

BUTTE COUNTY BOARD OF SUPERVISORS

AGENDA

SEPTEMBER 26, 2006



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Mary Anne Houx, District 3
Curt Josiassen, District 4
Kim Yamaguchi, District 5

Paul McIntosh, Chief Administrative
Officer and Clerk of the Board

Bruce Alpert, County Counsel

9:00 A.M. 1.00 CALL TO ORDER

1.01 Call to Order - Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville.

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

1.03 Observation of a Moment of Silence.

2.00 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.00 CONSENT AGENDA

**AUDITOR-
CONTROLLER**

3.01 * 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 A BUDGET TRANSFER (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.

**BEHAVIORAL
HEALTH**

3.02 * Northern Valley Catholic Social Services - Amendment - approval is requested for an amendment to the agreement with Northern Valley Catholic Social Services for the provision of specialized mental health services to children receiving Medi-Cal benefits. The amendment increases the maximum amount payable by \$149,816.64 (department budget) for fiscal year 2006-2007, and revises the agreement's financial summary to reflect the change. 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. X16222)

3.03 * Charis Youth Center - approval is requested for an agreement with Charis Youth Center for the provision of specialized mental health services to children receiving Medi-Cal benefits. The term of the agreement is July 1, 2006, through June 30, 2007, with a maximum amount payable of \$45,271.04 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16245)

CHIEFADMINISTRATIVEOFFICE

3.04 *

Rochelle Forbis - approval is requested for an agreement with Rochelle Forbis for the provision of services as a member of the Public Defender Consortium. The term of the agreement is October 1, 2006, through December 31, 2008, with other terms and conditions identical to the agreements with other attorneys in the Consortium, and in accordance with the agreement with the County - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

3.05 *

Resolution Amending Salary and Benefits Resolution for Department Heads and Non-Represented Employees - approval is requested for a resolution which will amend the resolution pertaining to benefits for department heads and non-represented employees to re-establish a per diem meal expense reimbursement allowance of up to \$50 per day (\$10 for breakfast, \$15 for lunch, and \$25 for dinner) without receipts - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.06 *

Budget Adjustments for Various County Service Area Budgets - approval is requested for budget adjustments for various County Service Areas for fiscal year 2006-2007 in order to incorporate final fund balances calculated by the Auditor's Office at year-end - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND ALLOCATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.07 *

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 A BUDGET TRANSFER (4/5 vote required) ESTABLISHING REVENUES AND APPROPRIATIONS AS DETAILED IN THE AGENDA REPORT.

3.08 * 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.

3.09 * 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.

3.10 * 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 A BUDGET TRANSFER OF \$248,957 AS DETAILED IN THE AGENDA REPORT; AND APPROVE THE FIXED ASSET PURCHASE OF A VEHICLE FOR THE SHERIFF'S OFFICE.

CHILD
SUPPORT
SERVICES

3.11 * Resolution Terminating the Joint Powers Agreement-KIDZ Joint Powers Authority - approval is requested for a resolution which will agree to the dissolution of the KIDZ Joint Powers Authority (JPA). The purpose of the JPA was to enable member counties to share responsibility for development and maintenance of the KIDZ Automated Child Support System. On March 1, 2005, the Department of Child Support Services transitioned from the KIDZ System to the CASES Automated Child Support System. All contracts entered into by the KIDZ JPA have been completed and closed - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

COUNTY
COUNSEL

3.12 *

Butte County Fire Safe Council - approval is requested for a Services Agreement with the Butte County Fire Safe Council for the County's provision of legal services to the Fire Safe Council. The term of the agreement is one year from the date of signing, with reimbursement for services to be paid at the actual rate for attorney services as determined by the Auditor-Controller - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.

DISTRICT
ATTORNEY

3.13 *

Supplemental Law Enforcement Services Funds - approval is requested to transfer and appropriate \$28,676 of Fiscal Year 2005-2006 Supplemental Law Enforcement Services Funds. At the end of the fiscal year the funds were transferred to Available Fund Balance. The department is requesting the funds be transferred to the department's budget to assist in funding a planned upgrade of computer programs and equipment as detailed in the report submitted to the Supplemental Law Enforcement Oversight Committee on August 10, 2006 - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

EMERGENCY
SERVICES

3.14 *

Fiscal Year 2004 and 2005 State Homeland Security Grant Program Funds - approval is requested to accept and appropriate \$8,985 of Fiscal Year 2004 (\$1,600) and Fiscal Year 2005 (\$7,385) State Homeland Security Grant funds not encumbered in prior fiscal years. The funds will be used to make authorized grant purchases - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING GRANT FUNDS AS DETAILED IN THE AGENDA REPORT.

EMPLOYMENT
AND SOCIAL
SERVICES

3.15 *

Butte County Department of Child Support Services - approval is requested for a Plan of Cooperation and Interagency Agreement with the Department of Child Support Services for services in support of Title IV-D activities. The term of the agreement is July 1, 2006, through June 30, 2007. The Department of Employment and Social Services will reimburse the Department of Child Support Services for services in an amount not to exceed \$26,000 (department budget) per fiscal year - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. X16220)

FIREDEPARTMENT

3.16 *

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 A BUDGET INCREASE FOR THE SCHEDULE A FIRE PROTECTION AGREEMENT OF \$63,879; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

GENERALSERVICES

3.17 *

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.

3.18 *

Performance Modular, Inc. - approval is requested to award an agreement to Performance Modular, Inc., for the lease of 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.

HUMANRESOURCES

3.19 *

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 AND AUTHORIZE THE CHAIR TO SIGN.

LIBRARY

3.20 *

Public Library Funds - approval is requested to accept and appropriate an additional allocation of \$41,307 of Public Library Funds received for Fiscal Year 2006-2007. The funds will be used to purchase library materials - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

3.21 *

Donations for Books - pursuant to Government Code Section 25355, donations of \$1,500 from the Gridley Friends of the Library, \$1,200 from Susan C.P. Drake of Paradise, \$1,181.80 from the Oroville Friends of the Library, \$1,077.85 from the Paradise Friends of the Library, \$625 from the Chico Friends of the Library, \$165 from anonymous donors, and \$100 from Lacy Bowen of Chico, have been received for the Butte County Trust Fund for the purchase of books - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION.

PUBLIC
HEALTH

3.22 *

Garian Partnership/Ridgewood Plaza - Amendment - approval is requested for an amendment to the lease agreement with the Garian Partnership/Ridgewood Plaza for the property located at 1370 Ridgewood Drive, Suites 21 and 22, Chico. The location is utilized by the California Children's Services Program. The amendment extends the term of the lease through October 31, 2007, at the same monthly lease rate of \$2,331.60 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X14430)

3.23 *

Children's Medical Services Plan - approval is requested to submit the 2006-2007 Children's Medical Services, Child Health and Disability Prevention (CHDP) Program and California Children's Services (CCS) Joint Plan to the State Department of Health Services. The Child Health and Disability Program provides for early and periodic health screening of children, adolescents and young adults. The California Children's Services Program provides financial help for medical care and therapy for children who have serious or disabling health problems - action requested - APPROVE SUBMISSION OF JOINT PLAN TO THE STATE DEPARTMENT OF HEALTH SERVICES AND AUTHORIZE THE CHAIR TO SIGN.

3.24 * 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 A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT.

PUBLIC
WORKS

3.25 * 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.

3.26 * 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)

- 3.27 * Amendment to Reimbursement Agreement and Acceptance of Unanticipated Revenue - approval is requested for an amendment to the Reimbursement Agreement with JBR Estates. The agreement provides for the proportional payment of project costs related to a storm drainage project for West Chico Estates, Units I and II. The City of Chico collects the drainage fees and pursuant to a letter agreement, passes payment of the fees on to Butte County. Proposed is an amendment to the Revenue Agreement that will extend the term through September 16, 2012, the anticipated date of completion and acceptance of all improvements. Board approval is also requested to accept and appropriate \$18,410 from the City of Chico - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.
- 3.28 * The Ridge Subdivision, Phase 1, Unit 2 - the Ridge Subdivision, APN 069-520-023, 039 and 040, is located on the south side of Olive Highway, east of Apica Avenue in the Oroville area, and is a conditionally approved gated, private-street subdivision, approved on November 20, 2001. The project is to be developed in multiple phases, consisting of 177 lots for single-family residences and 34 lots for 140 multi-family residences. The Ridge Subdivision, Phase 1, Unit 2, is located south of Saddle Drive, adjacent to the existing Ridge Subdivision, Phase 1, Unit 1. It is comprised of 75 lots for single-family residences. The developer has complied with the Conditions of Approval and has provided performance bonds to guarantee the construction of the required Phase 1, Unit 2 improvements - action requested - APPROVE THE NEW PRIVATE STREET NAMES: BELLE WOOD COURT, LARIAT LOOP, MOONBEAM COURT, MOSSY OAK COURT, SOARING HAWK ROAD, STEPPING STONE COURT, STONE GATE DRIVE, SUN TRAIL ROAD, THUNDER ROCK ROAD AND QUIET PINE COURT; APPROVE THE FINAL MAP FOR THE RIDGE SUBDIVISION, PHASE 1, UNIT 2; ACCEPT ON BEHALF OF THE COUNTY OF BUTTE THE PUBLIC SERVICE EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND AUTHORIZE THE CHAIR TO SIGN THE SUBDIVISION AGREEMENT.

- 3.29 * Resolution Accepting Offer of Right-of-Way Dedication V-2 Road Extension Crossing Lot 1, "Copra Subdivision", Book 85 Maps, Pages 70 and 71, as Amended by Resolution 04-122 - on July 13, 2004, by Resolution 04-122, the Board approved a right-of-way exchange that allowed the Palermo Union School District to construct a road to County Standards to access school property from Lower Wyandotte Avenue. The road has been constructed to County standards and the Palermo Union School District has requested the County accept the offer of dedication - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
- 3.30 * 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.
- 3.31 * 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 AND AUTHORIZE THE CHAIR TO SIGN.
- 3.32 * 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 A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.
- 3.33 * 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 A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING TRUST FUNDS AS DETAILED IN THE AGENDA REPORT.

SHERIFF'S
OFFICE

3.34 * 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 A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS AS DETAILED IN THE AGENDA REPORT.

3.35 * Re-appropriate Civil Trust Funds - on March 28, 2006, the Board approved a transfer of \$3,200 from the Civil Trust Funds to the department's budget for the purchase of a new printer and a software license upgrade. The department completed the purchase of the printer, but did not complete the purchase of the software license upgrade prior to the end of the fiscal year. The funds have since been transferred to the year end Fund Balance and Board approval is requested to transfer the unexpended balance (\$1,295.24) back to the department budget for purchase - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

3.36 * Funding for Purchase of Mattresses for Jail Division - approval is requested to transfer \$35,000 from the General Fund Appropriation for Contingencies to the department's budget to provide the remaining needed funding for the purchase of new mattresses for the Butte County Jail. The new mattresses are designed to last longer, to be more comfortable, and are more durable and resistant to damage than the mattresses currently in the facility - action requested - APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING \$35,000 FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES AS DETAILED IN THE AGENDA REPORT.

TREASURER-

TAX COLLECTOR

3.37 * Monthly Investment Report - submitted is the Monthly Investment Report dated August 31, 2006, in accordance with the Butte County Statement of Investment Policy dated July 1, 2006 - action requested - ACCEPT FOR INFORMATION.

WATER AND
RESOURCE

CONSERVATION 3.38 *

Del Oro water Company Regional Inter-tie Project - Letter of Support - approval is requested for a letter of support to the California Public Utilities Commission for applications by the Del Oro Water Company for the Regional Inter-tie Project. On September 5, 2006, the Butte County Water Commission voted to recommend the Board send a letter expressing support for the project - action requested - APPROVE THE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN.

OTHER
DEPARTMENTS AND
AGENCIES

3.39 *

Resolution Proclaiming October 2006 as Domestic Violence Awareness Month - Catalyst Domestic Violence Services is requesting the Board adopt a resolution proclaiming October as Domestic Violence Awareness Month - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

4.00

REGULAR AGENDA

BOARDS,
COMMISSIONS AND
COMMITTEES

4.01 *

Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

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

3. Board Member or Committee Reports.

BUDGET AND
LEGISLATIVE
UPDATE

4.02

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

PRESENTATION
AND DISCUSSION
ITEMS

4.03 *

HR 2389 Secure Rural Schools and Community Self-Determination Act of 2000 (Federal Fire Safe Funding) Fiscal Year 2006-2007 Project Authorization - submitted are the recommendations for the fiscal year 2006-2007 HR 2389 funding submitted by the Fire Safe Council. A master agreement to implement the approved projects (with the exception of project implemented directly by Butte County Fire) is submitted for Board consideration. Approval is also requested to accept and appropriate prior year unexpended funds - action requested - APPROVE THE HR 2389 PROJECTS FOR FISCAL YEAR 2006-2007 AS RECOMMENDED BY THE BUTTE COUNTY FIRE SAFE COUNCIL; APPROVE A BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING PRIOR YEAR FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE MASTER AGREEMENT WITH THE FIRE SAFE COUNCIL FOR IMPLEMENTATION OF THE PROJECTS AND AUTHORIZE THE CHAIR TO SIGN. (FIRE DEPARTMENT)

4.04 *

An Ordinance Amending Chapter 3 Fees; Chapter 11 Junk Dealers, Pawnbrokers and Secondhand Dealers; Chapter 20 Subdivisions; Chapter 23C Registration Requirements for Commercial Weighing and Measuring Instruments; Chapter 36 Incarceration; and Chapter 43 Public Health Department Fees of the Butte County Code - consideration of an ordinance which will: reformat various Butte County Code Sections relating to fees to make them easier to read, clarify fee descriptions for better understanding, reorder fees to organize alphabetically or by related functions, and add language in some sections to allow for periodic increases to County-determined fees based on the Employment Cost Index (following a public hearing) - action requested - WAIVE READING OF THE ORDINANCE. (CHIEF ADMINISTRATIVE OFFICE)

4.05 * 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. (PUBLIC WORKS)

4.06 Items Removed from the Consent Agenda for Board Consideration and Action.

4.07 Recess as the Butte County Board of Supervisors and Convene as the Thompson Flat Cemetery District Board of Directors.

THOMPSON FLAT CEMETERY DISTRICT

BOARD OF DIRECTORS

AGENDA

SEPTEMBER 26, 2006

1.00 **Call to Order** - Butte County Board of Supervisors Room,
25 County Center Drive, Oroville.

2.00 **Agenda Items**

2.01 * Adoption of Fiscal Year 2006-2007 Budget -
consideration of an expenditure budget of \$6,322 for
fiscal year 2006-2007 - action requested - ADOPT BUDGET
AND AUTHORIZE THE CHAIR TO SIGN STATEMENT OF PROVISION
FOR RESERVE.

3.00 **Public Comment**

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.

Adjournment

Adjourn as the Thompson Flat Cemetery District Board of
Directors and convene as the Butte County In-Home
Supportive Services Public Authority Board.

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY BOARD

AGENDA

SEPTEMBER 26, 2006

1.00 Call to Order - Butte County Board of Supervisors Room,
25 County Center Drive, Oroville.

2.00 Agenda Items

2.01 * 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.

3.00 Public Comment

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.

Adjournment

Adjourn as the Butte County In-Home Supportive Services
Public Authority Board and Reconvene as the Butte
County Board of Supervisors.

BUTTE COUNTY BOARD OF SUPERVISORS AGENDA

5.00 PUBLIC HEARINGS AND TIMED ITEMS

10:30 A.M. **5.01** * 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])

10:35 A.M. **5.02** * Public Hearing - Citizens' Option for Public Safety (COPS) - pursuant to California Government Code Sections 30061-30065, consideration of the allocation and spending plan of COPS state funds for the District Attorney and Sheriff's Office for fiscal year 2006-2007, and consideration of the purchase of fixed asset equipment - action requested - ACCEPT AND APPROVE THE COPS FISCAL YEAR 2006-2007 SPENDING PLAN SUBMITTED BY THE DISTRICT ATTORNEY AND SHERIFF-CORONER; AND APPROVE THE FIXED ASSET PURCHASE OF PATROL CARS FOR THE SHERIFF'S OPERATIONS DIVISION AND A TRANSPORT BUS FOR THE JAIL DIVISION AS DETAILED IN THE AGENDA REPORT.

6.00 PUBLIC COMMENT

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.

7.00 CLOSED SESSION

7.01 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).

7.02 CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c) : ONE POTENTIAL CASE.

7.03 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).

7.04 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
14. DIRECTOR-WATER AND RESOURCE CONSERVATION.

Information and Procedures Concerning the Agenda and Conduct of the Board of Supervisors Meetings

Meeting Information:

Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or at the Clerk of the Board website at www.buttecounty.net/cob.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and Meeting Order:

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. Consent Agenda: these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. Regular Agenda: this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. Public Hearing and Timed Items: this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530-538-7631, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the: Clerk of the Board of Supervisors
County Administrative Office
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