

Called to order at 9:07 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Houx, Yamaguchi, and Chair Josiassen. Also present: Paul McIntosh, Chief Administrative Officer; Bruce Alpert, County Counsel; and Marion Reeves, Assistant Clerk of the Board.

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

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (58)

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

- 0619-001
1. Approval of Budget Increase for Schedule A Agreement for Fire Protection Services - approval is requested to increase the amount budgeted for the Schedule A Fire Protection Agreement in the amount of \$63,879 to provide for the addition of a Fire Prevention Inspector position to perform all pre- and final inspections for new development in the State Responsibility Area of Butte County. Board approval is also requested for a budget transfer of fee revenue to fund the position - action requested - APPROVE BUDGET INCREASE FOR THE SCHEDULE A FIRE PROTECTION AGREEMENT OF \$63,879; AND APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
 2. Performance Modular, Inc. - approval is requested to award an agreement to Performance Modular, Inc., for the lease of a modular office furniture for the Neal Road Sanitary Landfill office. The term of the agreement is December 13, 2006, through December 12, 2009, with a maximum amount payable of \$100,184 (department budget) for the multi-year term. The agreement is the result of a Request For Quotations - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

CONSENT AGENDA

- 0619-002
1. Re-establish Encumbrance and Re-appropriate Revenues - approval is requested to re-establish prior year encumbrances and re-appropriate revenues in the County Clerk Recorder-Registrar of Voters' budget to provide for the agreement with Diebold Election Systems, Inc. The Auditor's Office relieved the encumbrance at the end of the 2005-2006 fiscal year - action requested - APPROVE BUDGET TRANSFER B-079 (4/5 vote required) RE-APPROPRIATING REVENUES AND RE-ESTABLISHING THE ENCUMBRANCE FOR CONTRACT NO. X15934 (DIEBOLD ELECTION SYSTEMS, INC.) AS DETAILED IN THE AGENDA REPORT.

- 0619-002 7. Budget Adjustments for Omitted County Service Areas - approval is requested for budget adjustments to various County Service Areas (CSAs) to establish appropriations and revenues for those CSAs. Several County Service Area Schedule 16 reports were inadvertently left out of the printed Fiscal Year 2006-2007 Proposed Budget, resulting in the appropriations and revenues for those omitted CSAs to be excluded from the Fiscal Year 2006-2007 Final Budget. The proposed adjustments will add the omitted CSAs - action requested - APPROVE BUDGET TRANSFER B-066 (4/5 vote required) ESTABLISHING REVENUES AND APPROPRIATIONS AS DETAILED IN THE AGENDA REPORT.
8. Local Agency Formation Commission (LAFCo) Contractual Services Agreement - submitted is a report to the Board regarding the County/LAFCo Contractual Services Agreement. Board approval is requested to authorize staff to renegotiate the existing agreement between the County and LAFCo to strengthen the independence of LAFCo where possible - action requested - DIRECT STAFF TO NEGOTIATE WITH LAFCo FOR A NEW COUNTY/LAFCo CONTRACTUAL SERVICES AGREEMENT AND TO RETURN THE NEW AGREEMENT TO THE BOARD FOR APPROVAL.
9. William Avery and Associates, Inc. - approval is requested for an agreement with William Avery and Associates, Inc., for labor relations consultation and negotiation services. The term of the agreement is July 1, 2006, through June 30, 2007, with a monthly fee amount of \$3,600, plus reasonable travel expenses (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
10. Budget Transfer for Gang Suppression Activities - approval is requested for a transfer of \$248,957 of Fund Balance revenue for the remainder of the current fiscal year (\$300,000 annualized cost) to the District Attorney and Sheriff's Office budgets to increase gang suppression activities pursuant to Board direction, and the recommendation of the Criminal Justice Coordinating Committee. The spending plan recommended by the Criminal Justice Coordinating Committee included the addition of two Deputy District Attorneys and a Legal Secretary to the District Attorney's Office, and the addition of a Crime Prevention Officer to the Sheriff's Office. Board approval is also requested for the fixed asset purchase of a vehicle for the Sheriff's Office. The vehicle will be used by the new Crime Prevention Officer position - action requested - APPROVE BUDGET TRANSFER B-065 OF \$248,957 AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET PURCHASE OF A VEHICLE FOR THE SHERIFF'S OFFICE.

- 0619-002 16. A/C Industrial Services Corp. - approval is requested to award an agreement to A/C Industrial Services Corp., for the transportation of liquid supernatant and leachate fill from the ponds located at the Neal Road Sanitary Landfill. The term of the agreement is for three years from the date of signing, with a maximum amount payable of \$162,500 (department budget) per year. The agreement is the result of an Invitation For Bids - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
17. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: ADMINISTRATIVE-GENERAL SERVICES ADMINISTRATION - deletes 1 position of Administrative Analyst. Adds 1 position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate. TREASURER-TAX COLLECTOR - adds 1 position of Account Clerk, Senior. HUMAN RESOURCES - deletes 1 position of Manager, Labor Relations and Benefits. Adds 1 position of Labor Relations Officer/Labor Relations Analyst. DISTRICT ATTORNEY-CRIMINAL - adds 2 positions of Deputy District Attorney IV/III/II/I, and 1 position of Legal Secretary, Senior/Legal Secretary. SHERIFF-CORONER-SERVICES - adds 1 position of Crime Prevention Officer. PROBATION - adds 1 sunset position of Probation Officer III/II/I (position end date 6-30-08). PUBLIC WORKS - deletes 1 flexibly staffed position of Equipment Mechanic, Assistant/Vehicle Service Worker/Road Maintenance Assistant, 8 positions of Heavy Equipment Mechanic, and 1 position of Heavy Equipment Mechanic, Senior. Adds 1 flexibly staffed position of Civil Engineer, Senior/Civil Engineer, Associate/Superintendent, Maintenance Operations, and 10 flexibly staffed positions of Heavy Equipment Mechanic, Senior/Heavy Equipment Mechanic/Equipment Mechanic, Assistant. PUBLIC HEALTH-GENERAL SERVICES - adds 5.75 flexibly staffed positions of Occupational Therapist, Senior/Occupational Therapist/Physical Therapist, Senior/Physical Therapist, 2 half-time (.50) flexibly staffed positions of Occupational Therapist, Senior/Occupational Therapist/Physical Therapist, Senior/Physical Therapist. Increases a half-time (.50) term position of Public Health Education Specialist, Senior/Public Health Education Specialist/Public Health Education Specialist, Associate (position end date 6-30-07) to a full-time position. Adds 1 sunset position of Program Manager, Public Health (position end date 6-30-07). BEHAVIORAL HEALTH-SUBSTANCE ABUSE SERVICES - deletes 1 position of Supervisor, Behavioral Health Counselor. Adds 1 flexibly staffed position of Behavioral Health Counselor, Senior/Behavioral Health Counselor/Mental Health Worker. SALARY PLAN FOR CLASSIFIED POSITIONS, REFERENCE K, NON-REPRESENTED CLASSIFICATIONS - changes the classification title of Manager, Labor Relations and Benefits to Labor Relations Officer. Adds the classification of Labor Relations Analyst and sets the salary at Salary Range 57 - action requested - ADOPT RESOLUTION 06-136 AND AUTHORIZE THE CHAIR TO SIGN.

- 0619-002 22. Private Industry Council - Amendment - approval is requested for an amendment to the lease agreement with the Private Industry Council for the property located at 202 Mira Loma Drive, Oroville. The location is utilized by Public Health Administration, Environmental Health Administration, Public Health Nursing, Communicable Disease and Emergency Response, and Animal Control. The amendment increases the amount available for change orders, modifications and design changes by \$80,000 for fiscal year 2006-2007. The department has planned several construction, modification and improvement projects for fiscal year 2006-2007. All other terms and provisions remain the same. Funding for the improvements and modifications is available using Realignment Revenue, and Board approval is also requested for a budget transfer to provide the needed appropriations - 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-072 (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.
23. Waste Recovery West, Inc. - approval is requested to award an agreement to Waste Recovery West, Inc., for the disposal of waste tires stockpiled at the Neal Road Sanitary Landfill. The term of the agreement is October 1, 2006, through September 30, 2008, with a maximum amount payable of \$50,000 (Neal Road Sanitary Landfill Management Fund). The agreement is the result of a Request For Proposals - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.
24. California Vocations Inc. - Amendment - approval is requested for an amendment to the agreement with California Vocations Inc. (COVE), for the provision of curbside recycling services for the Town of Paradise and Upper Ridge communities. The amendment will extend the term of the agreement for six months, or until a franchised curbside recycling program is in place, and increases the maximum amount payable by \$20,550 (department budget) for the extended term - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15654)

- 0619-002 28. An Ordinance Establishing Speed Limits on Certain Roads Within the County of Butte, State of California - consideration of an ordinance which would establish speed zones on various Butte County roads as follows: Lone Pine Avenue (County Road #50175-E), from Crouch Avenue to Chico River Road, 35 miles per hour; Foothill Boulevard (County Road #21571), from Lower Wyandotte Road to Miners Ranch Road, 45 miles per hour; Kelly Ridge Road (County Road #26551), from Olive Highway to Hillcrest Avenue, 45 miles per hour - action requested - WAIVE READING OF THE ORDINANCE.
29. Resolution Naming a Private Road in Butte County - consideration of a resolution which will provide a street name for an existing private road as a result of an appeal of conditions of approval of a Legal Lot Determination/Certificate of Compliance for a parcel created in 1979 by deed (Castleberry). The property is located on a private access easement, approximately 700 feet northeast of Oro-Garden Ranch Road, Oroville. The name proposed for the access road is Garden Ranch Lane - action requested - ADOPT RESOLUTION 06-138 AND AUTHORIZE THE CHAIR TO SIGN.
30. Budget Transfer - approval is requested to transfer \$63,000 from the Fund Balance in the Road Fund (0030) to the department's budget to provide the funding for a previously allocated Engineer, Associate/Engineer, Assistant position - action requested - APPROVE BUDGET TRANSFER B-074 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
31. Budget Transfer - approval is requested to transfer \$3,500 from the Crime Prevention Trust Fund to the department's budget. The funds will be used for the Most Wanted poster program, Neighborhood Watch programs, and to purchase crime prevention materials and supplies - action requested - APPROVE BUDGET TRANSFER B-075 (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUNDS AS DETAILED IN THE AGENDA REPORT.
32. Fiscal Year 2005 Homeland Security Grant (Buffer Zone Protection Program) Funds - approval is requested to accept and appropriate unexpended prior year grant funds in the amount of \$27,837. The department intended to purchase computers and equipment with the funds but was unable to complete the purchases prior to the grant year end. The department is requesting the Board re-appropriate the funds into the current year budget to provide the appropriation for the purchases - action requested - APPROVE BUDGET TRANSFER B-076 (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS AS DETAILED IN THE AGENDA REPORT.

REGULAR AGENDA

0619-003 Boards, Commissions and Committees. (260)

- 1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT JOHN PEACE, OROVILLE BUSINESS REPRESENTATIVE, TO THE PRIVATE INDUSTRY COUNCIL BOARD.

M S

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

- 2. California State Association of Counties - action requested - APPOINT REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO A ONE YEAR TERM BEGINNING NOVEMBER 28, 2006.

MOTION: I MOVE TO APPOINT SUPERVISOR JOSIASSEN, REPRESENTATIVE, AND SUPERVISOR CONNELLY, ALTERNATE REPRESENTATIVE, TO THE CALIFORNIA STATE ASSOCIATION OF COUNTIES TO A ONE YEAR TERM BEGINNING NOVEMBER 28, 2006.

S M

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

- 3. Board Member or Committee Reports.

SUPERVISOR YAMAGUCHI PROVIDED REPORTS ON THE MOST RECENT REGIONAL COUNCIL OF RURAL COUNTIES MEETING AND SIERRA NEVADA CONSERVANCY MEETING. SUPERVISOR CONNELLY REPORTED ON HIS SUBCOMMITTEE MEETING WITH THE CITY OF OROVILLE. SUPERVISOR JOSIASSEN REPORTED ON HIS MEETING WITH THE AIR RESOURCES BOARD TO DISCUSS STATIONARY AND MOBILE DIESEL SOURCES FOR AGRICULTURE.

0619-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (554) PAUL MCINTOSH, CHIEF ADMINISTRATIVE OFFICER, REPORTED ON RECENTLY PASSED BILLS OF INTEREST TO THE COUNTY (SB 1052, A BILL RELAXING THE SCHEDULING REQUIREMENT FOR APPEALS UNDER THE SUBDIVISION MAP ACT AND SB 10, A BILL REGARDING COURT FACILITIES SEISMIC RETROFITTING). ALSO DISCUSSED WERE BILLS OF INTEREST TO THE COUNTY PENDING ON THE GOVERNORS DESK: AB 2459, A BILL REGARDING REMOVING IHSS FUNDS FROM REALIGNMENT, AND AB 2683, A BILL REGARDING SALARY CALCULATIONS FOR CAREER FIREFIGHTERS.

0619-007 Solid Waste Recycling Management Within the Paradise Urban Area Joint Powers Agreement and an Ordinance Adding Chapter 31C, Entitled "Solid Waste Collection in the Paradise Urban Area" to the Butte County Code - consideration of a Joint Powers Agreement (JPA) between the Town of Paradise and the County of Butte for the administration of a proposed solid waste and recycling franchise for the Paradise Urban Area. Also to be considered is an ordinance amending Butte County Code Chapter 31 to reference the JPA, provide for the continuation of rights for existing solid waste collectors, and address solid waste collector performance standards for the specific Paradise Urban Area - action requested - SUBJECT TO THE BOARD'S APPROVAL OF A FRANCHISE AGREEMENT BETWEEN THE TOWN OF PARADISE AND THE COUNTY OF BUTTE FOR SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE COLLECTION PROCESSING AND DISPOSAL SERVICES, APPROVE A JOINT POWERS AGREEMENT, SOLID WASTE AND RECYCLING MANAGEMENT WITHIN THE PARADISE URBAN AREA AND AUTHORIZE THE CHAIR TO SIGN; AND WAIVE THE READING OF THE ORDINANCE. (1569)

MOTION: I MOVE TO CONTINUE THIS MATTER UNTIL SUCH TIME AS A JOINT MEETING WITH THE TOWN OF PARADISE AND BUTTE COUNTY CAN BE HELD, AND AFTER THE MOST RECENT NEGOTIATIONS AGREEMENTS ARE BROUGHT TO LIGHT.

M S

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

RECESS: 10:24 A.M.

RECONVENE: 10:40 A.M.

PUBLIC HEARINGS AND TIMED ITEMS

0619-008 Public Hearing - Annual County Service Area Per Parcel Service Charges - consideration of the adoption of the per parcel service charges for the various County Service Areas for fiscal year 2006-2007 - action requested - OPEN PUBLIC HEARING TO ACCEPT ALL OBJECTIONS AND/OR PROTESTS; CLOSE HEARING; AND ADOPT A RESOLUTION CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE FOR FISCAL YEAR 2006-2007 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 8-22-06 [3.03]) (3126)

PUBLIC HEARING OPENED: 10:42 A.M.

PUBLIC HEARING CLOSED: 10:45 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION 06-139 CONFIRMING THE COUNTY SERVICE AREA PER PARCEL SERVICE CHARGES IN THE COUNTY OF BUTTE FOR FISCAL YEAR 2006-2007 AND AUTHORIZE THE CHAIR TO SIGN.

M S

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

0619-010 2. Performance Modular, Inc. - approval is requested to award an agreement to Performance Modular, Inc., for the lease of a modular office ~~furniture~~ for the Neal Road Sanitary Landfill office. The term of the agreement is December 13, 2006, through December 12, 2009, with a maximum amount payable of \$100,184 (department budget) for the multi-year term. The agreement is the result of a Request For Quotations - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

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

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

RECESSED AT 11:36 A.M. AS THE BUTTE COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE THOMPSON FLAT CEMETERY DISTRICT BOARD OF DIRECTORS.

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

MINUTES

SEPTEMBER 26, 2006

Called to order at 11:37 a.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Dolan, Houx, Yamaguchi, and Chair Josiassen. Also Present: Marion Reeves, Deputy Clerk.

Agenda Items

0611-001 United Domestic Workers of America - Memorandum of Understanding - consideration of a Memorandum of Understanding with the United Domestic Workers of America, and California United Homecare Workers Union as agent for the United Domestic Workers of America, regarding employment terms and condition for in-home supportive services providers - action requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN. (**1629)

MOTION: I MOVE TO APPROVE THE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN.

S M

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

Public Comment

0611-002 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board is prohibited from taking action on any item not listed on the agenda. (**1984) (NONE)

Adjournment

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

0619-012 **RECONVENE:** THE BOARD RECONVENED AT 3:52 P.M. FROM A CONFERENCE WITH LEGAL COUNSEL REGARDING ACTUAL LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): 1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100); 2. POE INTERVENTION (FERC PROJECT 2107); 3. GIBSON V. COUNTY OF BUTTE (BUTTE SUPERIOR COURT CASE NO. 138022); AND 4. ENVIRONMENTAL PROTECTION AGENCY V. COUNTY OF BUTTE (R9-06-08). A CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): ONE POTENTIAL CASE. 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); AND BUTTE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION (GENERAL UNIT AND MANAGEMENT AND SUPERVISORY UNIT); AND A CONFERENCE TO DISCUSS PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS, INCLUDING GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957: 1. AGRICULTURAL COMMISSIONER; 2. DIRECTOR-BEHAVIORAL HEALTH; 3. CHIEF ADMINISTRATIVE OFFICER; 4. CHIEF PROBATION OFFICER; 5. COUNTY COUNSEL; 6. DIRECTOR-CHILD SUPPORT SERVICES; 7. DIRECTOR-DEVELOPMENT SERVICES; 8. DIRECTOR-EMPLOYMENT AND SOCIAL SERVICES; 9. DIRECTOR-HUMAN RESOURCES; 10. DIRECTOR-INFORMATION SYSTEMS; 11. DIRECTOR-LIBRARIES; 12. DIRECTOR-PUBLIC HEALTH; 13. DIRECTOR-PUBLIC WORKS; AND 14. DIRECTOR-WATER AND RESOURCE CONSERVATION. (**2067) (NO ANNOUNCEMENTS)

ADJOURNMENT THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:52 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, OCTOBER 10, 2006, AT 9:00 A.M.

CURT JOSIASSEN, CHAIR

ATTEST:

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

By: _____