

Board of Supervisors

District I

John D. Loudon, District II

Kent S. Boes, District III,
Vice-Chairman

Gary J. Evans, District IV,
Chairman

Denise J. Carter, District V



County of Colusa

Wendy G. Tyler, CAO/Clerk to the
Board of Supervisors/Risk Manager
Ann Nordyke, Chief Deputy Clerk to
the Board of Supervisors

Patricia Rodriguez, Deputy Clerk

Melissa Kitts, Deputy Clerk
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Board Chambers

546 Jay Street, Suite 108

Colusa, CA 95932

Minutes

May 29, 2018

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 29th day of May 2018 at the hour of 9:00 a.m. Present: Supervisors John D. Loudon, Denise J. Carter, Kent S. Boes, Gary J. Evans.

Present:

- Marcos Kropf, County Counsel.
- Wendy G. Tyler, CAO/Clerk of the Board/Risk Manager.
- Robert Zunino, Assistant Auditor-Controller.
- Ann Nordyke, Melissa Kitts, Board Clerks.
- Patricia Leland, Yareli Mora, Human Resources Department.
- Greg Plucker, Mary Fahey, Community Development Department.
- Scott Lanphier, Mike Azevedo, Public Works Department.
- Elizabeth Kelly, Health and Human Services Department.
- Stacey Costello, Colusa County Library.
- Kaline Moore, Debbie Hickel, CAO Office.
- Terry Rooney, Behavioral Health Department.
- Greg Hinton, Ag Commissioner's Department.
- Gerry Munoz, Probation Department.
- Arnie Gross, Assessor's Office.
- David Markss, Colusa City Councilman.
- Andy Roth, Jeff Wagner, AirCon Energy.
- Mary Winters, Colusa citizen.

Opening Prayer - Pledge of Allegiance

MINUTES APPROVAL

1. Minutes Approval
Board of Supervisors – Regular Meeting – May 15, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kent S. Boes, Vice-Chair
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

2. Minutes Approval
Board of Supervisors – Special Meeting – May 21, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

PERIOD OF PUBLIC COMMENT

None.

Chairman Evans makes time for announcement of Closed Session items to be considered.

ANNOUNCEMENT OF CLOSED SESSION

Mr. Kropf announces Closed Session matters as follows:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
California Government Code section 54956.8
Property: 405 6th Street and 539 Oak Street, Colusa, California.
Negotiators: County Administrative Officer and County Counsel
Property Owner: Roland Ellsworth
Under negotiation: Potential purchase and related terms.
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Section 54956.9(a), *LaGrone v. Colusa County, et al.*
Colusa County Superior Court case No. CV24250.
3. LIABILITY CLAIM
California Government Code section 54956.95.
Claimant: Will Semon.
Agency: County of Colusa

I. STAFF REPORTS

None.

CONSENT AGENDA

Approve Consent Agenda Item No.'s 1 through 25.

1. PURCHASING AND PROCUREMENT/ASSESSOR
Approve Contract No. **C18-070**, a two year agreement with **Megabyte Property Tax System** for software support services in an amount not to exceed \$94,397.28, effective July 1, 2018 and authorize the Chair to sign.

2. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-071**, a fifth modification with **Willow Glen Care Center**, for board and care services effective July 1, 2018 and authorize the Chair to sign.
3. APPOINTMENT/COLUSA MOSQUITO ABATEMENT DISTRICT
Appoint Donald Traynham (Dist. 2) to the Colusa Mosquito Abatement District effective May 29, 2018 through March 7, 2020. (**Application received: Donald Traynham**)
4. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-072**, the second modification to contract C16-28 with **Comfort Haven for the Elderly**, and authorize the Chair to sign.
5. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-073**, a fifth modification to contract C13-233 with **Davis Guest Home** for board and care services, and authorize the Chair to sign.
6. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-074**, a third modification to contract number C13-090 with **Gary Ernst** and authorize the Chair to sign.
7. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-075**, a second modification to contract C16-182 with **Victor Treatment Centers, Inc.**, and authorize the Chair to sign.
8. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-076**, a second modification to Contract C16-197 with **Restpadd, Inc.**, and authorize the Chair to sign.
9. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-077**, a 1 year contact with **Skyway House, Inc.**, for alcohol/drug abuse residential treatment services in an amount not to exceed \$80,000, effective July 1, 2018, and authorize the Chair to sign.
10. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-078**, a third modification to contract with **Progress House** and authorize the Chair to sign.
11. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-079**, a third modification to contract C15-090 with **Community Recovery Resources** and authorize the Chair to sign.
12. PURCHASING AND PROCUREMENT/LIBRARY
Make a finding that competitive bidding would not be in the best interest of the public and approve the un-budgeted purchase of library furniture with Demco in an amount not to exceed \$5,286.22, and authorize the Purchasing Department to issue a purchase order.

13. PURCHASING AND PROCUREMENT/PROBATION
Approve Contract No. **C18-080**, a first modification to contract C17-128 with the **Colusa County Office of Education** and authorize the Chair to sign.
14. PURCHASING AND PROCUREMENT/WELFARE ADMINISTRATION
Approve the purchase of one 2018 Ford Fusion SE with Oroville Ford in an amount not to exceed \$19,860.29 and authorize the Purchasing Department to issue a purchase order.
15. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH
Approve Contract No. **C18-081**, a fifth modification to contract C10-309 with **Casa Serenity, LLC**, and authorize the Chair to sign.
16. AG COMMISSIONER
Approve Contract No. **C18-082**, an annual agreement with **California Crop Improvement Association**, for services related to seed certification, effective July 1, 2018 and authorize the Agricultural Commissioner to sign on behalf of the County.
17. AG COMMISSIONER
Approve Contract No. **C18-083**, Cooperative Agreement No. 17-0549-023-SF with the **California Department of Food and Agriculture (CDFA)**, for the European Grapevine Moth (EGVM) Program services effective January 1, 2018 and authorize the Chair to sign.
18. TREASURER
Accept April 2018 Treasury Monthly Investment Report as presented.
19. COLUSA COUNTY EMPLOYEES' ASSOCIATION
Approve Monday, December 24, 2018 as Colusa County Employees' Association Floating Holiday for the 2018-2019 fiscal year.
20. PURCHASING AND PROCUREMENT/WELFARE ADMINISTRATION
Approve Contract No. **C18-084**, the Reimbursement Agreement with the **Colusa County Office of Education** for Emergency Child Care Bridge Program services effective January 1, 2018 through June 30, 2020 and authorize the Chair to sign.
21. COMMUNITY DEVELOPMENT DEPARTMENT/PLANNING & BUILDING
Approve Contract No. **C18-085**, a 2 year grant agreement with the **CUPA Forum Environmental Protection Trust Fund**, through the County's Environmental Health Division effective July 1, 2018 and authorize the Community Development Director (or his designee) to sign the Agreement.
22. APPOINTMENT/COLUSA COUNTY LOCAL CHILD CARE PLANNING COUNCIL
Appoint Laura Cervantes to the Colusa County Local Child Care Planning Council, as a Childcare Provider Representative, effective May 29, 2018 through May 28, 2020. **(Application received: Laura Cervantes)**

23. BOARD OF SUPERVISORS

Approve out of state travel for Supervisors Denise J. Carter, John D. Loudon and County Administrative Officer, Wendy G. Tyler to attend the 2018 NACo Annual Conference in Nashville, Tennessee on July 12, 2018 through July 17, 2018.

24. BOARD OF SUPERVISORS

Ratify a Proclamation honoring Supervisor Kimberly Dolbow Vann in her newest endeavors and thanking her for her decades of service to the residents and the County.

25. COLUSA COUNTY LOCAL CHILD CARE PLANNING COUNCIL

Approve the Local Planning Child Care Council Priorities Report Form and authorize the Chair to sign.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

III. HUMAN RESOURCES/DEPARTMENT OF PUBLIC WORKS

1. Approve a Step 3 new hire appointment for Paul Smith, Engineering Technician Trainee, PFT, MSC Range 19, Step 3, \$ 3,166.00 per month, effective June 1, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

IV. AUDITOR

Chairman Evans makes time to approve the 2017-2018 Revenue and Appropriations Inter-Budget Adjustment No.'s 062-068 as follows: **Requires 4/5 vote.**

Mr. Zunino explains the requested adjustments, noting, Inter-Budget Adjustment No. 65 for the CDBG sidewalk project in Maxwell, exceeded the estimated budget amount due to going out to bid multiple times. He further states Item No. 3 is a request for the use of contingency funds to cover the exceeded amount.

Following discussion, Chairman Evans trails the item pending consideration of Item No. 3, the use of contingency funds.

3. Approve the use of Contingency Funds in the amount of \$10,401.63. **(Requires 4/5th vote)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

Chairman Evans makes time to discuss trailed item No. 1.

1. Approve 2017-18 Revenue and Appropriations Inter-Budget Adjustments No.'s 062 - 068 as follows: **Requires 4/5 vote.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

2. Approve Intra Budget Adjustment No.'s 18019 through 18020.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

4. Approve Special Claims as follows:

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
610241	DHHS	Ampla Health	\$11,112.50

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Denise J. Carter, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

Chairman Evans makes time for discussion and possible direction regarding the proposed detachment of two County owned properties from the Colusa County Water District.

Mr. Kropf states there is no record of any prior notification being received by the Board of Supervisors regarding this issue.

Chairman Evans states that it's beneficial for the County to remain within a water district, and recommends declining the detachment request.

Supervisor Carter states that LAFCo informed the County that proper notification was sent to property owners regarding the detachments and is concerned that notifications were not received. She further states that she recommends that the detachment be declined.

V. COMMUNITY DEVELOPMENT DEPARTMENT

1. Authorize County Counsel to send a letter declining the detachment of two County owned properties from the Colusa County Water District.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

COMMUNITY DEVELOPMENT

2. Continue to June 26, 2018 the adoption of a Resolution authorizing recordation of Parcel Map Number 17-6-1 for the Morning Star Packing Co. **(Continued from May 15, 2018 Board meeting)**

RESULT:	CONTINUED TO JUNE 26, 2018
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VI. PUBLIC WORKS/ROAD DEPARTMENT

1. Adopt Resolution No. **18-014** approving the list of projects for fiscal year 2018-19 funded by SB 1: the Road Repair and Accountability Act of 2017 and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

Chairman Evans makes time for discussion and possible action concerning the Bridge street undergrounding project Rule 20 funds deficit.

Discussion is held regarding the response received from Butte County to potentially enter a funds exchange agreement.

2. Direct staff to continue negotiations with Butte County to develop a resolution and funds exchange agreement between the two agencies, in order to address the Bridge Street undergrounding project funds deficit.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Denise J. Carter, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

VII. COUNTY COUNSEL

1. Appoint the County Administrative Officer and County Counsel as real property negotiators.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

9:30 a.m. PUBLIC HEARING

Chairman Evans makes time for a public hearing and introduction by title only of a proposed ordinance adopting California Environmental Quality Act categorical exemptions and zoning code text amendments.

Mr. Plucker states that a number of sections of the 2014 updated Zoning Code have been identified for amendments in order to ensure they are functioning as intended when they were adopted. The project includes the following proposed amendments to the Colusa County Code:

- Section 44-4.90 - Will allow flexibility in home occupations related to growing annual flowers and vegetables,
- Section 44-4.90 - Eliminates unnecessary permit processes for home office uses,
- Section 44-2.30 – Will allow uses of the R-4 Zoning District (Apartment – Professional District), and
- Section 44-2.50 – Will allow use of the Industrial Zones to permit Food Trucks, located on private property, to serve the existing businesses.

9:36 a.m. Chairman Evans opens the Public Hearing and calls for public comment. Hearing none, Chairman Evans closes the Public Hearing.

COMMUNITY DEVELOPMENT DEPARTMENT/PLANNING & BUILDING

Approve introduction by title only of a proposed ordinance adopting California Environmental Quality Act categorical exemptions and Zoning Code text amendments.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

VIII. COUNTY ADMINISTRATIVE OFFICE

Chairman Evans makes time for the presentation by Aircon Energy regarding the Energy Efficiency Measures Report (**Presentation on file in the Board Clerk's Office**)

Mr. Roth speaks to the following:

- Company Overview
- Services Offered
- California Energy Efficiency Laws

- Partial Client List
- AirCon Approach – No Capital Required
- Engagement Process
- Colusa County – Preliminary Audit
- Next Steps

Discussion is held regarding aggregation, funding options, and narrowing down the priority list.

Following discussion, direction is given to Ms. Tyler and Supervisor Carter to work together and present options to the Board in August 2018.

Chairman Evans makes time to discuss Assembly Bill No.'s 2069 and 2727.

Ms. Tyler states that both Assembly Bills were held in suspense subsequent to the posting of the agenda so no action is required for item No's 2 and 3.

2. Approve letter in Opposition to Assembly Bill 2069 (Bonta) which provides that employers shall provide work accommodations for an employee or potential employee who uses medical cannabis.

3. Approve letter in support of Assembly Bill 2727 concerning a personal income tax credit for qualified firefighters.

IX. BOARD OF SUPERVISORS

1. Approve Contract No. **C18-086**, a Third Amended and Restated Joint Exercise of Powers Agreement with **Sierra-Sacramento Valley Emergency Medical Services Agency**, to continue a regional emergency medical services agency and system in Butte, Colusa, Glenn, Nevada, Placer, Shasta, Siskiyou, Sutter, Tehama, and Yuba counties, and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kent S. Boes, Vice-Chair
SECONDER:	Denise J. Carter, Supervisor
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

2. Adopt Resolution No. **18-015** approving the addition of the Cachil Dehe Band of Wintun Indians as a Sites Project Authority member contingent upon the receipt of a limited waiver of sovereign immunity, and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Gary J. Evans
SECONDER:	Kent S. Boes, Vice-Chair
AYES:	Denise J. Carter, John D. Loudon, Kent S. Boes, Gary J. Evans

X. SUPERVISORS' REPORTS OR COMMENTS

Supervisors Loudon

Meetings/functions attended:

RCD Board meeting
Colusa City Council meeting
CSAC Legislative Conference
NCCC Governing Board meeting
NCCC Workforce Development Board meeting
Maxwell Parade with VFW
Special Board meeting
Candidates Night in Arbuckle
Sacramento Host Breakfast
Sacramento Cannabis Meeting
Memorial Day Ceremonies at various cemeteries

Supervisor Carter

Meetings/functions attended:

CSAC Legislative Conference
CSAC Board of Directors meeting
Colusa Groundwater Authority Ad Hoc & Board meeting
NACo WIR Conference
Memorial Day Ceremony at Colusa Cemetery
Special Board meeting

Supervisor Boes

Meetings/functions attended:

CSAC Legislative Conference
Transit Employee Appreciation Event
Special Board meeting
Fire Chief meeting
Stonycreek II Ribbon Cutting
Memorial Day Ceremony at Williams Cemetery

Supervisor Evans

Meetings/functions attended:

Sites meeting
Water Board meeting

XI. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS

Ms. Tyler states that the final technical review and ad hoc meetings will occur this afternoon. She further states she anticipates presenting a budget to the Board at the June 26, 2018 Board of Supervisors meeting.

Chairman Evans declares a recess at 10:17 a.m. to convene in closed Session and reconvenes at 10:52 a.m. in Regular Session with all Supervisors present.

Present: Marcos Kropf, County Counsel
Wendy Tyler, CAO/Clerk of the Board/Risk Manager.
Ann Nordyke, Melissa Kitts, Board Clerks.

Chairman Evans makes time for announcement of Closed Session.

XII. CLOSED SESSION/COUNTY COUNSEL

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

California Government Code section 54956.8 Property: 405 6th Street and 539 Oak Street, Colusa, California, Negotiators: County Administrative Officer and County Counsel, Property Owner: Roland Ellsworth, Under negotiation: Potential purchase and related terms. He states there is no reportable action.

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a), *LaGrone v. Colusa County, et al.* Colusa County Superior Court case No. CV24250. He states there is no reportable action.

3. LIABILITY CLAIM

California Government Code section 54956.95. Claimant: Will Semon. Agency: County of Colusa He states there is no reportable action.

Chairman Evans adjourned the meeting at 10:53 a.m. to reconvene in Regular Session on June 12, 2018 at the hour of 9:00 a.m.

Gary J. Evans, Chairman

Attest: Wendy G. Tyler,
Clerk to the Board of Supervisors

BY _____
Melissa Kitts, Deputy Clerk