

## Board of Supervisors

Kim Dolbow Vann, District I,  
Chairman  
Thomas A. Indrieri, District II  
Mark D. Marshall, District III  
Gary J. Evans, District IV,  
Denise J. Carter, District V



## COUNTY OF COLUSA

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BOARD CHAMBERS  
547 MARKET STREET  
COLUSA, CA 95932

# Agenda

## February 23, 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.

- Under the Provisions of Government Code Section 54956.9(a) the Board will meet with outside Counsel to discuss pending case Saelee vs County of Colusa, Colusa County Superior Court Case cv23699.
- Under the Provisions of Government Code Section 54956.9, the Board will discuss with Legal Counsel Potential Litigation in one (1) case.
- 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. (Continued from February 11, 2010 Special Board of Supervisors Meeting)

9:00 a.m.

- Opening Prayer – Pledge of Allegiance.
- Approval of Minutes of February 9, 2010 Regular Session and the February 11, 2010 Special Meeting.
- 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. **Ag Commission – 2060**

Request to fill vacant position of extra help Agricultural Aide, TPT, \$9.00 per hour flat rate, effective March 1, 2010 - October 31, 2010.

B. **County Counsel – 1031**

1. Consider and approve the revised job descriptions for the positions of County Counsel, Senior Deputy County Counsel and Deputy County Counsel and the following range changes:
  - County Counsel, from Range 49 to Range 53, Schedule DH, Step 5, \$12,462.00 per month, effective July 1, 2010;
  - Senior Deputy County Counsel, from Range 35 to Range 37, Schedule MGT, Step 5, \$8,117.00 per month effective March 1, 2010; and
  - Deputy County Counsel, from Range 26 to Range 24, Schedule MGT, Step 5, \$5,907.00 per month, effective March 1, 2010.
2. Consider authorizing the Personnel Department to commence recruitment for the position of County Counsel.
3. Discussion regarding a two year Employment Contract for Services of Senior Deputy County Counsel, at the salary rate of Range 37, Schedule MGT, Step 5, \$8,117.00 per month including two (2) years longevity credit, with Margaret Kemp-Williams, effective March 1, 2010. Further, direct the Personnel Department to return at a later with a contract for further Board consideration.

C. **Personnel**

1. Consider approving Agreement for Professional Services for Bilingual (Spanish/English) Proficiency Testing between the County of Colusa and **Bertha Ortega and Miguel Villasenor**, effective March 1, 2010, at a rate of \$100.00 per exam, with a thirty (30) day written termination clause by either party and authorize the Chairman to sign.

2. Presentation of Health Plan Comparison – Making Informed Decisions
  - a. Consider authorizing County work time for employees to attend one presentation of the Health Plan Comparison during the week of March 1 – 5, 2010.
  - b. Consider approving rental agreement of the Community Theatre between the County of Colusa and the **Colusa Unified School District** for the retiree portion of the presentation of Health Plan Comparison, effective March 2 through March 3, 2010, at a total cost of \$50.00, with terms and conditions as set forth in the rental agreement and authorize the Personnel Director to sign on behalf of the Board of Supervisors.

9:25 a.m. APPOINTMENTS

**Colusa Cemetery District**

Consider appointment of Kenneth Flagor Sr., to the Colusa Cemetery District to fill the vacancy created by the resignation of Eva Meraz-Robey, effective February 23, 2010 through November 28, 2011.

9:30 a.m. PUBLIC HEARINGS

**Sheriff**

- A. Public Hearing to consider second reading of a proposed Ordinance of the County of Colusa Repealing the Current Chapter 13 of the Colusa County Code Relating to Noise and to Enact a New Chapter 13 on the same Subject.
- B. Consider adopting an Ordinance of the County of Colusa Repealing the Current Chapter 13 of the Colusa County Code Relating to Noise and to Enact a New Chapter 13 on the same Subject. **(Introduction and first reading, by title only held on January 26, 2010)**

9:35 a.m. SHERIFF

- A. Consider approving 2009/2010 OHV Grant/Law Enforcement Application in the amount of \$25,000, with a 25% cost match and authorize the Sheriff or his designee to sign and submit the Application the State of California-Department of Parks and Recreation.
- B. Consider adopting a Resolution of the Colusa County Board of Supervisors Approving the Application to Apply for the State of California Department of Parks and Recreation Off-Highway Vehicle Grant Fund and authorize the Chairman to sign the Resolution.

- C. Consider a finding that it is in the best interest of the county/public to waive the County's formal bid process and approve the purchase of four (4) patrol vehicles and two (2) pickup trucks, in an amount not to exceed \$204,000.00 including emergency equipment, to be funded with Rural Law Enforcement Funds (RLF), and utilizing State Bid#1-09-23-14 (Enforcement vehicles) and State Bid #1-10-23-20 (Trucks, Vans and Utility vehicles).
- D. Consider approving a request from the Bureau of Reclamation to waive Colusa County Ordinance No. 637, An Ordinance Revoking Ordinances 476, 477 and 609, and Sections 14-8.5 and 14-17 of the County code; and Substituting New Section 14-17 to the County Code Regarding Miscellaneous Offenses on East Park Reservoir Property for the 2010, 2011 and 2012 hunting seasons for the purpose of game management.

9:45 a.m.

PUBLIC WORKS

- A. Consider accepting bids for the construction on Leesville Road at N.F. Freshwater Creek Bridge Replacement Contract No. 400034k, for the Department of Public Works as received and opened on February 17, 2010 as follows:

1.	Andrew L. Lee, Inc, General Engineering Contractor	\$685,525.00 10% Bid Bond
2.	Dunton Construction Company, Inc.	\$572,050.00 10% Bid Bond
3.	AJ Vasconi General Engineering	\$654,437.00 10% Bid Bond
4.	R.A. Nemetz Construction Company	\$588,815.00 10% Bid Bond
5.	Steelhead Constructor, Inc.,	\$613,340.00 10% Bid Bond
6.	Knife River Construction, Northern California Division-Chico	\$588,671.00 10% Bid Bond
7.	R&R Horn, Inc.	\$581,894.00 10% Bid Bond
8.	Cal Neva Construction	\$560,076.70 10% Bid Bond
9.	Shasta Constructors, Inc.	\$627,867.00 10% Bid Bond

10.	Stewart Engineering, Inc.	\$622,051.00 10% Bid Bond
11.	Blaisdell Construction	\$597,908.00 10% Bid Bond
12.	Franklin Construction, Inc.,	\$566,117.00 10% Bid Bond
13.	Whitney Construction	\$491,600.25 10% Bid Bond

- B. Consider awarding the bid and approving Contract No. 400034k, between the County of Colusa Public Works Department and **Whitney Construction**, for construction on Leesville Road at N.F. Freshwater Creek, Bridge Replacement and authorize the Chairman to sign the contract.
- C. Consider approving Contract to Auction between the County of Colusa and **Ritchie Brothers Auctioneers**, for the auction of surplus property designated at the January 12, 2010 Board of Supervisors meeting, effective February 23, 2010, with terms and conditions as set forth on the Contract and authorize the Road Superintendent, Wayne Grishaber to sign on behalf of the Board of Supervisors.
- D. Consider approving "Quit Claim Deed" for real property located at Webster and D Street shown on that certain map entitled "Goads Extension to the Town of Colusa" on file in Book "C" of Patents Page 205, Colusa County Recorder, authorize the Chairman to sign and direct the Clerk to record.
- E. Consider approving Notice to Bidders, Special Provision, Bid Book for Construction on Grimes Arbuckle Road Sycamore Slough Road to State Route 45 Seal-Coat Surfacing, set March 24, 2010 at 10:00 a.m. to receive and open sealed bids, authorize the Chairman to sign the Notice to Bidders and direct the Clerk to publish and post same.

9:55 a.m. HEALTH AND HUMAN SERVICES

- A. Consider approving an agreement between the County of Colusa and **Gary Teragawa** to complete Partnership deliverables outlined in the Hospital Preparedness Program (HPP) work for fiscal year 2009/2010, effective February 23, 2010 through June 30, 2010, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.
- B. Consider approving "California Statewide Automated Welfare System Consortium IV Joint Exercise of Powers Agreement Second Amended" for the design, development, implementation and on-

going operation and maintenance of an automated Welfare System between the County of Colusa **and Counties of Alpine, Amador, Butte, Calaveras, Del Norte, El Dorado, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Plumas, Riverside, San Benito, San Bernardino, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tuolumne and Yuba**, effective June 1, 2010, with terms and conditions as set forth in the JPA and authorize the Chairman to sign.

- C. Consider approving "Memorandum of Understanding Between **the California Statewide Automated System Consortium IV** and the County of Colusa" to design, develop, operate and maintain a new automated system to support the business requirements for the administration of certain public assistance programs for the counties comprising the Consortium IV, effective February 23, 2010, with terms and conditions as set forth in the MOU and authorize the Chairman to sign.

10:00 a.m. AIRPORT

Consider approving Airport Lease Agreement between the County of Colusa and **W.A. Yerxa Family Revocable Trust**, for construction of a hangar, effective March 1, 2010, with terms and conditions as set forth in the Agreement and authorize the Chairman to sign.

10:05 a.m. CENTRAL SERVICES

Consider approving amendment to Agreement No. C06-276, approved on November 28, 2006, between the County of Colusa and **Advanced Document Concepts** for equipment and maintenance services, adding Central Services to the existing agreement, effective February 23, 2010, with terms and conditions as set forth in the amendment and all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

10:10 a.m. AUDITOR-CONTROLLER

- A. Approve changes in Revenue and Appropriations as follows:  
Requires 4/5 votes

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
Jail	00101	2031	53231	\$3,400.
Total				\$3,400.
Sheriff	00101	2021	53170	\$550.58
Sheriff	00101	2021	57039	\$2,286.94
Sheriff	00101	2021	57139	\$10,041.44

Total				\$12,878.96
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B. Consider approving Intra Budget Transfer Number 10016.

C. **IT Department**

Consider approving an agreement between the County of Colusa and **Stohlman Enterprises, Inc.**, for installation of new electrical circuits in the computer room, effective February 23, 2010, through March 15, 2010, with terms and conditions as set forth in the agreement and authorize the IT Director to sign on behalf of the Board of Supervisors.

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

11:00 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.

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.

**12:00 Noon RECESS**

**3:00 p.m. TRANSPORTATION AND TRANSIT MEETING**

**CONSENT AGENDA ITEMS 1-6**

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

1. CLERK/ELECTIONS/SPECIAL DISTRICTS/RESOLUTION: Adopt a Resolution of the Colusa County Board of Supervisors Appointing a Director to the Stonyford Recreation and Park District Pursuant to Government Code Section 1780(f)(1) et seq., as follows:

Roberto "Tony" Correa, term February 23, 2010 through December 2, 2011

and authorize the Chairman to sign the Resolution.

2. HEALTH AND HUMAN SERVICES: Approve Standard Rental Agreement between the County of Colusa and the **Colusa Indian Community Council Events Services** for a State immunization training for local medical providers, effective March 10, 2010, with terms and conditions as set forth in the Agreement and authorize the Director of Health and Human Services to sign on behalf of the Board of Supervisors.

3. COUNTY LIBRARY: Approve Modification of Agreement to C08-278, between the County of Colusa and **Donna Critchfield** for Literacy Tutor Trainings, modifying "Time of Performance" to be effective through June 30, 2010, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.
4. PUBLIC WORKS: Ratify Colusa County Public Works Agreement to Provide Assistance with Maintenance along County Roadways, 0910-20, between the County of Colusa Public Works Department and the **California Department of Forestry and Fire Protection**, effective July 1, 2009, with terms and conditions as set forth in the Agreement and signed by the Interim Director of Public Works on behalf of the Board of Supervisors.
5. PUBLIC WORKS: Ratify Colusa County Public Works Agreement to Pump, Clean, and Flush Emulsion Tanks 0910-21, between the County of Colusa Public Works Department and **Telfer Oil**, effective January 1, 2010 through June 30, 2010, with terms and conditions as set forth in the Agreement and signed by the Interim Director of Public Works on behalf of the Board of Supervisors.
6. PUBLIC WORKS: Ratify Colusa County Public Works Foundation Investigation Services 0910-22, between the County of Colusa Public Works Department and **Taber Consultants**, effective February 1, 2010 through July 1, 2010, 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.

### **END OF CONSENT AGENDA**

#### *OTHER ITEMS TO BE CONSIDERED AS TIME PERMITS:*

7. Supervisors' Reports or Comments.
8. State or Federal Legislation/General Budgetary Matters.
9. ADMINISTRATION
  - A. Consider appointments to the Community Advisory Committee.
  - B. Consider use of office space vacated by the District Attorney and possible direction to the Board Clerk regarding Request for Proposals for purchase of carpet, built-ins, furniture, etc.
  - C. Consider out-of-state travel for Supervisor Mark D. Marshall for attendance at the NACo Conference held in San Antonio, Texas from January 20-24, 2010.
10. Review Claims Register Sheets.
11. Agenda Review.

### **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.