candidate to Step 3 of the salary range based on education and experience. The Director-Human Resources concurs with the request for the Advanced Step Hire - action requested - APPROVE ADVANCED STEP HIRE OF AN INVESTIGATOR II CANDIDATE TO STEP 3 OF THE SALARY RANGE.
32. Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the Sheriff's Office is requesting the Board approve the Advanced Step Hire of a Public Safety Dispatcher to Step 2 of the salary range, retroactive to her date of hire, based on experience. The Director-Human Resources concurs with the request for the Advanced Step Hire - action requested - APPROVE ADVANCED STEP HIRE OF A PUBLIC SAFETY DISPATCHER TO STEP 2 OF THE SALARY RANGE, RETROACTIVE TO NOVEMBER 19, 2005.

- 0525-002 33. Advanced Step Hire - pursuant to Personnel Rule 11.5(b), the Sheriff's Office is requesting the Board approve the Advanced Step Hire of a Deputy Sheriff to Step 3 of the salary range, retroactive to his date of hire, based on education and experience. The Director-Human Resources concurs with the request for the Advanced Step Hire - action requested - APPROVE ADVANCED STEP HIRE OF A DEPUTY SHERIFF TO STEP 3 OF THE SALARY RANGE, RETROACTIVE TO NOVEMBER 5, 2005.
34. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ASSESSOR - deletes 1 position of Assessment Clerk, Senior/Assessment Clerk. Adds 1 position of Administrative Assistant, Senior. COUNTY CLERK-ELECTIONS AND REGISTRATION - adds 1 term position of Deputy County Clerk II (position end date 6-30-06). DISTRICT ATTORNEY-CRIMINAL - deletes 2 positions of Legal Clerk/Office Specialist, Senior/Office Specialist/Office Assistant, 1 sunset position of Legal Clerk/Office Specialist, Senior/Office Specialist/Office Assistant (position end date 6-30-06), and 1 sunset position of Legal Clerk (position end date 6-30-06). SHERIFF-CORONER-OPERATIONS - adds 1 sunset position of Deputy Sheriff (position end date 6-30-06). SHERIFF-CORONER-CORRECTIONS - adds 4 sunset positions of Correctional Officer (position end dates 06-30-06. SHERIFF-CORONER-B.I.N.T.F. - adds 2 positions of Sheriff's Clerk III/II/I and 2 sunset positions of Sheriff's Clerk III/II/I (position end dates 6-30-06). PROBATION - deletes 1 position of Legal Clerk/Office Specialist, Senior/Office Specialist/Office Assistant. Adds 1 position of Office Specialist, Senior/Office Specialist/Office Assistant. PROBATION-VICTIM WITNESS GRANT - deletes a .5 (half-time) position of Legal Clerk/Office Specialist, Senior. Adds a .5 (half-time) position of Office Specialist, Senior/Office Specialist/Office Assistant. PROBATION-BOARD OF CONTROL GRANT - deletes a .5 (half-time) position of Legal Clerk/Office Specialist, Senior. Adds a .5 (half-time) position of Office Specialist, Senior/Office Specialist/Office Assistant. AGRICULTURAL - adds 1 sunset position of Agricultural Biologist/Weights and Measures Inspector I (position end date 6-30-06). PUBLIC HEALTH-GENERAL SERVICES - deletes 1 position of Certified Nurse Practitioner/Physician's Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate, 1 position of Supervisor, Administrative Analyst.

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0525-002 34. PUBLIC HEALTH-GENERAL SERVICES - adds a .5 (half-time) term position of Certified Nurse Practitioner/Physician's Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate, a .25 (quarter-time) position of Certified Nurse Practitioner/Physician's Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate (position end date 9-30-06), 1 term position of Public Health Education Specialist, Senior/Public Health Education Specialist/Public Health Education Specialist, Associate (position end date 8-30-06), 1 position Inventory-Warehouse Specialist, Senior/Inventory-Warehouse Specialist, and 1 position Supervisor, Public Health Nursing. PUBLIC HEALTH-ENVIRONMENTAL HEALTH - deletes 1 position of Supervisor, Support Services. Adds 1 position of Manager, Support Services/Supervisor, Support Services. BEHAVIORAL HEALTH-GENERAL SERVICES - adds 1 position of Supervisor, Mental Health Clinician, 1 position of Supervisor, Psychologist, 1 position Psychologist (Licensed)/Psychologist, 2 positions Administrative Analyst, Senior/Administrative Analyst, Administrative Analyst, Associate, 1 term position Supervisor, Mental Health Clinician (position end date 9-30-08), and 2 term positions of Mental Health Clinician (position end date 9-30-08). BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - adds 1 sunset position of Supervisor, Behavioral Health Education Specialist (position end date 9-30-08). EMPLOYMENT AND SOCIAL SERVICES-ADMINISTRATION - adds 2 positions of Social Services Aide. EMPLOYMENT AND SOCIAL SERVICES-SERVICES - deletes 1 position of Social Worker, Senior/Social Worker. EMPLOYMENT AND SOCIAL SERVICES-CalWORKs - deletes 40 positions of Employment Case Manager, Senior and 20 positions of Employment Case Manager. Adds 60 positions of Employment Case Manager, Senior/Employment Case Manager. INFORMATION SYSTEMS - adds 1 position of Assistant Director, Information Systems, 2 positions of Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate. ADMINISTRATIVE-FACILITIES SERVICES - deletes 1 position of Janitor, Lead and adds 1 flexibly staffed position of Janitor, Lead/Janitor. ADMINISTRATIVE-CENTRAL DUPLICATING - deletes 1 position of Graphics Machine Operator. Adds 1 position of Office Specialist. ADMINISTRATIVE-CENTRAL COMMUNICATIONS - section re-titled to "Information Systems-Central Communications". Adds 1 term position of Manager, Telecommunications (position end date 3-31-06). SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE F, MANAGEMENT, CONFIDENTIAL AND SUPERVISORY UNIT CLASSIFICATION - adds the position of Assistant Director-Information Systems, and sets the salary range at \$34.87-\$42.39. SALARY PLAN FOR ELECTED AND APPOINTED OFFICIALS, REFERENCE A, APPOINTED DEPARTMENT HEADS - sets the annual salary for the Director-Development Services at \$115,000 - action requested - ADOPT RESOLUTION 05-150 AND AUTHORIZE THE CHAIR TO SIGN.

- 0525-002 35. Fixed Asset Purchase of Equipment - approval is requested for the fixed asset purchase of an enterprise backup and data storage system to replace equipment that has failed. Funding for the purchase is available from the ISF Equipment Replacement Fund (\$90,625) and Board approval is also requested for the needed increase in appropriations to provide for the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF ENTERPRISE BACKUP SYSTEM; AND APPROVE BUDGET TRANSFER B-167 (4/5 vote required) INCREASING APPROPRIATIONS IN THE ISF EQUIPMENT REPLACEMENT FUND AS DETAILED IN THE AGENDA REPORT.
36. Library Donations - pursuant to Government Code Section 25355, donations of \$1,346.36 from the Paradise Friends of the Library, \$1,261.90 from the Oroville Friends of the Library, \$1,025 from the Chico Friends of the Library, \$250 from Barbara Bush Zontek of Oroville, and \$1,200 from anonymous donors, have been received for the Butte County Trust Fund for the purchase of books. \$2,596.58 has been received from the Gridley Friends of the Library for staff support hours - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.
37. Donation for Library Literacy Program - pursuant to Government Code Section 25355, a donation of \$2,700 has been received from the Target store in Chico, for the Library Literacy Program. Board approval is requested to accept and appropriate the funds - action requested - ACCEPT DONATION; AUTHORIZE A LETTER OF APPRECIATION; AND APPROVE BUDGET TRANSFER B-173 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
38. Transfer of Book Trust Funds - approval is requested to accept and appropriate \$90,000 from the Book Trust Fund to the Library's budget for the purchase of books - action requested - APPROVE BUDGET TRANSFER B-172 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED TRUST FUND REVENUE AS DETAILED IN THE AGENDA REPORT.
39. The Library Corporation - Amendment - approval is requested for an amendment to the agreement with The Library Corporation for the provision of software products and support for the Library's automated system. The amendment extends the term of the agreement through October 31, 2008; provides that charges for the additional two year term are subject to negotiations, and revises the agreement's exhibits to reflect the change. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X11415)

- 0525-002 40. Request to Close Libraries on December 24, 2005, and December 31, 2005 - approval is requested to close the Chico Branch Library on Saturday, December 24, 2005, and Saturday, December 31, 2005. The Chico Branch Library is open six days a week and the official holidays will each be observed on a Monday this year. Under this schedule staff assigned to work Tuesday through Saturday will have to work on the Saturday dates and receive deferred holiday credits instead. The affected staff is requesting the ability to observe the holidays on the preceding work day (Saturday) as allowed by the Personnel Rules - action requested - AUTHORIZE THE CHICO BRANCH LIBRARY TO CLOSE ON SATURDAY, DECEMBER 24, 2005, AND SATURDAY, DECEMBER 31, 2005.
41. Juvenile Justice Crime Prevention Act of 2000 - Progress Report - submitted is the Juvenile Justice Crime Prevention Act 2005 Progress Report. The plan will be submitted to the State Corrections Standards Authority as required by Act - action requested - ACCEPT FOR INFORMATION.
42. High Intensity Driving Under the Influence Enforcement (HIDE) Grant - approval is requested to accept grant funds in the amount of \$67,192 from the State of California, Office of Traffic Safety, for Driving Under the Influence (DUI) supervision programs. The term of the grant is January 1, 2006, through December 31, 2008. The department is proposing to utilize the funds during the term of January 1, 2006, through December 31, 2006, to extend the department's current proven DUI program - action requested - APPROVE BUDGET TRANSFER B-161 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT.
43. State of California, Department of Health Services - approval is requested for a revenue agreement with the State of California, Department of Health Services, for the provision of funds to support the Women, Infants and Children Program. The term of the agreement is October 1, 2005, through September 30, 2008, with a maximum amount payable to the County of \$3,558,000 (\$1,186,000 per fiscal year) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

- 0525-002 44. Butte County Children & Families Commission - Amendment - approval is requested for an amendment to the grant agreement with the Butte County Children & Families Commission for funds to support the Butte County Breastfeeding Center. The amendment extends the term of the agreement through June 30, 2007, increases the maximum amount payable to the County by \$100,000, and revises the agreement's exhibits to reflect the changes. 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. X15155)
45. State of California, Department of Health Services - Amendment - approval is requested for an amendment to the revenue agreement with the State of California, Department of Health Services, for Medi-Cal Administrative Activities. The amendment extends the term of the agreement through June 30, 2008, increases the maximum amount payable to the County by \$400,000 (\$100,000 per fiscal year), and revises the agreement's exhibits to reflect the changes. 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. R40747)
46. Request to Approve Unauthorized Purchase - approval is requested to ratify unauthorized purchases totaling \$14,690.18. The purchases were for equipment and supplies for grant programs which required grant fund expenditure prior to September 30, 2005. Pursuant to the Butte County Purchasing Policy Manual, Board approval is requested to authorize payment of the field purchase orders - action requested - RATIFY PURCHASES AND AUTHORIZE PAYMENT OF FIELD PURCHASE ORDERS.
47. Neal Road Sanitary Landfill - Request to Advertise for Bids - approval is requested to advertise for bids for the construction of a closure cover and installation of a landfill gas collection and control system on portions of Modules 1 and 3 at the Neal Road Sanitary Landfill. The project will consist of placing and grading a soil cover, installing a low-permeability cover, a vegetative soil cover and the installation of gas wells, piping and a landfill gas flare station - action requested - AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO RELEASE A REQUEST FOR BIDS.

- 0525-002 48. Construction of Module 4, Phase B, at the Neal Road Sanitary Landfill - County Project No. 757-5847 - Notice of Completion - the project consisted of excavation, preparation of the subgrade for the construction of the landfill liner, furnishing and installing the landfill liner components and related items. All contract work has been completed - action requested - ACCEPT CONTRACT WORK; APPROVE THE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT RECORDING OF THE NOTICE OF COMPLETION.
49. Request to Approve Emergency Purchase - approval is requested to ratify the emergency purchase of a agricultural oil collection tank in the amount of \$5,642.19. The tank was purchased to replace a tank that was vandalized and rendered unstable. Funding for the purchase is available using California Integrated Waste Management Board Used Oil Block Grant Fund. Pursuant to the Butte County Purchasing Policy Manual, Board ratification of the emergency purchase is required - action requested - RATIFY EMERGENCY PURCHASE OF AGRICULTURAL OIL COLLECTION TANK AND AUTHORIZE PAYMENT.
50. Installation of Gate on Doon Grade Road - property owners on Doon Grade Road have requested that the County help prevent unwanted and illegal dumping along the roadway and the unnecessary use of the roadway during inclement weather. To address the issues, staff is proposing the installation of a gate at the lower end of Doon Road. The gate will not restrict the use of the road by any member of the public - action requested - AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO HAVE A GATE INSTALLED ON THE LOWER END OF DOON GRADE ROAD AT COUTOLENC ROAD.
51. Request to Lease Equipment - approval is requested to lease equipment which will deploy and retract re-usable tarps to cover the trash at the Neal Road Sanitary Landfill. California Health and Safety Regulations require trash in landfills to be covered daily with soil or other approved alternate cover. Proposed is a lease-to-own agreement for a Tarpomatic tarping system. Lease payments will total \$84,550.96, and will be paid in four annual payments of \$21,137.74 (department budget) - action requested - APPROVE SOLE SOURCE PURCHASE OF FIXED ASSET, A TARPOMATIC AUTOMATIC TARPING MACHINE; APPROVE THE LEASE OF TARPING SYSTEM EQUIPMENT; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS TO SIGN A LEASE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
52. Resolution in Appreciation of Sharon Pevy upon Her Retirement from the County of Butte - action requested - ADOPT RESOLUTION 05-151 AND AUTHORIZE THE CHAIR TO SIGN.

- 0525-002 53. Butte County Office of Education and Oroville Union High School - approval is requested for a Memorandum of Understanding with the Butte County Office of Education and the Oroville Union High School for funds to support the placement of a School Resource Officer at Las Plumas High School. The term of the agreement is September 1, 2005, through June 30, 2006, with a maximum amount payable to the County of \$75,000. Board approval is also requested to accept and appropriate the unanticipated revenue - 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-177 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
54. Approval to Purchase Fixed Asset Equipment - approval is requested for the fixed asset purchase of a microfilm reader/printing system for the Records Division in the estimated amount of \$10,400. The equipment will replace equipment that is obsolete and beyond economic repair. Funding for the purchase is available within the department's budget and Board approval is also requested for a transfer of funds between budget line items to provide the needed appropriation of the purchase - action requested - APPROVE FIXED ASSET PURCHASE OF MICROFILM EQUIPMENT; AND APPROVE BUDGET TRANSFER B-159 AS DETAILED IN THE AGENDA REPORT.
55. Search and Rescue Equipment Donations - pursuant to Government Code Section 25355, approval is requested to accept the fixed asset donation of a Polaris quad track and Carson trailer, with a total estimated value of \$11,421.95. The equipment was donated to the Sheriff's Office by Butte County Search and Rescue - action requested - ACCEPT DONATION OF FIXED ASSET EQUIPMENT.
56. APPRISS Intelligent Communications Solutions - Amendment - approval is requested for an amendment to the agreement with APPRISS Intelligent Communications Solutions for the provision of the Victim Information and Notification Everyday (VINE) system. The amendment extends the term of the agreement through October 19, 2006, and increases the maximum amount payable by \$13,801 (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. X11383)
57. Monthly Investment Report - submitted is the Monthly Investment Report dated October 31, 2005, in accordance with the Statement of Investment Policy dated July 1, 2005 - action requested - ACCEPT FOR INFORMATION.

- 0525-002 58. Budget Transfer - approval is requested for a transfer of \$24,960 from the Tax Collector's Cost Charge Fund to the department's budget. The funds will be used for a professional services agreement to assist the department in implementing internet auction capabilities for tax-defaulted properties - action requested - APPROVE BUDGET TRANSFER B-171 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
59. Adoption of an Ordinance Amending Section 33A-5 of Chapter 33A of the Butte County Code, Entitled "Groundwater Management" and Butte County Water Advisory Committee Bylaws - approval is requested for an ordinance which will amend Section 33A-5 of Chapter 33A of the Butte County Code regarding appointments to the Water Advisory Committee. The changes are being made to provide consistency between the Code and the proposed bylaws. Section 33A-4 requires the operation of the Water Advisory Committee through bylaws approved by the Board. The department, County Counsel and the Water Advisory Committee have developed the proposed bylaws and the Water Commission has recommended adoption - action requested - ADOPT ORDINANCE 3918 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 11-8-05 [3.32])
60. Resolution in Recognition of Ed Craddock upon His Retirement from the County of Butte - action requested - ADOPT RESOLUTION 05-152 AND AUTHORIZE THE CHAIR TO SIGN.
61. Letter of Support for Riparian Sanctuary-Phase II - the Princeton-Codora-Glenn Irrigation District and the Provident Irrigation District, in partnership with the Sacramento River National Wildlife Refuge and River Partners are requesting a letter of support for a grant proposal to be submitted to the California Bay-Delta Authority Ecosystem Restoration Program. This is the second phase of a project at River Mile 178 of the Sacramento River. It will include environmental compliance and project design. The project goals are to protect the pumping plant and fish screen facility on the western side of the river and restoration and management option for the 950 acre Riparian Sanctuary located on the eastern side of the river - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.

- 0525-002 62. Grant Fund Appropriations and Agreement - approval is requested to appropriate \$247,820 in grant funds received from the State of California, Department of Water Resources, Division of Planning and Local Assistance, to support local groundwater studies and groundwater monitoring and management activities. The Board accepted the grant at the meeting of September 27. The department is also requesting the Board approve an agreement with Kennedy Jenks for the development of a Basin Management Objectives Information Center. The agreement provides for an implementation time for the Center of eight months from the start of Phase I, with a maximum amount payable of \$70,000 (grant funds) - action requested - APPROVE BUDGET TRANSFER B-175 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED GRANT REVENUE AS DETAILED IN THE AGENDA REPORT; AND APPROVE AN AGREEMENT WITH KENNEDY JENKS FOR CREATION OF A BASIN MANAGEMENT OBJECTIVES CENTER AND AUTHORIZE THE DIRECTOR-WATER AND RESOURCE CONSERVATION TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
63. California State Association of Counties-Excess Insurance Authority Board of Directors - action requested - APPOINT GREG ITURRIA, ALTERNATE DELEGATE.
64. Water and Resource Conservation - approval is requested to appoint L. Toccoy Dudley to the position of Director-Water and Resource Conservation, and to approve an employment agreement with Mr. Dudley for a three-year term, beginning January 2, 2006. The annual compensation rate will begin at \$97,233 with all other terms and provisions of the agreement being similar to the employment agreements with all other department directors - action requested - APPOINT L. TOCCOY DUDLEY TO THE POSITION OF DIRECTOR-WATER AND RESOURCE CONSERVATION, EFFECTIVE JANUARY 2, 2006; AND APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (86)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEMS 3.02, 3.24, 3.26, AND 3.55.

M S

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

CHAIR YAMAGUCHI PRESENTED A RESOLUTION TO SHARON PEVY, IN RECOGNITION OF HER RETIREMENT FROM THE COUNTY OF BUTTE.

CHAIR YAMAGUCHI PRESENTED A RESOLUTION TO MARILYN JONES IN RECOGNITION OF HER RETIREMENT FROM THE COUNTY OF BUTTE.

CHAIR YAMAGUCHI PRESENTED A RESOLUTION TO ED CRADDOCK, IN RECOGNITION OF HIS RETIREMENT FROM THE COUNTY OF BUTTE.

CHAIR YAMAGUCHI INTRODUCED TOCCOY DUDLEY, NEWLY HIRED DIRECTOR OF WATER AND RESOURCE CONSERVATION.

REGULAR AGENDA

0525-003 Boards, Commissions and Committees. (778)

- 1. Appointments to Listed Vacancies. (NONE)
- 2. Board Member or Committee Reports.

SUPERVISOR CONNELLY AND SUPERVISOR YAMAGUCHI PROVIDED REPORTS ON THE CALIFORNIA STATE ASSOCIATION OF COUNTIES' ANNUAL MEETING.

0525-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (882) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, PRESENTED THE BOARD WITH THE CALIFORNIA STATE ASSOCIATION OF COUNTIES' CHALLENGE AWARD THAT THE COUNTY RECEIVED AT THE ANNUAL MEETING FOR THE COUNTY'S SOLAR ENERGY PROJECT, AND INFORMED THE BOARD THE COUNTY ALSO RECEIVED A MERIT AWARD FOR ITS IN-HOME SUPPORTIVE SERVICES FRAUD PROGRAM.

- 1. 2006 Legislative/Regulatory Platform - presentation of the County 2006 Legislative/Regulatory Platform which describes the County's legislative and regulatory priorities and goals for the upcoming legislative session - action requested - ADOPT PLATFORM.

THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THE ITEM WILL RETURN ON THE AGENDA OF JANUARY 10, 2006.

0525-005 Sierra Nevada Conservancy, North Central Sub-Region - action requested - APPOINT REPRESENTATIVE TO A TWO-YEAR TERM. (938)

MOTION: I MOVE TO APPOINT SUPERVISOR YAMAGUCHI, REPRESENTATIVE, AND SUPERVISOR CONNELLY, ALTERNATE, TO THE SIERRA NEVADA CONSERVANCY, NORTH CENTRAL SUB-REGION, FOR TWO-YEAR TERMS.

S M

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

0525-006 Butte County Library Advisory Board - Report to the Board - presentation of a report from the Butte County Library Advisory Board concerning establishing a method for stable funding - action requested - ACCEPT FOR INFORMATION (1085)

PRESENTATION TO THE BOARD BY FRED DAVIS, BUTTE COUNTY LIBRARY ADVISORY BOARD, AND MEMBERS OF THE COUNTY'S VARIOUS FRIENDS OF THE LIBRARY GROUP.

BOARD DIRECTION THAT STAFF PREPARE INFORMATION ON THE PROPOSED BALLOT MEASURE TO IMPOSE A 1/8TH CENT SALES TAX FOR THE LIBRARY, AND RETURN THE INFORMATION TO THE BOARD ON JANUARY 10, 2006.

RECESS: 10:14 A.M.

RECONVENE: 10:23 A.M.

REGULAR AGENDA

0525-007 Fiscal Impacts of Relicensing - presentation of a report to the board on Lake Oroville FERC Relicensing - action requested - ACCEPT FOR INFORMATION. (2251) (**00)

PRESENTATION TO THE BOARD BY BRUCE ALPERT, COUNTY COUNSEL, AND CAROL SMOOTS, SPECIAL COUNSEL, FERC RELICENSING.

RECESS: 11:13 A.M.

RECONVENE: 11:29 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0525-008 Public Hearing - Consideration of the Establishment of an Increased Annual Service Charge in County Service Area (CSA) No. 17 (Proposed Zone 2) That Would Include Alley Maintenance Services Within a Newly Created Zone of Benefit Known as Zone 2 - approval is requested for a resolution which would set an annual service charge in a newly created zone of CSA No. 17 (South Oroville/Las Plumas Park Lighting) - action requested - (FROM 10-25-05 [3.29]) - OPEN PUBLIC HEARING; ACCEPT PROPERTY OWNER PROTESTS; IF NO MAJORITY PROTEST EXISTS, ADOPT A RESOLUTION ESTABLISHING INCREASED SERVICES CHARGES FOR FISCAL YEAR 2006-2007 AND FUTURE FISCAL YEARS, SUBJECT TO BALLOT PROCEEDING BY A MAJORITY VOTE OF THE OWNERS OF THE PROPERTY WITHIN COUNTY SERVICE AREA NO. 17, ZONE 2, AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A BALLOT PROCEEDING PUBLIC HEARING BE SET FOR TUESDAY, FEBRUARY 28, 2006, AT 10:30 A.M. (**849)

PUBLIC HEARING OPENED: 11:29 A.M.
TOTAL PARCELS IN CSA, ZONE 2: 837
TOTAL PROTESTS RECEIVED: 1
PUBLIC HEARING CLOSED: 11:31 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION 05-153 ESTABLISHING INCREASED SERVICES CHARGES FOR FISCAL YEAR 2006-2007 AND FUTURE FISCAL YEARS, SUBJECT TO BALLOT PROCEEDING BY A MAJORITY VOTE OF THE OWNERS OF THE PROPERTY WITHIN COUNTY SERVICE AREA NO. 17, ZONE 2, AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A BALLOT PROCEEDING PUBLIC HEARING BE SET FOR TUESDAY, FEBRUARY 28, 2006, AT 10:30 A.M.

M S

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

0525-009 Continued Public Hearing - Petition for Immediate Cancellation of a Williamson Act Agreement (Evelyn Liptrap - consideration of a petition to immediately cancel a Williamson Act agreement on a 52.72 acre parcel, located at the terminus of Kittyhawk Drive, approximately 2,100 feet west of Garner Lane, and east of, and adjacent to, State Route 99, in the north Chico area and identified as APN 047-260-199. In accordance with the California Environmental Quality Act, an Initial Study has been prepared for this project and the Planning Division is recommending a Mitigated Negative Declaration - action requested - PURSUANT TO GOVERNMENT CODE SECTION 51282, AND SUBJECT TO THE FINDINGS DETAILED IN THE STAFF REPORT DATED NOVEMBER 8, 2005, APPROVE THE TENTATIVE CANCELLATION OF THE WILLIAMSON ACT CONTRACT FOR EVELYN LIPTRAP, APN 047-260-199, INSTRUMENT NO. 0052839, RECORDED DECEMBER 22, 1999, SUBJECT TO PAYMENT OF THE APPLICABLE CANCELLATION FEE; AND DIRECT THE RECORDING OF A CERTIFICATE OF TENTATIVE CANCELLATION. (FROM 11-8-05 [5.02]) (**1205)

PUBLIC HEARING RECONVENED: 11:39 A.M.
 PUBLIC HEARING CLOSED: 11:45 A.M.

THIS ITEM TO RETURN TO THE LAND CONSERVATION ACT COMMITTEE TO ALLOW FOR ADDITIONAL INFORMATION TO BE SUBMITTED INTO THE RECORD ON THIS MATTER.

0525-010 Continued Public Hearing - Ken and Mary Brown - Tentative Parcel Map Appeal - consideration of an appeal of conditions of approval of a Tentative Parcel Map to divide a 2.3 acre parcel into two parcels of 1.03 and 1.3 acres. Sanitary sewer service to the property is available through a recorded "Sewer Service and Annexation Agreement" with the City of Chico. Water service would be provided by the California Water Service Company. Access for the additional parcel is proposed by Via Morro Court. The project is located on the north side of Via Morro Court, and identified as APN 011-020-083 (TPM 04N-29) - action requested - DENY THE APPEAL OF CONDITIONS 12, 13, 16 AND 17 FOR THE BROWN TENTATIVE PARCEL MAP (TPM 04N-29) APN 011-020-083.(FROM 11-8-05 [5.03]) (**1745)

PUBLIC HEARING RECONVENED: 11:54 A.M.

THE APPLICANT WITHDREW THE APPEAL OF CONDITION 17.

PUBLIC HEARING CLOSED: 12:13 P.M.

MOTION: I MOVE TO APPROVE THE APPEAL.
 M S
 VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (Unanimously Carried)

RECESS: 12:15 P.M.

RECONVENE: 12:17 P.M.

0525-010 Continued Public Hearing - Ken and Mary Brown - Tentative Parcel Map Appeal - consideration of an appeal of conditions of approval of a Tentative Parcel Map to divide a 2.3 acre parcel into two parcels of 1.03 and 1.3 acres. Sanitary sewer service to the property is available through a recorded "Sewer Service and Annexation Agreement" with the City of Chico. Water service would be provided by the California Water Service Company. Access for the additional parcel is proposed by Via Morro Court. The project is located on the north side of Via Morro Court, and identified as APN 011-020-083 (TPM 04N-29) - action requested - DENY THE APPEAL OF CONDITIONS 12, 13, 16 AND 17 FOR THE BROWN TENTATIVE PARCEL MAP (TPM 04N-29) APN 011-020-083.(FROM 11-8-05 [5.03]) (**1745)

Reconsideration of the Motion.

MOTION: I MOVE FOR A MOTION OF INTENT TO APPROVE THE PROJECT, AND DIRECT STAFF TO PREPARE FINDINGS TO SUPPORT THE APPROVAL AND RETURN THE MATTER TO THE BOARD FOR FINAL ACTION.

M S

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

0525-011 Continued Public Hearing - Randy Moon - Tentative Parcel Map Appeal - consideration of an appeal of conditions of approval of a Tentative Parcel map to divide a 2.0 acre parcel into two 1.0 acre parcels, on property located on the southeast corner of Stanley Avenue and Walnut Tree Lane, approximately 2,100 feet east of Dayton Road, southwest of Chico, and identified as APN 039-370-100 - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

- 1. SUBJECT TO FINDING I, AS DETAILED IN THE STAFF REPORT DATED DECEMBER 13, 2005, DENY THE APPEAL OF CONDITION NO. 8; AND
2. SUBJECT TO FINDING II, AS DETAILED IN THE STAFF REPORT DATED DECEMBER 13, 2005, DENY THE APPEAL OF CONDITION NO. 10. (FROM 11-8-05 [5.05]) (**2800)

PUBLIC HEARING RECONVENED: 12:19 P.M.
PUBLIC HEARING CLOSED: 12:30 P.M.

MOTION: I MOVE FOR A MOTION OF INTENT TO UPHOLD THE APPEAL OF CONDITION NO. 8, AND DENY THE APPEAL OF CONDITION NO. 10, AND DIRECT STAFF TO PREPARE FINDINGS TO SUPPORT THE APPROVAL AND RETURN THE MATTER TO THE BOARD FOR FINAL ACTION.

S M

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

CLOSED SESSION

0525-012 RECESS: THE BOARD RECESSED AT 12:31 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 GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES; A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): LAKE OROVILLE INTERVENTION (FERC PROJECT 2100), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00598-WBS-KJM), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00600-WBS-JFM); A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: JEANNE GRAVETTE, EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFFS' 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; CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: PAUL MCINTOSH, EMPLOYEE ORGANIZATION: BUTTE COUNTY APPOINTED DEPARTMENT HEADS; CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 900 THE ESPLANADE, CHICO, CALIFORNIA, AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES, NEGOTIATING PARTIES: DEAN KENNETH DERUCHER, CALIFORNIA STATE UNIVERSITY, CHICO. UNDER NEGOTIATION: PRICE AND TERMS OF SALE. (**3475) (**00)

0525-012 **RECONVENE :** THE BOARD RECONVENED AT 2:25 P.M. FROM 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 GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES; A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): LAKE OROVILLE INTERVENTION (FERC PROJECT 2100), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00598-WBS-KJM), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00600-WBS-JFM); A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: JEANNE GRAVETTE, EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFFS' 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; A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: PAUL MCINTOSH, EMPLOYEE ORGANIZATION: BUTTE COUNTY APPOINTED DEPARTMENT HEADS; A CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 900 THE ESPLANADE, CHICO, CALIFORNIA, AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES, NEGOTIATING PARTIES: DEAN KENNETH DERUCHER, CALIFORNIA STATE UNIVERSITY, CHICO, UNDER NEGOTIATION: PRICE AND TERMS OF SALE. (**3599) (NO ANNOUNCEMENTS)

PUBLIC HEARINGS AND TIMED ITEMS

0525-013 Public Hearing - Butte County 2005-2006 Solar Energy Project - Mitigated Negative Declaration - the project consists of locating solar panel structures near the Administration building, West Jail, Juvenile hall and Probation Building for a total potential solar power generation of one megawatt. The electricity will be used to power existing buildings at the Government Center, with excess generation resulting in credits from the utility provider for use at night or on rain days. Some of the solar panel structures will serve as covered parking over existing paved parking areas. An Initial Study and a Mitigated Negative Declaration for the project have been prepared. The project will cover several acres at the Butte County Government Center Complex located along County Center Drive in Oroville, and identified as APN 031-040-023, 031-040-028, 031-020-039, 031-040-020, and 031-040-039 - action requested - STAFF IS RECOMMENDING THE BOARD TAKE THE FOLLOWING ACTIONS:

1. PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN WITH THE FOLLOWING FINDINGS:
 - A. AN INITIAL STUDY WAS COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. SAID STUDY IDENTIFIED SIGNIFICANT ENVIRONMENTAL EFFECTS AND INCLUDED MITIGATION MEASURES THAT WOULD MITIGATE SUCH EFFECTS BELOW SIGNIFICANT LEVELS; A MITIGATED NEGATIVE DECLARATION IS PROPOSED;
 - B. THE BOARD OF SUPERVISORS HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION, TOGETHER WITH COMMENTS RECEIVED DURING THE REVIEW PROCESS;
 - C. ON THE BASIS OF THE WHOLE RECORD BEFORE THE BOARD OF SUPERVISORS, INCLUDING THE INITIAL STUDY AND ANY COMMENTS RECEIVED, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE COUNTY SOLAR ENERGY PROJECT WOULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. THE CUSTODIAN OF THE RECORD IS THE BUTTE COUNTY ADMINISTRATION OFFICE. THE LOCATION OF THE RECORD IS 25 COUNTY CENTER DRIVE, OROVILLE CA 95965;
 - D. THE PROPOSED MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE COUNTY, WHICH IS THE LEAD AGENCY;
 - E. ADOPT THE MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS, WITH MITIGATION MEASURES 1 THROUGH 2, AS DETAILED IN THE AGENDA REPORT DATED DECEMBER 13, 2005; AND

0525-013 2. ADOPT A "DE MINIMUS" EXEMPTION REGARDING IMPACTS TO FISH AND WILDLIFE OR THEIR HABITAT, FINDING THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND WILDLIFE OR THEIR HABITAT WITH THE IMPLEMENTATION OF PROPOSED MITIGATION MEASURES AS A SAFEGUARD, AND THAT THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5 IS NOT REQUIRED BECAUSE THE PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR THE UNITED STATES FISH AND WILDLIFE SERVICE. THE PROJECT WILL NOT HAVE A SUBSTANTIAL EFFECT ON ANY RIPARIAN HABITAT; HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT; INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN. (**3621) (**00)

PUBLIC HEARING OPENED: 2:25 P.M.
 PUBLIC HEARING CLOSED: 2:38 P.M.

MOTION: I MOVE, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, TO ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN WITH THE FOLLOWING FINDINGS: A) AN INITIAL STUDY WAS COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. SAID STUDY IDENTIFIED SIGNIFICANT ENVIRONMENTAL EFFECTS AND INCLUDED MITIGATION MEASURES THAT WOULD MITIGATE SUCH EFFECTS BELOW SIGNIFICANT LEVELS; A MITIGATED NEGATIVE DECLARATION IS PROPOSED; B) THE BOARD OF SUPERVISORS HAS CONSIDERED THE PROPOSED MITIGATED NEGATIVE DECLARATION, TOGETHER WITH COMMENTS RECEIVED DURING THE REVIEW PROCESS; C) ON THE BASIS OF THE WHOLE RECORD BEFORE THE BOARD OF SUPERVISORS, INCLUDING THE INITIAL STUDY AND ANY COMMENTS RECEIVED, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE COUNTY SOLAR ENERGY PROJECT WOULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. THE CUSTODIAN OF THE RECORD IS THE BUTTE COUNTY ADMINISTRATION OFFICE. THE LOCATION OF THE RECORD IS 25 COUNTY CENTER DRIVE, OROVILLE CA 95965; D) THE PROPOSED MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE COUNTY, WHICH IS THE LEAD AGENCY; AND E) MOVE TO ADOPT THE MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACTS, WITH MITIGATION MEASURES 1 THROUGH 2, AS DETAILED IN THE AGENDA REPORT DATED DECEMBER 13, 2005; AND FURTHER MOVE TO ADOPT A "DE MINIMUS" EXEMPTION REGARDING IMPACTS TO FISH AND WILDLIFE OR THEIR HABITAT, FINDING THAT THE DESIGN OF THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CAUSE ENVIRONMENTAL DAMAGE TO FISH AND WILDLIFE OR THEIR HABITAT WITH THE IMPLEMENTATION OF PROPOSED MITIGATION MEASURES AS A SAFEGUARD, AND THAT THE COLLECTION OF FEES PURSUANT TO FISH AND GAME CODE SECTION 711.4 AND 14 CCR 753.5 IS NOT REQUIRED BECAUSE THE PROJECT SITE IS NOT KNOWN TO CONTAIN ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR THE UNITED STATES FISH AND WILDLIFE SERVICE. THE PROJECT WILL NOT HAVE A SUBSTANTIAL EFFECT ON ANY RIPARIAN HABITAT; HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT; INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES; CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES OR CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN.

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

REGULAR AGENDA

0525-014 Advance Planning Positions - consideration of the addition of a Principal Planner and Senior Planner position within the Department of Development Services to establish an Advance Planning function within the department - action requested - APPROVE THE ALLOCATION AND FUNDING OF TWO NEW PLANNING POSITIONS. (**74)

MOTION: I MOVE TO APPROVE THE ALLOCATION AND FUNDING FOR TWO NEW PLANNING POSITIONS.

S M

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

0525-015 Master Cooperative Environmental Review Agreement and Ordinance Amending Article XVIII, Section 2-151, of the Butte County Code Entitled "Duties of Department" - consideration of a Master Cooperative Environmental Review Agreement between the County, the Local Agency Formation Commission, and special districts, which addresses project and California Environmental Quality Act processing. In order to facilitate the Development Services Department in carrying out its role under the Master Cooperative Environmental Review Agreement, it is proposed that the description of the duties of the Director of Development Services, found in Butte County Code Section 2-151, be clarified to explicitly allow the director to make procedures for submittal of development applications - action requested:

- 1. APPROVE MASTER COOPERATIVE ENVIRONMENTAL REVIEW AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND
- 2. WAIVE READING OF THE ORDINANCE. (**423)

MOTION: I MOVE TO APPROVE THE MASTER COOPERATIVE ENVIRONMENTAL REVIEW AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND FURTHER MOVE TO WAIVE THE READING OF THE ORDINANCE.

S M

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

0525-016 Introduction of an Ordinance of the County of Butte Requiring Diversion of Construction and Demolition Debris, Amending the Butte County Code by Adding Article VII to Chapter 31 and Amending Section 1-7 of Chapter 1, and Section 41-5 of Chapter 41 - consideration of an ordinance which would establish requirements to divert construction and demolition debris from the Neal Road Landfill through recycling or reuse - action requested - WAIVE READING OF THE ORDINANCE. (**566)

THIS ITEM CONTINUED TO JANUARY 10, 2006, TO ALLOW TIME FOR ADDITIONAL REVIEW BY THE VALLEY CONTRACTORS' ASSOCIATION AND FURTHER DEVELOPMENT OF THE PROPOSED STANDARDS AND GUIDELINES.

0525-017 Participation in the State of California Electronic Recording Delivery Act of 2004 - the Electronic Recording Delivery Act of 2004 authorizes the County Clerk-Recorder, with Board of Supervisors approval and Attorney General system certification, to establish an Electronic Recording Delivery System for recording specified digital electronic records. Participating counties are required to pay the cost of regulation and oversight by the Attorney General and are authorized to impose fees to cover those costs. Requested is a resolution authorizing implementation of an electronic recording delivery system and a one dollar (\$1.00) fee per recorded document, approval of a Memorandum of Understanding (MOU) with the Attorney General for regulation and oversight costs, and a budget transfer increasing appropriations in the Clerk-Recorder's budget by \$7,182 with offsetting revenues from the Recorder's Trust Fund - action requested - APPROVE RESOLUTION AUTHORIZING PARTICIPATION IN THE STATEWIDE ELECTRONIC RECORDING DELIVERY SYSTEM AND AUTHORIZE THE CHAIR TO SIGN; APPROVE MOU WITH THE CALIFORNIA STATE DEPARTMENT OF JUSTICE FOR PARTICIPATION AND COST SHARING IN A STATEWIDE ELECTRONIC RECORDING DELIVERY SYSTEM, AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; APPROVE A BUDGET TRANSFER (4/5 VOTE REQUIRED) AS DETAILED IN THE AGENDA REPORT. (**1213)

THIS ITEM REMOVED FROM THE AGENDA WITHOUT BOARD CONSIDERATION OR ACTION. THIS ITEM WILL RETURN ON THE AGENDA OF JANUARY 10, 2006.

0525-018 Employee Agreements and Employee Health Insurance - Increased premiums for employee health insurance go into effect in the last pay period of the calendar year, December 23. Human Resources has been involved in meet and confer sessions regarding implementation of the classification and compensation study in order to achieve long term labor agreements that include provisions for the increased cost of employee health insurance. New contracts have been ratified by the Probation Peace Officers Association (PPOA) and the Professional Employees Association (PEA), and Tentative Agreement has been reached with the Deputy Sheriffs' Association (DSA), Deputy Sheriffs' Association-Management (DSAM), Butte County Correctional Officers' Association (BCCOA), Butte County Correctional Officers' Association-Supervisory (BCCOAS), and the Communication Workers of America (CWA). Tentative Agreement may be reached with the Butte County Management Employees Association (BCMEA) before the meeting of the Board of Supervisors - action requested - STAFF RECOMMENDS THE BOARD TAKE THE FOLLOWING ACTION:

1. APPROVE RATIFIED CONTRACTS WITH PPOA AND PEA;
2. AUTHORIZE THE CHAIR TO EXECUTE A CONTRACT RATIFIED SUBSEQUENT TO THE BOARD'S MEETING FOR THOSE UNITS WHO HAVE REACHED TENTATIVE AGREEMENT BUT HAVE NOT YET RATIFIED A CONTRACT, AUTHORIZE IMPLEMENTATION OF THAT PORTION OF THE TENTATIVE AGREEMENT REGARDING EMPLOYEE HEALTH INSURANCE;
3. AUTHORIZE PAYMENT OF 50% OF THE EMPLOYEE HEALTH INSURANCE INCREASE FOR DEPARTMENT HEADS, THOSE EMPLOYEES NOT REPRESENTED BY A BARGAINING UNIT, AND ELECTED OFFICIALS. (**1218)

0525-018 MOTION: I MOVE TO APPROVE THE RATIFIED CONTRACTS WITH PPOA AND PEA; AUTHORIZE THE CHAIR TO EXECUTE A CONTRACT RATIFIED SUBSEQUENT TO THE BOARD'S MEETING FOR THOSE UNITS WHO HAVE REACHED TENTATIVE AGREEMENT BUT HAVE NOT YET RATIFIED A CONTRACT, AUTHORIZE IMPLEMENTATION OF THAT PORTION OF THE TENTATIVE AGREEMENT REGARDING EMPLOYEE HEALTH INSURANCE; AND AUTHORIZE PAYMENT OF 50% OF THE EMPLOYEE HEALTH INSURANCE INCREASE FOR DEPARTMENT HEADS, THOSE EMPLOYEES NOT REPRESENTED BY A BARGAINING UNIT, AND ELECTED OFFICIALS.

M S

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

0525-019 Items Removed from the Consent Agenda for Board Consideration and Action. (**1335)

1. Arnerich Massena & Associates, Inc. - approval is requested for an agreement with Arnerich Massena & Associates, Inc., for the provision of professional consulting services for the Butte County Employee 457 Deferred Compensation Plan. The term of the agreement is December 13, 2005, through December 13, 2010, with an initial payment for services in the amount of \$35,000, and a maximum amount payable of up to \$27,500 per year for continuing services. Board approval is also requested for a transfer from the General Fund Appropriation for Contingencies in the amount of \$48,750 to provide the appropriation needed for initial services and the remainder of the current fiscal year - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$48,750 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X15843)

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-166 ACCEPTING AND APPROPRIATING \$48,750 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

2. Noise Study Funding - approval is requested to accept and appropriate \$7,500 received from a permit applicant to fund a noise study required by their permitting process. The funds need to be appropriated into the department's budget to provide the appropriation for the study's contract - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING APPLICANT FUNDS AS DETAILED IN THE AGENDA REPORT.

MOTION: I MOVE TO APPROVE BUDGET TRANSFER B-162 ACCEPTING AND APPROPRIATING APPLICANT FUNDS AS DETAILED IN THE AGENDA REPORT.

M S

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

0525-019 3. Notice of Non-Renewal - Williamson Act Agreements - approval is requested to accept a Notice of Non-Renewal for Williamson Act Agreements as follows: 1) Antone and Dealinda Varisimo (Edwards et al. [1969]), APN 006-010-003 and 060-010-005, Williamson Act Contract Instrument Number 65042 in Book 1556 at Pages 370 through 376; 2) Robert Birkholz (Chaffin [1969]), Partial Non-Renewal, APN 026-250-022 for 12.73 acres, Williamson Act Contract Instrument Number 38964 in Book 1565 at Pages 476 through 482; 3) M & T Incorporated (1976), Partial Non-Renewal, APN 039-530-015 and 018, Williamson Act Contract Instrument Number 23188 in Book 2051 at Pages 61 through 73; 4) Christian Sommers (Richard E. Gravier [1968]), Partial Non-Renewal, APN 028-210-022, Williamson Act Contract Instrument Number 50744 in Book 1523 at Pages 513 through 520; 5) George R. Chaffin (1968), Partial Non-Renewal, APN 041-140-014, Recorded in Book 1515 at Pages 600-605; and 6) Charles Johnson and Mary Johnson (1978), APN 022-160-059, Williamson Act Contract Instrument Number 29887 in Book 2260 at Pages 62 through 71 - action requested - ACCEPT NOTICES OF NON-RENEWAL AND PARTIAL NON-RENEWAL AND DIRECT RECORDING OF NOTICES.

MOTION: I MOVE TO ACCEPT NOTICES OF NON-RENEWAL AND PARTIAL NON-RENEWAL AND DIRECT RECORDING OF NOTICES.

S M

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

4. Farm and Ranch Solid Waste Cleanup and Abatement Grant - approval is requested to apply to the California Integrated Waste Management Board for funds under the Farm and Ranch Solid Waste Cleanup and Abatement Grant program. The funds will be used to cleanup large illegal dump sites on ranch and agricultural lands and pay for fencing and other security measures to aid in prevention of future illegal dumping - action requested - ADOPT RESOLUTION APPROVING APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL NECESSARY APPLICATIONS, CONTRACTS, AND DOCUMENTS NECESSARY TO SECURE THE GRANT FUNDING AND TO IMPLEMENT AND CARRY OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

MOTION: I MOVE TO ADOPT RESOLUTION 05-154 APPROVING THE APPLICATION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR-PUBLIC WORKS, OR HIS DESIGNEE, TO EXECUTE ALL NECESSARY APPLICATIONS, CONTRACTS, AND DOCUMENTS NECESSARY TO SECURE THE GRANT FUNDING AND TO IMPLEMENT AND CARRY OUT THE PURPOSES SPECIFIED IN THE GRANT APPLICATION.

M S

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

PUBLIC COMMENT

0525-020 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. (**2178)

1. ELAINE LUCERO, THE AMERICAN LUNG ASSOCIATION, SUBMITTED A LETTER TO THANK THE BOARD FOR ITS SUPPORT OF THE "FREEDOM FROM SMOKING" GRANT.

CLOSED SESSION

0525-021 **RECESS:** THE BOARD RECESSED AT 3:26 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 GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES; A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): LAKE OROVILLE INTERVENTION (FERC PROJECT 2100), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00598-WBS-KJM), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00600-WBS-JFM); A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: JEANNE GRAVETTE, EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFFS' 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; CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: PAUL MCINTOSH, EMPLOYEE ORGANIZATION: BUTTE COUNTY APPOINTED DEPARTMENT HEADS; CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 900 THE ESPLANADE, CHICO, CALIFORNIA, AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES, NEGOTIATING PARTIES: DEAN KENNETH DERUCHER, CALIFORNIA STATE UNIVERSITY, CHICO. UNDER NEGOTIATION: PRICE AND TERMS OF SALE. (**2204)

0525-021 **RECONVENE :** THE BOARD RECONVENED AT 4:38 P.M. FROM 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 GOVERNMENT CODE SECTION 54956.9(b)(1): TWO POTENTIAL CASES; A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): LAKE OROVILLE INTERVENTION (FERC PROJECT 2100), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00598-WBS-KJM), FISHER V. BUTTE COUNTY (UNITED STATES DISTRICT COURT, EASTERN, CASE NO. 05-00600-WBS-JFM); A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: JEANNE GRAVETTE, EMPLOYEE ORGANIZATIONS: BUTTE COUNTY EMPLOYEES ASSOCIATION (GENERAL UNIT); BUTTE COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (MANAGEMENT AND SUPERVISORY UNIT); DEPUTY SHERIFFS' 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; A CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6: AGENCY REPRESENTATIVE: PAUL MCINTOSH, EMPLOYEE ORGANIZATION: BUTTE COUNTY APPOINTED DEPARTMENT HEADS; A CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8: PROPERTY: 900 THE ESPLANADE, CHICO, CALIFORNIA, AGENCY NEGOTIATOR: BILL CURRY, DIRECTOR-GENERAL SERVICES, NEGOTIATING PARTIES: DEAN KENNETH DERUCHER, CALIFORNIA STATE UNIVERSITY, CHICO, UNDER NEGOTIATION: PRICE AND TERMS OF SALE. (**2222) (NO ANNOUNCEMENTS)

ADJOURNMENT : THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:38 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JANUARY 10, 2006, AT 9:00 A.M.

KIM K. YAMAGUCHI, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Office and Clerk of the Board

By: _____