

Board of Supervisors

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COUNTY OF COLUSA

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BOARD CHAMBERS
547 MARKET STREET, SUITE 108
COLUSA, CA 95932

Agenda

December 20, 2011

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

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 position of Personnel Director.
- B. Under the provisions of Government Code section 54957 the Board of Supervisors will meet with Senior Deputy County Counsel and the Personnel Director to discuss a pending personnel matter, obtain instructions and take action as appropriate.
- C. Under the provisions of Government Code Section 54956.9(c) the Board of Supervisors will meet with Senior Deputy County Counsel regarding pending litigation to receive advise and provide instruction and take action as appropriate.
- D. Under the provisions of Government Code section 54957, the Board will meet with the Personnel Director and Legal Counsel to discuss an employee's performance, provide direction and, if determined take appropriate action.

- E. Under the provisions of Government Code Section 54956.9, the Board will discuss with Legal Counsel and the Personnel Director potential litigation.
- F. 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.

9:00 a.m.

- Opening Prayer – Pledge of Allegiance.
- Approval of Minutes of November 22, 2011 Regular Session and December 6, 2011 Special Closed 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. **Child Support – 2017**

Consider adding a new position of Child Support Supervisor, PFT, MSC Range 32, \$3,325.00 - \$4,041.00 per month, effective January 1, 2012 and authorize to fill by Merit Systems.

B. **Auditor Controller – 1021**

Consider filling the position of Payroll/Employee Benefits Coordinator, CNF Range 32, \$3,325.00 - \$4,041.00, effective January 1, 2012.

C. **Public Works – 3010**

1. Consider filling the vacant position of Road Maintenance Lead Worker, MSC Range 25, \$2,802.00 - \$3,405.00 per month, effective January 1, 2012 by promotion from within the department and authorize filling the position vacated by the promotion.
2. Consider adding the position of Water Production Operator, TPT, PF Range 35, \$3,613.00 - \$4,392.00 per month, effective January 1, 2012.

D. **Ag Commission – 2060**

Consider authorizing a position of extra help Clerical, TPT, \$12.00 per hour, effective January 1, 2012, limited to 800 hours.

E. County Counsel- 1031

Consider Step 3 appointment for Amy Williams, PFT, Legal Administrative Assistant, CNF Range 32, Step 3, \$3,666.00 per month, effective December 26, 2011.

9:20 a.m. SHERIFF

- A. Consider accepting the State of California Department of Boating and Waterways 2011/2012 Equipment Grant and the Spending Plan for the Boating and Waterways 2011/2012 Equipment Grant. Further, approve purchase of listed items in the Spending Plan.
- B. Consider approving Agreement Number 11-204-760, between the County of Colusa Sheriff's Department and **the Department of Boating and Waterways**, effective October 15, 2011, in the maximum amount of \$47,000.00, with a ninety (90) day written termination clause by either party and authorize the Sheriff to sign on behalf of the Board of Supervisors.

9:25 a.m. AG COMMISSIONER**Sitting as the Colusa County Air Pollution Control District Board**

- A. Consider adopting a Resolution of the Governing Board of the Colusa County Air Pollution Control District Approving and Authorizing the Application to Administer the Carl Moyer Program and the Rural Assistance Program and authorize the Chairman to sign the Resolution.
- B. Consider approving Fiscal Year 2011/2012 Application for the Carl Moyer Program and the Rural Assistance Program for the maximum amount of funds for which the District is eligible and authorize the Director of Air Quality Standards to sign the application.

9:30 a.m. BEHAVIORAL HEALTH SERVICES

- A. Consider approving Modification to agreement C07-129 between the County of Colusa Behavioral Health Services and **Safe Side Security, Inc.**, for the purchase and installation of indoor and outdoor cameras, effective December 2, 2011, in the amount of 10,675.00, with terms and conditions as set forth in the Modification and all other terms and conditions to remain in full force and effect authorize the Director of Behavioral Health Services to sign on behalf of the Board of Supervisors.
- B. Consider approving purchase of budgeted fixed assets for the Behavioral Health Services Department from Dell Incorporated as follows:

Three (3) Dell Desktop computers, in the amount of \$2,374.77

utilizing the State contracted pricing (WSCA Agreement #B27160) and to be 100% funded through the Mental Health Department MHSA IT Fund #02942, with no cost to the County General Fund.

- C. Consider approving an agreement between the County of Colusa Behavioral Health Services and **Keith Bear** for guest artist services working in the public schools on issues of cultural diversity and mental health (May 7-11, 2012), effective December 20, 2011, with terms and conditions as set forth in the agreement and authorize the Interim Director of Behavioral Health Services to sign on behalf of the Board of Supervisors.
- D. Consider approving an Office Lease between the County of Colusa Behavioral Health Services and **John A. Rogers, Catherine A. Abel and S. William Abel** for lease of premises located at 131 5th Street, Colusa, CA 95392, with access to and use of common parking area at the rear of the building, effective February 1, 2012 through January 31, 2016, with terms and conditions as set forth in the agreement and authorize the Interim Director of Behavioral Health to sign on behalf of the Board of Supervisors.
- E. Consider waiving the County's formal bid process and approve the purchase of a Spacesaver High Density Storage System for the filing area located in the Behavioral Health building, from Systems & Space, Inc., in the amount of \$25,189.17, to be funded between the Health and Human Services Account (5011) and the Behavioral Health Services Account (4013). (Government Bid Contract through NHJPA/sole source).
- F. Consider a request to join litigation against the Department of Mental Health for promulgating regulations without going through the regulatory process in shifting medical costs for individuals in IMDs from the State of California to the counties.
- G. Consider approving a purchase of a cell phone by the Behavioral Health Services Department for Ginger Harvey, Patients' Rights Advocate.

9:40 a.m.

PUBLIC WORKS

- A. Consider waiving the County's formal bid process and approve the purchase of fixed assets for the Public Works Department, utilizing Western States Contracting Alliance (WSCA) pricing and National IPA Tech Solutions Contract pricing schedules and funded through the Road Fund as follows:
- (1) Laptop computer in the amount of \$3,817.81, to be purchased from Dell Inc.
 - (1) Buffalo TeraStation III 8 TB Network Attached Storage system in the amount of \$1,001.72, to be purchased from CDW-G
 - (15) Microsoft Windows 7 Upgrade Open Licenses, in the amount \$2,070.00, to be purchased from CDW-G and

- (1) Open License of Microsoft Windows Small Business Server 2011 Premium, in the amount of \$1,220.00 to be purchased from CDW-G

- B. Consider approving the purchase of the following fixed asset for the Department of Public Works:
 - (1) Sage Oil Vac Fluid Recovery System, Model#30070V from the Sage Oil Vac Company, in the amount of \$2,420.00, to be funded from the current budget.

- C. Consider approving the purchase of the following fixed asset for the Department of Public Works:
 - (1) 300 Gallon Weed Sprayer with hose reel, hose, and hand gun sprayer, in the amount of \$3,137.06 from Beeler Tractor Company, to be funded from the current budget.

- D. Consider approving a contract between the County of Colusa Public Works Department and **Foothill Associates** to provide an Environmental Assessment for the Bridge Replacement on Danley Road to the Glenn Colusa Irrigation District (GCID) Canal, effective December 20, 2011 through June 30, 2012, in an amount not to exceed \$30,960.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign.

- E. Consider approving Notice to Contractors, Special Provision Bid Book for the Evans Road at Cortina Creek Bridge Replacement of Low Water Crossing and authorize the Chairman to sign the Notice to Contractors. Further, delegate authority to the Director of Public Works to advertise the project upon receipt of approval from the Federal Highway Administration (FHWA), and direct the Clerk to publish and post the Notice to Contractors upon notification from the Department of Public Works that authorization has been received.

9:50 a.m.

CENTRAL SERVICES

Consider approving Equipment Lease Agreement between the following County Departments and **Wells Fargo Financial/Advanced Document Concepts**:

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|----|-------------------------|----------------------------|----------------|
| 1. | Library | One Kyocera TASKalfa 255c | \$104.00/month |
| 2. | Child Support Services | One Kyocera TASKalfa 4500i | \$165.00/month |
| 3. | Health & Human Services | One Kyocera TASKalfa 4500i | \$165.00/month |

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|----|---|----------------|
| 4. | Assessor
One Kyocera TASKalfa 5500i | \$180.00/month |
| 5. | Revenue & Recovery
One Kyocera TASKalfa 3050ci | \$130.00/month |
| 6. | Co-operative Extension
One Kyocera TASKalfa 4550ci | \$223.00/month |
| 7. | Agriculture Commission
One Kyocera TASKalfa 5550ci | \$228.00/month |

for renewal/upgrade and maintenance services of copy machine equipment, effective December 20, 2011, in a total monthly cost of \$1,255.00, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign the Lease Agreement, Schedule A to Equipment Lease Agreement, Delivery & Acceptance Certificate and Non-Appropriation Addendum and all other related documents.

9:55 a.m.

PROBATION DEPARTMENT

Consider approving "Data Processing Contract" and "Nonexclusive License Agreement Attachment D to Data Processing Service Agreement" between the County of Colusa Probation Department and **Corrections Software Solution, LP**, effective February 1, 2012 through January 31, 2014, with terms and conditions as set forth in both Documents, authorize the Chairman to sign the Data Processing Contract and the Chief Probation Officer to sign the Nonexclusive License Agreement on behalf of the Board of Supervisors.

10:00 a.m.

PLANNING & BUILDING

- A. Consider approving purchase of unbudgeted fixed asset from Office Depot as follows:

One (1) Brother Fax Machine \$236.00

to be funded from Planning and Building Fund 2076.

- B. Discussion/direction and possible action regarding Building Permit fees for permit to be issued for the Williams Vet's Hall project.
- C. Consider approving Contingency Funds in the amount of \$300.00 for the Planning & Building Department #2076, Account 53250 (Transportation & Travel).

10:10 a.m.

COUNTY COUNSEL/CITY OF COLUSA

Consider approving an agreement between the County of Colusa and the City of Colusa for the Scout Cabin, located at 901 Parkhill Street, Colusa, CA 95932, effective January 1, 2012 through December 31, 2016, with terms and conditions as set forth in the agreement and

authorize the Chairman to sign.

10:15 a.m. AUDITOR CONTROLLER

- A. Presentation from Brandis Tallman LLC, an investment banking firm. Jeff Land and Nicole Tallman will discuss possible refinancing of the CalPERS side fund obligation for Safety Members.
- B. Discussion of possible refinancing of the CalPERS Side Fund and provide direction to County Auditor-Controller.
- C. Consider approving changes in 2011/12 Revenue and Appropriations as follows: Requires 4/5 votes

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
Road Fund	00110	3010	479321	\$73,221.00
Total				\$73,221.00
Road Fund	00110	3010	53163	\$25.99
Road Fund	00110	3010	57027	\$202.02
Road Fund	00110	3010	57031	\$585.08
Road Fund	00110	3010	57058	\$30.56
Road Fund	00110	3010	53230	\$72,377.35
Total				\$73,221.00

- D. Consider approving Intra Budget Transfer numbers 12002 through 12007.

10:30 a.m. **RECESS**

11:00 a.m. ADMINISTRATION

Continued Public Hearing Public Hearing to consider an appeal of the Planning Commission's decision on September 12, 2011 to adopt a Mitigated Negative Declaration, a Mitigation Monitoring and Reporting Program and a Tentative Subdivision Map for Mike Adams, (ED #09-38), TSM #09-5-1 to divide 159+acres of partially developed, Industrial designated and zoned land into 16 lots. The 16 proposed lots will range in size from 1.19+acres to 30.80+acres. Five of the resulting lots will consist of less than 5-acres each, six of the lots will be between 5 to 10-acres in size, and five of the lots will be larger than 10-acres in size. The proposed project site is located at the northwest corner of Grevie road and County Line road and approximately 6-miles south of the unincorporated community of Arbuckle, identified as Assessor's Parcel Numbers 022-190-054, 022-190-055, 022-190-056 and 022-190-057. **(Continued from October 25, 2011)**

12:00 NOON **RECESS**

3:00 pm TRANSPORTATION/TRANSIT AGENCY MEETING**CONSENT AGENDA ITEMS 1-22**

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

1. SHERIFF: Approve Agreement No. 11-LE-11051360-208, Modification 03, Cooperative Law Enforcement Annual Patrol Operations Plan & Financial Plan Between the County of Colusa Sheriff's Office and the **USDA, Forest Service, Mendocino National Forest** for FY 2012 Annual Operating Plan and Financial Plan, effective October 1, 2011 through September 30, 2012, with terms and conditions as set forth in the Agreement/Modification and authorize the Chairman to sign.
2. HEALTH AND HUMAN SERVICES: Approve Agreement #11-10403 between the County of Colusa health and Human Services and **the California Department of Public Health**, for operation of a three year Childhood Lead Poisoning Prevention Program, effective July 1, 2011 through June 30, 2014, in an amount not to exceed \$60,000.00, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.
3. AG COMMISSIONER/MIGRANT FARM HOUSING: Approve Standard Agreement 11-OMS-933, between the County of Colusa Migrant Farm Housing and **the Department of Housing and Community Development** for the housing for migratory workers and their families, effective through August 31, 2012, in the amount of \$464,183.00 and authorize the Director of Migrant Housing to sign on behalf of the Board of Supervisors.
4. COOPERATIVE EXTENSION: Approve Cooperative Extension county employees' time off and closure of the office during the Holiday season from December 23, 2011 through January 3, 2012.
5. SHERIFF/FIXED ASSETS: Approve purchase of one (1) 2-sided ID Maker Advantage, in the amount of \$2,599.00 and one (a) Siglite Pad-USB, in the amount of \$199.00, plus shipping & handling in the amount of \$99.95, from IDville, for a total amount of \$2,897.95, utilizing previously approved grant funds (FY09 State Homeland Security Grant Program funds with no cost match).
6. HEALTH AND HUMAN SERVICES: Approve Agreement No. 11-10528, between the County of Colusa Health and Human Services and **the California Department of Public Health** for Federal Center for Disease Control funding, effective July 1, 2011 through June 30, 2013, in an amount not to exceed \$50,000.00, with terms and conditions as set forth in the agreement and authorize the Chairman to sign the agreement and all related documents.
7. AUDITOR/CONTROLLER/PUBLIC HEARING: Set January 24, 2012 at 9:30 a.m. for a Public Hearing to consider use of HR 1424 (Secure Rural Schools and Community Self Determination Act of 2000) fund for projects under Title III by the County of

- Colusa Board of Supervisors and direct the Clerk to publish and post Notice of Hearing.
8. TREASURER-TAX COLLECTOR: Accept the Colusa County Treasurer's Monthly Investment Report for November 2011.
 9. TREASURER-TAX COLLECTOR: Accept the Colusa County Treasurer's 2012 Goals and Statement of Investment Policy.
 10. ADMINISTRATION/APPOINTMENTS/COLUSA COUNTY PLANNING COMMISSION: Approve Notice of Vacancy for the Colusa County Planning Commission and direct the Clerk to publish and post Notice for same.
 11. PUBLIC WORKS: Ratify agreement 1112-08 between the County of Colusa Public Works Department and **Bob's Concrete Pumping** for concrete pumping services, effective October 11, 2011 through December 30, 2011, with terms and conditions as set forth in the agreement and signed by the Director of Public Works on behalf of the Board of Supervisors.
 12. PUBLIC WORKS: Ratify agreement 1112-10 between the County of Colusa Public Works Department and **Central Fence Company, Inc.**, to repair/replace damaged guardrail from a traffic accident on Old Highway 99W at Funks Creek (immediately south of Lenahan Road, approximately 4 miles north of Maxwell), effective November 18, 2011 through December 9, 2011, in an amount not to exceed \$5,800.00, with fifteen (15) day written termination clause by either party and signed by the Director of Public Works on behalf of the Board of Supervisors.
 13. PUBLIC WORKS: Ratify agreement 1112-11 between the County of Colusa Public Works Department and **Charlie's Electric** to provide Street Light repair services and other services requiring a "man lift", effective November 18, 2011 through June 30, 2012, in an amount not to exceed \$25,000.00, with a fifteen (15) day written termination clause by either party and signed by the Director of Public Works on behalf of the Board of Supervisors.
 14. PUBLIC WORKS: Ratify agreement 1112-09 between the County of Colusa Public Works Department and **Neil's Controlled Blasting L.P.**, to demo a large boulder which diverts creek flows toward a public roadway, effective November 21, 2011 through December 16, 2011, in an amount not to exceed \$4,450.00, with a fifteen (15) day written termination clause by either party and signed by the Director of Public Works on behalf of the Board of Supervisors.
 15. CHILD SUPPORT SERVICES: Approve an Extension of Agreement to C11-008, between the County of Colusa Child Support Services and **Nancy McGie**, to represent the County in all child support prosecution cases brought in Colusa County Superior Court by the County, extending the "Term of Agreement" to be effective January 1, 2012 through December 31, 2013, with all other terms and conditions to remain in full force and effect and authorize Director of Child Support Services to sign on behalf of the Board of Supervisors.

16. AG COMMISSIONER: Approve Agreement Number 10-0324, Amendment Number 1, to C10-212, approved on August 24, 2010, between the County of Colusa Ag Commissioner's Office and **the Department of Food and Agriculture** for Pierce's Disease, effective July 1, 2010 through June 30, 2012, and amending funding from \$10,503.44 to \$9,496.81, with all other terms and conditions to remain in full force and effect and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.
17. APPOINTMENTS/SACRAMENTO RIVER WEST SIDE LEVEE DISTRICT: Appoint individuals to the Sacramento River West Side Levee District as follows:
- Thomas Ellis, effective December 20, 2011 – December 19, 2015
 - Roger Cornwell (River Garden Farms) effective December 20, 2011 – December 19, 2015
 - Daniel Tibbitts, effective December 20, 2011 – December 19, 2015
 - Frederick "Fritz" Durst, effective December 20, 2011 – December 19, 2013
 - Paul Sankey, effective December 20, 2011 – December 19, 2013.
18. CENTRAL SERVICES/PROBATION: Approve Maintenance Agreement between the County of Colusa Central Services and **Wells Fargo Leasing/Advanced Document Concepts** for the Probation Department's TASKalfa 3500i and TASKalfa 4500i, effective December 1, 2011 through November 30, 2012, with terms and conditions as set forth in the Maintenance Agreement and authorize the Chairman to sign.
19. CENTRAL SERVICES/SHERIFF/PROBATION: Approve Non-Appropriation Addendum between the County of Colusa and **Wells Fargo Leasing/Advanced Document Concepts** for the following County Departments:
- Probation Department (TASKalfa 4500i (lease previously approved November 8, 2011))
 - Sheriff (TASKalfa 6500i (lease previously approved on November 22, 2011))
- with terms and conditions as set forth in the Non-Appropriation Addendum and authorize the Chairman to sign.
20. AG COMMISSIONER: Approve Agreement No. 11-0104, between the County of Colusa Ag Commissioner's Office and the State Department of Food and Agriculture for Pest Exclusion High-risk Inspections and Enforcement activities, effective July 1, 2011 through June 30, 2012, in the maximum amount of \$10,065.00, and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.
21. COUNTY COUNSEL/ADMINISTRATION: Approve Quitclaim Deed whereby the County accepts the offer by The Robert Cecil Melton 2006 Living Trust Dated March 14, 2006, Donna J. Kraft, Trustee of donated real property located in the unincorporated area of the County of Colusa, APN 012-170-044-000, authorize the Chairman to sign the Certificate of Acceptance and direct the Clerk to record the Quitclaim.

22. PERSONNEL: Approve a Professional Services Agreement between the County of Colusa Personnel Department and **L. Katrina Meek**, to provide employment investigative services, effective December 20, 2011, with terms and conditions as set forth in the Agreement and authorize the Personnel Director to sign on behalf of the Board of Supervisors.

END OF CONSENT AGENDA

OTHER ITEMS TO BE CONSIDERED AS TIME PERMITS:

23. Supervisors' Reports or Comments.
24. State or Federal Legislation/General Budgetary Matters.
25. Review Claims Register Sheets.
26. ADMINISTRATION
- A. Discussion and possible action regarding transfer of \$30,000.00 (Contingency Funds) into Flood Control Dept (2050) for FEMA related activities.
- B. Discussion and possible action regarding County Policies.
- C. Consider appointment of a Liaison Committee to negotiate with the Wintun Indian Tribe on County-Tribe matters.
- D. Discussion and possible action regarding Constitutional Amendment Proposals.
- E. Consider appointment to the Sacramento River Conservation Area Forum (SRCAF), Public interest Representative. (Current Public Interest Representative is Supervisor Gary J. Evans)
27. Agenda Review.
28. Correspondence.

FILE NO.	CORRESPONDENCE RECEIVED	STATUS
11-22	Thank you letter to the Board of Supervisors dated December 1, 2011 from the Williams Community Center Association re the Williams Vet's Hall project.	Distributed
11-23	CSAC Achievements Report for 2011	Filed
11-24	Memo from Corrections Standards Authority re: Proposed Title 15 Regulations	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.

All supporting documentation is available for public inspection and review in the Office of the Board Clerk, 547 Market Street, Suite 102, Colusa, CA 95932 during regular business hours, 8:30 a.m. to 5:00 p.m., Monday through Friday.