

Board of Supervisors

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COUNTY OF COLUSA

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BOARD CHAMBERS
547 MARKET STREET
COLUSA, CA 95932

Agenda

February 17, 2009

Welcome to a meeting of the Colusa County Board of Supervisors. If you are scheduled to address the Board, please state your full name for the record. The Board will not address timed items before they are scheduled. The "Consent Calendar" may be adopted by one motion. Regularly numbered items may be considered at any time during the meeting. All items are listed in accordance with the Ralph M. Brown Act. We invite all members of the public to attend.

8:00 a.m. CALL TO ORDER

Announcement of Closed Session matters to be heard.

8:05 a.m. CLOSED SESSION: If the Board of Supervisors does not complete the Closed Session items in the time allotted they will reconvene as time permits.

- A. Under the Provisions of Government Code Section 54957, a Public Employee Performance Evaluation will be conducted for the Ag Commissioner/Director of Air Quality Standards, Migrant Housing, Airport Operations/Sealer of Weights and Measures.
- B. Under the Provisions of Government Code Section 54957.6, the designated Negotiators, Brian Ring and Marge Kemp-Williams, for ongoing labor negotiations will update the Board on matters associated with negotiations and receive instruction.
- C. Under the Provisions of Government Code Section 54957, the Board will discuss personnel matters.

9:00 a.m.

- Opening Prayer – Pledge of Allegiance.
- Approval of Minutes of February 3, 2009 Regular Session.
- Period of Public Comment.
- Announcement of Closed Session.

9:05 a.m. STAFF REPORTS

This time is available for any County Staff who may wish to update the Board of Supervisors on projects as they relate to their respective Departments.

9:10 a.m. PERSONNELA. **Health and Human Services-Environmental Health 4019**

Consider filling the position of Director of Environmental Health, PFT, Range 27 (08M), effective March 1, 2009.

B. **Personnel/Administration**

The Board of Supervisors would like to recognize those Departments that were able to accomplish the Board's directive (absent extraordinary circumstances) to have all vacation accrued in 2008 be used in 2008. This accomplishment took a lot of effort in many departments, is appreciated, and is to be recognized. By meeting this goal, the County was able to reduce its fiscal liabilities significantly. The Board wishes to publicly recognize and express appreciation to the Department Heads and each employee in the following Departments:

- Assessor
- Cooperative Extension Advisor
- County Counsel
- Director of Child Support
- Director of Health and Human Services
- District Attorney
- Librarian
- Personnel
- Treasurer-Tax Collector

At this time the Board again directs that all employees take their vacation in 2009.

9:20 a.m. APPOINTMENTSA. **Williams Cemetery District**

Consider re-appointment of Diana Kemp Azevedo to the Williams Cemetery District.

B. **Colusa County Fish and Game Commission**

Consider re-appointment of the following to the Colusa County Fish and Game Commission:

Charles L. Wells, Jr, District 4
Harry T. Peterson, District 4
David L. Kalfsbeek, District 3

C. **Colusa Mosquito Abatement District**

1. Consider accepting the resignation of Dr. Antonio Balabat from the Colusa Mosquito Abatement District effective January 30, 2009.

2. Consider appointing Mike Griffith to fill the vacancy on the Colusa Mosquito Abatement District created by the resignation of Dr. Antonio Balabat, effective February 17, 2009.

9:25 a.m. TREASURER-TAX COLLECTOR

Consider accepting the Colusa County Treasurer's Monthly Investment Reports for December 2008 and January 2009.

9:30 a.m. PUBLIC HEARINGS

A. **Colusa County Air Pollution Control District**

Public Hearing to consider a Resolution Of The County Of Colusa Air Pollution Control Board Adopting Appendix H And Amending Regulation IV Fees Of The Colusa County Air Pollution Control District.

1. Consider adopting a Resolution Of The County Of Colusa Air Pollution Control Board Adopting Appendix H And Amending Regulation IV Fees Of The Colusa County Air Pollution Control District and authorize the Chairman to sign.

B. **Planning & Building**

Public Hearing to consider a proposed Ordinance of the Board of Supervisors of the County of Colusa Amending Ordinance No. 615, the Groundwater Management Ordinance, Chapter 43 of the Colusa County Code, by Providing for a Waiver Procedure to Exempt from the Permit Process Requirements During Drought Conditions or Under Any Other Circumstance of a Declared or Undeclared Emergency by the Board of Supervisors.

1. Consider second reading and adoption of a proposed Ordinance of the Board of Supervisors of the County of Colusa Amending Ordinance No. 615, the Groundwater Management Ordinance, Chapter 43 of the Colusa County Code, by Providing for a Waiver Procedure to Exempt from the Permit Process Requirements During Drought Conditions or Under Any Other Circumstance of a Declared or Undeclared Emergency by the Board of Supervisors, authorize the Chairman to sign the Ordinance and direct the Clerk to publish and post same.

9:40 a.m. PUBLIC WORKS

- A. Consider accepting bids for the construction on Norman Road at Colusa Basin Drain, Bridge Replacement Contract No. 400030W, received and opened on January 28, 2009 as follows:

• Franklin Industries	\$568,153.00
• AJ Vasconi General Engineering	\$621,000.00
• R & R Horn, Inc.	\$625,036.00
• Blaisdell Construction, Inc.,	\$631,345.00

• Syblon Reid	\$658,018.00
• MCM Construction	\$659,674.00
• Granite Construction Company	\$690,709.00
• Get 'ER Done Industries	\$695,497.03
• Sierra Equipment Rental	\$696,272.40
• R.A. Nemetz Construction Co., Inc.	\$697,268.00
• Valentine Corporation	\$698,369.00
• Shasta Constructors, Inc.	\$699,699.00
• McGuire & Hester	\$723,590.00
• RNR Construction, Inc	\$723,620.00
• Steelhead Constructors, Inc.	\$737,748.00
• Hertel Construction Co.	\$775,310.00
• William Young Construction	\$914,616.00
• Andrew L. Lee, Inc.,	\$930,960.00

Further, award the bid for same.

- B. Consider approving Contract No. 400030W between the County of Colusa Public Works Department and **Franklin Construction, Inc.**, for construction on Norman Road at Colusa Basin Drain, Bridge Replacement, effective February 17, 2009, in an amount not to exceed \$568,153.00, with terms and conditions as set forth in the Contract and authorize the Chairman to sign the Contract upon receipt of bonds, insurance and approval by County Counsel.
- C. Consider/discuss Board direction to waive requirement naming County as additional insured on small electrician contract with Stohman Electric. Further, direct the Department of Public Works to return with a contract for further Board consideration or ratification of contract.

9:45 a.m. HEALTH AND HUMAN SERVICES

- A. Consider approving "Delegation Agreement between Glenn County Human Resource Agency-Community Action Division and Colusa County Department of Health and Human Services Regarding the Federal Emergency Shelter Grant Program" effective October 21, 2008 through September 30, 2010, with terms and conditions as set forth in the Delegation Agreement and authorize the Health and Human Services Director to sign on behalf of the Board of Supervisors.
- B. Consider approving Personal Services Agreement between the County of Colusa and **County of Shasta** for Dr. Lou Anne Cummings, Health Officer, effective March 1, 2009 through June 30, 2011, with terms and conditions as set forth in the Agreement and authorize the Chairman to sign.
- C. Consider approving a letter to the State Water Resources Control Board regarding the Draft EIR and Proposed Regulations for Implementation of AB 885 regarding Onsite Wastewater Treatment

Systems and authorize the Chairman to sign.

- D. Consider designation of a Board Member for second seat on the Community Action Partnership Board.

9:50 a.m. BEHAVIORAL HEALTH

- A. Consider approving the Workforce Education and Training (WET) Augmentation Funding Plan for the Colusa County Behavioral Health Services for Fiscal Years 2006-07, 2007-08, and 2008-09 and authorize the Director of Behavioral Health Services to sign all accompanying documents on behalf of the Board of Supervisors.
- B. Consider approving Mental Health Services Act (MHSA) Three-Year Program and Expenditure Plan Capital Facilities and Technological needs Component Proposal and authorize the Director of Behavioral Health to sign on behalf of the Board of Supervisors.
- C. Consider approving Community Program Planning and Local Review Processes MHSA FY 2009/10 Annual Update and authorize the Director of Behavioral Health to sign on behalf of the Board of Supervisors.
- D. Consider approving Joint Exercise of Powers Agreement Creating the California Counties' Mental Health Services Authority, effective February 17, 2009, with terms and conditions as set forth in the Joint Exercise of Powers Agreement and authorize the Director of Behavioral Health to sign on behalf of the Board of Supervisors. Further, authorize the Colusa County Department of Behavioral Health (DBH) to participate in the California Counties' Mental Health Services Authority in order to jointly develop and fund mental health services and education programs as determined on a regional, statewide, or other basis.

9:55 a.m. CENTRAL SERVICES/BIDS

- A. Consider accepting bid for pesticides for the Department of Agriculture's Purple Star Thistle Program as follows:

UAP Distribution, Inc. \$5,293.33

(Continued from February 3, 2009)

- B. Consider awarding the bid for pesticides for the Department of Agriculture for the Purple Star Thistle Program to UAP Distribution, Inc., in the bid amount of \$5,293.33. **(Continued from February 3, 2009)**
- C. Consider accepting proposals received for Helicopter Application of the Pesticide Milestone for the Department of Agriculture for the Purple Starthistle Eradication Program as follows:
- Pacific Valley Aviation, Inc., \$2,051.15
 - Jones Flying Service \$2,400.00

Continued from February 3, 2009)

- D. Consider awarding the proposal for the Helicopter Application of the Pesticide milestone to Pacific Valley Aviation, Inc., in the proposal amount of \$2,051.15. **(Continued from February 3, 2009)**
- E. Consider approving Professional Services Agreement between the County of Colusa Agriculture Department and **Pacific Valley Aviation, Inc.**, for application of the pesticide Milestone, effective February 15, 2009, in the amount of \$2,051.15, with a three (3) day written termination clause by either party and authorize the Chairman to sign. **(Continued from February 3, 2009)**

10:00 a.m. AUDITOR-CONTROLLER

- A. Consider approving Intra Budget Transfer Numbers 29014 through 29017.
- B. Approve changes in Revenue and Appropriations as follows:
Requires 4/5 votes

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
Public Works	00110	3010	454100	\$198,569.69
Public Works	00110	3010	53230	\$198,569.69
Public Works	00110	3010	454154	\$(75,960.)
Public Works	00110	3010	479910	\$287,380.
Public Works	00110	3010	53180	\$264,078.
Public Works	00110	3010	53190	\$1,032.
Public Works	00110	3010	53230	(\$53,690.)
Public Works	00110	3010	467700	\$90,424.
Public Works	00110	3010	479470	\$13,474.
Public Works	00110	3010	53060	\$1,002.
Public Works	00110	3010	53180	\$11,830.
Public Works	00110	3010	53200	\$2,949.
Public Works	00110	3010	53230	\$88,117.
Public Works	00110	3010	452400	(\$307,479.38)
Public Works	00110	3010	452410	(\$61,089.80)
Public Works	00110	3010	452411	(\$314,512.01)
Public Works	00110	3010	59395	(\$683,081.19)

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase (Decrease) Appropriations:</i>				

Public Works	00110	3010	59390	\$100,700.
Public Works	00110	3010	53230	(\$100,700.)

10:05 a.m. ADMINISTRATION

Consider suspending Prop 36 payments on agreements between the County of Colusa and the following:

- C08-226, Colusa County District Attorney's Office
- C07-153, Albert Smith, Attorney at Law
- C08-284, Colusa County Probation Department

10:10 a.m. ASSESSOR

Discussion of Williamson Act property in Colusa County and the effects of possible loss in revenue for Colusa County.

10:30 a.m. RECESS

10:45 a.m. PLANNING & BUILDING

- A. Consider accepting, as complete, the County Service Area #2-Stonyford Water Treatment Facilities System.
- B. Discussion/direction/action on the administration of Service Area #1 (Century Ranch) and Service Area #2 (Stonyford).
- C. **Colusa County Board of Supervisors sitting as Board of Directors for the Cortina Community Service District Zone of Benefit 3 (River Glen)**
Consider approving Grant Deed for Assessor's Parcel Numbers 020-200-040 and 020-200-041, Known as the Detention Basin, located at the River Glen Subdivision and being granted by Tim Lewis Communities to Cortina Community Services District and direct the Clerk to record.

11:30 a.m. CLOSED SESSION: If the Board of Supervisors does not complete the Closed Session items in the time allotted they will reconvene as time permits.

- A. Under the Provisions of Government Code Section 54956.8, the Board will meet with it's Negotiators, Ruben Lopez, County Consultant, Supervisors Thomas A. Indrieri, Mark D. Marshall, and Peggy Scroggins, Auditor-Controller to discuss the terms related to the transfer of the Court Facilities located at the Colusa County Historic Courthouse and Courthouse Annex, 547 Market Street, Colusa, CA, and the Criminal Justice Facility, 532 Oak Street, Colusa, CA., 95932 to the State of California.
- B. Under the Provisions of Government Code Sections 54956.9(a), the Board will formulate instructions to be given to its attorney in the pending Colusa County Superior Court Case entitled Sutter Constructors, Inc., v Colusa County.

- C. Under the Provisions of Government Code Section 54956.9(b)(3)(C), the Board will discuss with Legal Counsel Threatened litigation in one (1) case".

12:00 p.m. RECESS

3:00 p.m. TRANSPORTATION AND TRANSIT MEETING

CONSENT AGENDA ITEMS 1-4

All items are approved by one motion unless pulled by a Board member for separate discussion or action.

1. PUBLIC WORKS: Ratify Contract #0809-14 between the County of Colusa Public Works Department and **Chrisp Co.**, for the installation of Thermoplastic Pavement Markings, effective January 7, 2009, with terms and conditions as set forth in the contract and authorize the Public Works Director to sign on behalf of the Board of Supervisors.
2. PUBLIC WORKS: Ratify Contract #0809-16 between the County of Colusa Public Works Department and **Three B's Toilet Rentals** to provide rental toilets plus cleaning maintenance and disposal, effective January 7, 2009, with terms and conditions as set forth in the contract and authorize the Public works Director to sign on behalf of the Board of Supervisors.
3. VETERAN'S SERVICES: Approve "Subvention Certificate of Compliance" California Department of Veterans Affairs (CDVA) County Subvention Programs January through June 2009 and authorize the Chairman to sign.
4. VETERAN'S SERVICES: Approve "California Department of Veterans Affairs (CDVS) Medi-Cal Certificate of Compliance January through June 2009 Medi-Cal Cost Avoidance Program" and authorize the Chairman to sign.

END OF CONSENT AGENDA

OTHER ITEMS TO BE CONSIDERED AS TIME PERMITS:

5. Supervisors' Reports or Comments.
6. State or Federal Legislation/General Budgetary Matters.
7. Review Claims Register Sheets.
8. Agenda Review.

9. Correspondence:

FILE NO.	CORRESPONDENCE RECEIVED	STATUS
09-01	Hearing Draft Sphere of Influence Update for the Colusa County Waterworks District # 1 in Grimes California	Filed
09-02	California Communities, Community Benefit Report as of December 31, 2008 (CSAC League of California Cities)	Filed
09-03	Colusa County Treasurer-Tax Collector Statement for the month of November 2008	Filed

ADJOURN

PERIOD OF PUBLIC COMMENT: Any person may speak about any subject of concern, provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes per issue and each individual or group will be limited to no more than 5 minutes each within the 15 minutes allocated per issue. **Note:** No board action shall be taken on comments made under this comment period.

ORDINANCES AND PUBLIC HEARINGS: If you challenge in a court action a decision of the Colusa County Board of Supervisors regarding a zoning, planning, land use, or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues (1) you or someone else raised at such public hearing, or (2) raised in written correspondence delivered to the Colusa County Board of Supervisors at, or prior to, such public hearing.

All supporting documentation is available for public inspection and review in the Office of the Board Clerk (located in the Board Chamber), 547 Market Street, Colusa, CA 95932 during regular business hours, 8:30 a.m. to 5:00 p.m., Monday through Friday.