

Board of Supervisors

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COUNTY OF COLUSA

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BOARD CHAMBERS
547 MARKET STREET
COLUSA, CA 95932

Agenda

April 13, 2010

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 54957.6, the Board will meet with it's designated Negotiators - Brian Ring and Marge Kemp Williams, re: all unit negotiations - receive instruction, and potential action.
- B. Under the Provisions of Government Code Section 54956.9(c), the Board will discuss with Legal Counsel Potential Litigation in one (1) case.
- C. Under the Provisions of Government Code Section 54956.9(a) the Board will meet with County Counsel to discuss pending case Daniel D. Claxton, Petitioner vs. County of Colusa et al., Respondents, United States District Court for the Eastern District of California Case No. 2:08-cv-01058.
- D. Under the Provisions of Government Code Section 54956.9(a), the Board will discuss with Legal Counsel pending Litigation in one (1). To specifically identify the litigation to be discussed would

jeopardize the ability of the County to conclude existing settlement negotiations to its advantage.

- E. Under the Provisions of Government Code Section 54956.9 (a), the Board will discuss with Legal Counsel the status of litigation in the pending case filed in the Colusa County Superior Court entitled County of Colusa, California, Defendant, vs Modern Building, Inc., a corporation, Plaintiff, Case No. CV23741.

9:00 a.m.

- Opening Prayer – Pledge of Allegiance.
- Approval of Minutes of March 9, 2010 Regular Session, March 16, 2010 Special Joint Session and March 23, 2010 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.

PERSONNEL

A. **Behavioral Health - Mental Health – 4013**

1. Consider funding and authorize filling the budgeted/unfunded position of Account Clerk II, Regular Full Time (RFT), MSC Range 10, \$1,944.00 – \$2,363.00 per month, effective May 1, 2010.
2. Delete the following two budgeted/unfunded positions:
 - Supervising Case Manager, Regular Full Time (RFT), MSC Range 32, \$3,325.00 - \$4,041.00 per month, effective April 30, 2010.
 - Counselor II, Regular Full Time (RFT), MSC Range 27, \$2,942.00 - \$3,575.00 per month, effective April 30, 2010.

B. **Child Support Services – 2017**

1. Consider authorizing an extra help position of Account Clerk I/II, Temporary Full Time (TFT), MSC Range 5/10, \$10.58 – \$12.57/\$11.96 - \$14.54 per hour, effective April 14, 2010 until the Regular Full Time (RFT) position is filled, utilizing the Merit System List.
2. Consider authorizing to fill the budgeted vacant position of Account Clerk I/II, Regular Full Time (RFT), MSC Range 5/10, \$1,720.00 – \$2,091.00/\$1,944.00 – \$2,363.00 per month, effective May 1, 2010 utilizing the Merit System List.

C. **Health And Human Services – Nutrition - 5033**

Consider continuing an extra-help employee past the fiscal year limit of 1000 hours and authorize when eligible, the PERS employer

contribution for Bob Hodel, extra-help Nutrition Driver.

D. County Counsel – 1031

Update and consideration of selection process for the position of County Counsel.

E. Sheriff Dept Drug Task Force

Consider the following funding changes to maximize grant revenues:

Sheriff - 2021 (98.2%)/Drug Enforcement - 2022 (1.8%)

Delete: Deputy Sheriff, Regular Full Time (RFT), 08D-Range 36, effective June 30, 2009.

Sheriff - 2021 (76.65%)/Drug Enforcement – 2022 (23.34%)

Add: Deputy Sheriff, Regular Full Time (RFT), 08D-Range 36, effective July 1, 2009.

Probation Indian Gaming - 02526 (45%) /Probation - 2035 (41.304%)/ Drug Enforcement -2022 (13.696%)

Delete: Deputy Probation Officer II, Regular Full Time (RFT), 08D-Range 35, effective June 30, 2009.

Probation - 2035 (86.304%)/Drug Enforcement - 2022 (13.696%)

Add: Deputy Probation Officer II, Regular Full Time (RFT), 08D-Range 35, effective July 1, 2009.

Delete: Deputy Probation Officer II, Regular Full Time (RFT), DSA Range 35, effective February 28, 2010.

Probation Indian Gaming – 02526 (45%)/Probation – 2035 (41.304%)/Drug Enforcement – 02526 (13.696%)

Add: Deputy Probation Officer II, Regular Full Time (RFT), DSA Range 35, effective March 1, 2010.

9:30 a.m.

PUBLIC WORKS

A. Consider accepting Bids for the Department of Public Works for the Construction on Grimes Arbuckle Road Sycamore Slough Road to State Route 45 Seal-Coat Surfacing, as received and opened on March 24, 2010 at 10:00 a.m., as follows:

International Surfacing System, West Sac., CA	\$188,195.00 10% bid bond
Northwest Paving, Redding, CA	\$163,261.00 10% bid bond
Advantage Paving & Excavating, Yreka, CA	\$202,300.00 10% bid bond

Windsor Fuel Company, Pittsburg, CA	\$191,611.00 10% bid bond
Westcoast Paving & Chip Sealing, Yreka, CA	\$181,699.00 10% bid bond
Franklin Construction, Inc., Chico, CA	\$193,193.00 10% bid bond

Further, award the bid for the Department of Public Works for the Construction on Grimes Arbuckle Road Sycamore Slough Road to State Route 45 Seal-Coat Surfacing to Northwest Paving, in the bid amount of \$163,261.00.

- B. Consider approving a contract between the County of Colusa and **Northwest Paving**, for the construction on Grimes Arbuckle Road Sycamore Slough Road to State Route 45 Seal-Coat Surfacing, effective April 13, 2010, with terms and conditions as set forth in the contract and authorize the Chairman to sign.
- C. Consider approving Notice to Bidders, Special Provisions, Bid Book for Hall Street Improvements in the Town of Arbuckle from Ninth Street to Putnam Way, set May 5, 2010 at 10:00 a.m. to receive and open sealed bids, authorize the Chairman to sign the Notice to Bidders Special Provisions Bid Book and direct the Clerk to publish and post same.

9:35 a.m.

CHILD SUPPORT SERVICES

Consider approving Extension to Agreement (C07-183) between the County of Colusa Child Support Services and **the Law firm of Kelleher & Olivera, LLP**, to represent the County in all child support prosecution cases brought in Colusa County Superior Court by the County, effective through June 30, 2012, with all terms and conditions to remain in full force and effect and authorize the Child Support Director to sign on behalf of the Board of Supervisors.

9:40 a.m.

SHERIFF

- A. Consider approving Modification to Agreement C08-270 between the County of Colusa Sheriff's Department and **Steele Leasing LLC**, for marijuana eradication within Colusa County during the 2010 season and extending the "Term of Service" to December 30, 2010, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.
- B. Consider approving Modification to Agreement C08-060, between the County of Colusa Sheriff's Department and **P.J. Helicopters** for helicopter services for marijuana eradication within Colusa County during the 2010 season and extending the "Term of Service" to December 30, 2010, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

- C. Consider approving "06-LE-11051360-008 Modification No. 010 to Cooperative Law Enforcement Agreement between the Colusa County Sheriff's Office and the **U.S. Forest Service Mendocino National Forests**" (C09-310) increasing available funds from \$5,000.00 to \$33,428.01 for the period of the operational agreement, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

- D. Consider approving Request for Proposals for the purchase of Tactical Interoperability Communications Gateway and Radios and associated equipment and authorize the Chairman to sign the Request for Proposals. Further, set, Wednesday, May 5, 2010 at 10:00 a.m. to receive and open sealed proposals and direct the Clerk to publish and post Notice to Proposers.

9:50 a.m. COLUSA COUNTY TREASURER-TAX COLLECTOR
 Consider accepting the Colusa County Treasurer's Monthly Investment Report for March 2010.

9:55 a.m. PLANNING AND BUILDING
 Consider approving Modification to agreement C09-156 between the County of Colusa Planning and Building Department and **DeNovo Planning Group** for the housing element, modifying section #3 "Time of Performance" to October 1, 2010, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

- 10:00 a.m. AUDITOR-CONTROLLER
- A. Consider approving Intra Budget Transfer Nos. 10025 through 10026.

 - B. Consider approving changes in Revenue and Appropriations as follows: **Requires 4/5 votes**

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
County Library	00101	6021	479310	\$4,480.70
County Library	0101	6021	53230	\$4,480.70
Road Dept.	00110	3010	410800	(\$8,110.48)
Road Dept.	00110	3010	421330	(\$7,000.)
Road Dept.	00110	3010	421340	(\$7,180.)
Road Dept.	00110	3010	454154	(\$77,920.)
Road Dept.	00110	3010	467770	(\$13,000.)
Total				(\$113,210.48)
Road	00110	3010	53230	(\$113,210.48)
Total				(\$113,210.48)
Sheriff	00101	2021	479475	\$1,617.88

Sheriff	00101	2021	53250	\$1,617.88
Sheriff	00101	2021	454608	\$6,768.00
Sheriff	00101	2021	51012	\$2,773.78
Sheriff	00101	2021	51013	\$50.00
Sheriff	00101	2021	51022	\$444.22
Sheriff	00101	2021	53180	\$3,500.00
Total				\$6,768.00
Planning & Bldg	00101	2076	479910	\$1,413.00
Planning & Bldg	00101	2076	53180	\$1,413.00
Total				\$1,413.00

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
Road	00110	3010	59396	(\$53,843.29)
Road	00110	3010	53170	\$636.51
Road	00110	3010	53171	\$6.85
Road	00110	3010	53180	\$33,077.57
Road	00110	3010	55330	\$1,000.00
Road	00110	3010	53230	\$6,868.00
Road	00110	3010	532308	\$12,254.36
Total				\$0.00

10:05 a.m. COUNTY COUNSEL

- A. Consider request of County Counsel to create a business organization in a form deemed appropriate by law to hold funds and manage the acquisition/building of the Behavioral Health permanent housing.
- B. Pursuant to Government Code Section 65858, consider and possibly act to establish a temporary moratorium on the issuance of business licenses or any other entitlement which might result in the establishment or operation of a Medical Marijuana Dispensary Within the County of Colusa so as to Give the County of Colusa Sufficient Time to study the impacts of such a facility on the Health and Welfare of the County.
 - 1. Consider adopting An Interim Ordinance Making Findings and Establishing a Temporary Moratorium On The Issuance Of Business Licenses Or Any Other Entitlement Which Might Result In The Establishment Or Operation Of A Medical Marijuana Dispensary Within Colusa County So As To Give The County Of Colusa Sufficient Time To Study The Impacts

Of Such A Facility On The Health And Welfare Of The County and authorize the Chairman to sign.

10:25 a.m. HEALTH AND HUMAN SERVICES

Sitting as the IHSS Public Authority

Consider approving Agreement for Professional Services between the County of Colusa IHSS Public Authority and **RTZ Associates, Inc.**, to provide the Authority HOMCare software, effective April 1, 2010 through March 31, 2011, in an amount not to exceed \$4,980.00 plus applicable sales tax, with a thirty (30) day written termination clause by either party and authorize the Chairman to sign.

10:30 a.m. RECESS

10:45 a.m. ASSESSOR/BOARD OF EQUALIZATION

Sitting as the Board of Equalization, Colusa County Assessment Appeals Board

Consider **continued** Assessment Appeal Hearings for the following:

A. SK Foods, LP; Appeal **#08-11**, APN 800-001-316-000 for value placed on the fixtures for tax year 2007/2008.

1. Consider approving Stipulation in accordance with Section 1607 of the California Revenue and Taxation Code, for tax year 2007-2008, file No. 08-11, Assessor Parcel Number 800-001-316-000 as follows:

	<u>SK Foods, LP</u>	
	<u>Assessed</u>	<u>Stipulated</u>
	<u>Full Cash Value</u>	<u>Full Cash Value</u>
Land	\$ --	\$ --
Improvements	\$ --	\$ --
Fixtures	\$33,269,390.	\$29,150,298.
Personal Property	\$ --	\$ --
Other Personal		
Property	\$ --	\$ --
TOTAL	\$33,269,390.	\$29,150,298.

B. SK Food, LP; Appeal **#09-05**, APN 800-001-316-000 for value placed on improvements/personal property for tax year 2008/2009.

1. Consider approving Stipulation in accordance with Section 1607 of the California Revenue and Taxation Code, for tax year 2008-2009, file No. 09-05, Assessor Parcel Number 800-001-316-000 as follows:

SK Foods, LP

	<u>Assessed</u> <u>Full Cash Value</u>	<u>Stipulated</u> <u>Full Cash Value</u>
Land	\$ --	\$ --
Improvements	\$ --	\$ --
Fixtures	\$40,613,670.	\$30,145,581.
Personal Property	\$ 104,910.	\$ 104,910.
Other Personal Property	\$ --	\$ --
TOTAL	\$40,718,580.	\$30,250,491.

C. RHM Industrial Specialty Foods, Inc., Appeal **#08-12**, APN 017-090-062-000 for improvement values and fixture values for tax year 2007/2008.

1. Consider approving Stipulation in accordance with Section 1607 of the California Revenue and Taxation Code, for tax year 2008-2009, file No. 09-05, Assessor Parcel Number 800-001-316-000 as follows:

RHM Industrial Specialty Foods, Inc

	<u>Assessed</u> <u>Full Cash Value</u>	<u>Stipulated</u> <u>Full Cash Value</u>
Land	\$ 329,221.	\$ 329,221.
Improvements	\$ 4,688,622.	\$ 4,688,622.
Fixtures	\$ 6,668,330.	\$ 4,417,042.
Personal Property	\$ 350,950.	\$ 232,476.
Other Personal Property	\$ 13,900.	\$ 13,900.
TOTAL	\$12,051,033.	\$ 9,681,261.

D. RHM Industrial Specialty Foods, Inc., Appeal **#09-06**, APN 017-090-062-000 for land, improvement, fixture and personal property values for tax year 2008/2009.

1. Consider approving Stipulation in accordance with Section 1607 of the California Revenue and Taxation Code, for tax year 2008-2009, file No. 09-06, Assessor Parcel Number 017-090-062-000 as follows:

RHM Industrial Specialty Foods, Inc.

	<u>Assessed</u> <u>Full Cash Value</u>	<u>Stipulated</u> <u>Full Cash Value</u>
Land	\$ 335,805.	\$ 335,805.
Improvements	\$ 5,954,534.	\$ 5,954,534.
Fixtures	\$ 6,755,980.	\$ 3,926,260.
Personal Property	\$ 369,400.	\$ 206,645.

Other Personal Property	\$ --	\$ --
TOTAL	\$13,415,719.	\$10,423,244.

- 10:55 a.m. ADMINISTRATION/SUPERVISOR EVANS
Presentation by Sue Sutton regarding climate change.

CONSENT AGENDA ITEMS 1-5

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

1. DISTRICT ATTORNEY/VICTIM WITNESS/PROCLAMATION: Adopt A Proclamation of the Colusa County Board of Supervisors Declaring April 18-24, 2010 as National Crime Victims Rights Week and authorize the Chairman to sign.
2. SAFETYBELTSAFE U.S.A./PROCLAMATION: Adopt a Proclamation of the Colusa County Board of Supervisor Declaring April 11-17, 2010 as Safety Seat Checkup Week and authorize the Chairman to sign.
3. SHERIFF/JAIL: Approve out-of-state travel for two persons to attend training by "ALERT" Advanced Law Enforcement Readiness Training in Reno, Nevada from May 11 – 13, 2010.
4. BEHAVIORAL HEALTH/PROCLAMATION: Adopt a Proclamation of the Colusa County Board of Supervisors Declaring Wednesday, May 12, 2010 the 9th Annual "Stamp Out Stigma Day" and authorize the Chairman to sign.
5. ADMINSTRATION/SUPERVISOR EVANS: Ratify a letter of support to Senator Mark DeSaulnier Chair, Senate Labor and Industrial Relations Committee regarding SB 1267 (Aanestad) which would allow a small business owner to comply with the law and correct violations promptly without oppressive penalties that threaten the viability of small employers and signed by the Chairman.

END OF CONSENT AGENDA

OTHER ITEMS TO BE CONSIDERED AS TIME PERMITS:

6. Supervisors' Reports or Comments.
7. State or Federal Legislation/General Budgetary Matters.
8. ADMINISTRATION
 - A. Consider appointment of Supervisors Gary J. Evans and Kim Dolbow Vann (alt) to the Northern Sacramento Valley Integrated Regional Water Management Plan, effective April 13, 2010.
 - B. Update regarding the office space formerly occupied by the District Attorney and staff.

- C. Consider Board of Supervisors' calendar for the months of July 2010 through December 2010. **(5 options)**
- 9. Review Claims Register Sheets.
- 10. Agenda Review.
- 11. Correspondence:

FILE NO.	CORRESPONDENCE RECEIVED	STATUS
10-15	County of Santa Clara, California Annual Report 2009	Filed
10-16	Cooperative Extension "Rice Briefs"	Filed
10-17	State of California Fish and Game Commission notice of proposed regulatory action resulting from the Commission's March 3, 2010 meeting when it made a finding pursuant to Section 2075.5, Fish and Game Code, that California tiger salamander (<i>Ambystoma Californiense</i>) warrants listing to threatened species status.	Filed
10-18	State of California Fish and Game Commission notice of proposed regulatory actions relative to "Mammal Hunting Regulations" in the sections identified in Title 14, California Code of Regulations, which appeared in the California Regulatory Notice Register on February 19, 2010. Proposed changes to sections as set forth in Notice Register 2010, No. 8-Z, remain the same, except for Section 265.	Filed
10-19	US Dept. of the Interior Bureau of Reclamation re: Update to 2010 Contract Water Allocation Pursuant to Contract No. 4-07-20-W0348-LTR1, Central Valley Project (CVP), California	Distributed
10-20	US Dept of the Interior Bureau of Reclamation re: Update to 2010 Contract Water Allocation Pursuant to Contract No. 14-06-200-8310A-LTR1, Central Valley Project (CVP), California	Distributed
10-21	City of Colusa Proposition 218 Notification Notice of Public Hearing on proposed water rates May 4, 2010 at 7:00 p.m., City Council Chambers 425 Webster Street, Colusa, CA	Distributed
10-22	The Nature Conservancy re: Purchase of the Davis Ranches Tract (APN 012-120-011)	Distributed
10-23	Central Valley Salinity Alternatives for Long-term Sustainability, Notice of Workshops to seek input on the development of regulatory and non-regulatory programs to manage salt & nitrate in Central Valley water-bodies and potential modifications of Central Valley Basin Plans.	Distributed
10-24	Department of Alcoholic Beverage Control re: Application for Alcoholic Beverage License for Stonyford General Store	Distributed

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.