

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

Heidi Hall, 1st District (Vice-Chair)  
Ed Scofield, 2nd District  
Dan Miller, 3rd District  
Susan Hoek, 4th District  
Richard Anderson, 5th District (Chair)

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Julie Patterson Hunter, Clerk of the Board  
Alison Lehman, County Executive Officer  
Alison Barratt-Green, County Counsel



## BOARD OF SUPERVISORS

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Nevada City, CA 95959-8617  
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bdofsupervisors@co.nevada.ca.us

## AGENDA

Date	Time	Location
Tuesday, September 24, 2019	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

This meeting is broadcast live on NCTV Channel 17 in the Western County,  
on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County,  
and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>.

Video Conferencing at 9:01 a.m. for Public Comment and 9:30 a.m. for Public Hearing  
located at the District V Board of Supervisors Conference Room  
Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California

The Board of Supervisors welcomes you to its regular meetings that are scheduled the second and fourth Tuesdays of every month. Your interest is encouraged and appreciated.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please approach the rostrum and, after receiving recognition from the Chair, give your name and comments or questions as all meetings are recorded. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. Time limitations are explained on the last page of the agenda.

The meeting room is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at <http://www.mynevadacounty.com/nc/bos/cob>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents.

Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

**REGULAR MEETING: 9:00 AM****STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

**SCHEDULED ITEMS: 9:01 A.M.****Public Comment:**

*Members of the public shall be allowed to address the board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board.*

*(Video-Conferencing for the public comment portion of the meeting is also available in Truckee at the District V Board of Supervisors Conference Room, east (left) side of the Sheriff's Substation at 10879A Donner Pass Road.)*

**Clerk of the Board: Julie Patterson Hunter**

1. [SR 19-0824](#) Resolution proclaiming the month of October 2019 as "United Way of Nevada County Campaign Kick-Off Month" in Nevada County. (Ms. Megan Timpany, Executive Director, United Way of Nevada County)

**Individual Board Member Item: Supervisor Sue Hoek**

2. [SR 19-0850](#) Certificate of Recognition for the Golden Empire Flying Association (GEFA) for its work supporting the Nevada County Airport. (Ms. Christy Barden, GEFA President, and Mr. Ray Anderson, Air Show Executive Director)

**CONSENT CALENDAR:**

*These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member, staff member or interested party may request that an item be removed from the consent calendar for discussion.*

**Public Health Director: Jill Blake**

3. [SR 19-0862](#) Resolution proclaiming October 2019 as Breast Cancer Awareness Month in Nevada County.

4. [SR 19-0705](#) Resolution approving renewal Agreement 19-10166 between the County of Nevada and the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, in the maximum amount of \$2,015,799, for the period October 1, 2019 through September 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Behavioral Health Director: Phebe Bell

5. [SR 19-0854](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada County Housing Development Corporation for services related to Behavioral Health's community-based housing projects - housing for residents with a mental health disability, and reimbursement for lease/rental agreements for authorized program participants (Res. 19-374), increasing the maximum contract amount from \$280,758 to \$436,368 for Fiscal Year 2019/20 due to additional funding from Proposition 47, revising Exhibits "A" and "B" to reflect the addition of salary and benefits costs and master leased housing funds, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Director of Social Services: Tex Ritter

6. [SR 19-0861](#) Resolution approving a renewal contract between the County of Nevada and Crisis Intervention Services (formerly Family Resource Center of Truckee) for the provision of Child Development and Family Support Services in Eastern County within the framework of the Differential Response Program, in the maximum amount of \$30,000, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.

District Attorney: Clifford Newell

7. [SR 19-0707](#) Resolution authorizing acceptance of a grant from the California Department of Insurance for \$97,726 in State of California funds for the Worker's Compensation Insurance Fraud Program, for use during the period July 1, 2019 through June 30, 2020, and authorizing the District Attorney to execute all necessary documents.

Chief Probation Officer: Michael Ertola

8. [SR 19-0853](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Common Goals, Inc. for the provision of evidence-based recovery housing services for probation clients recovering from alcohol and drug dependency (Res. 19-275), amending the contract terms listed in Exhibit "A" Schedule of Services, for the period June 1, 2019 through July 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
9. [SR 19-0847](#) Resolution approving a Regional Facility Agreement between the County of Nevada and Calaveras County to house certain juvenile wards in the Nevada County Carl F. Bryan II Youth Center (Nevada County Juvenile Detention Facility), at the rate of \$100 per bed day, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Community Development Agency Director: Sean Powers

10. [SR 19-0837](#) Resolution approving Amendment 4 to the contract between the County of Nevada and TruePoint Solutions, LLC pertaining to implementation of Accela software (Res. 15-155), increasing the contract amount by \$15,000 for additional support services, for a maximum contract amount not to exceed \$358,200, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Community Development Agency budget. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

11. [SR 19-0843](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Apply-A-Line, LLC for the 2019 Nevada County Annual Striping Program - County Contract No. 426636 (Res. 19-153), with contract costs totaling \$300,954.60, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208.
12. [SR 19-0844](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and MP Nexlevel of California, Inc. for the Combie Road Rule 20A Improvements Project - County Contract No. 337008 (Res. 18-439), with contract costs totaling \$926,485.42, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Dist. II)
13. [SR 19-0834](#) Resolution approving plans, specifications, and cost estimate for the 2019 McCourtney Road Landfill West Ditch Drainage Improvement Project, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with applicable regulations with the bid opening date to be determined by the Purchasing Agent. (Solid Waste)
14. [SR 19-0835](#) Resolution awarding and approving a contract between the County of Nevada and Deschaine Enterprises, Inc. for the 2019 McCourtney Road Landfill Leachate Management Improvement Project (Res. 19-341), in the amount of \$390,000 plus a ten percent contingency for a total amount not to exceed \$429,000, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Solid Waste Western budget. (4/5 affirmative vote required) (Solid Waste)
15. [SR 19-0833](#) Resolution awarding and approving an agreement between the County of Nevada and HDR Engineering, Inc. for developing project plans, specifications and estimates for the McCourtney Road Solid Waste Transfer Station Redesign Project (Res. 17-016), in an amount not to exceed \$1,682,813.95, for the period September 24, 2019 through June 30, 2021, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2019/10 Solid Waste Western budget. (4/5 affirmative vote required) (Solid Waste)

Chief Information Officer: Stephen Monaghan

16. [SR 19-0846](#) Resolution authorizing and approving the capital assets purchase of two wood chippers in the amount of \$80,000, and the directing the Auditor-Controller to amend the Fiscal Year 2019/20 Office of Emergency Services budget in the amount of \$2,536,477, for the Ponderosa West Grass Valley Defense Zone Project. (4/5 affirmative vote required) (Emergency Services) (Dists. III and IV)
17. [SR 19-0858](#) Resolution authorizing the Office of Emergency Services to apply to the Sierra Nevada Conservancy's Sierra Nevada Watershed Improvement Program Forest Health Grant FY2019-2020 to fund an extension to the Ponderosa West Grass Valley Defense Zone Project on Federal land, in the total amount of \$999,925, and authorizing the Director of Emergency Services to execute the application. (Emergency Services) (Dists. III and IV)
18. [SR 19-0840](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and George Roofing for the Nevada County Roof Restoration and Replacement Project at Various Locations (Res. 18-550), for roof restoration at the Grass Valley Veterans Memorial Building, with contract costs totaling \$194,869, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Facilities)
19. [SR 19-0839](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Rua & Son Mechanical, Inc., for the Nevada County Roof Restoration and Replacement Project at Various Locations (Res. 18-551), for the Eric Rood Administrative Center, the District Attorney Building, and the Animal Shelter Modular, with contract costs totaling \$587,031, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Facilities)
20. [SR 19-0852](#) Resolution approving the bidding documents and specifications for the Nevada County Bost House HVAC Installation Project, authorizing the Chair of the Board of Supervisors to execute the documents, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)
21. [SR 19-0836](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Disability Access Consultants for the Nevada County Facilities ADA Self Evaluation and Transition Plan (BMS18504 and Res. 18-504), extending the contract termination date from September 30, 2019 to June 30, 2020 to allow for additional time to complete the survey, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)

County Librarian: Yolande Wilburn

22. [SR 19-0832](#) Resolution accepting \$15,000 in National Endowment for the Arts funds from Arts Midwest to fund creation of a Big Read Program in Nevada County to promote reading and community engagement, for use during the period September 1, 2019 through June 30, 2020, and directing the Auditor Controller to amend the Fiscal Year 2019/20 Library budget. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

23. [SR 19-0845](#) Ratify the redesignation of Ms. Jennifer Morrill from her current position as a Low-Income representative to a Private Sector representative on the Adult and Family Services Commission, to fill an unexpired two-year term ending April 30, 2021.
24. [SR 19-0828](#) Acceptance of Board of Supervisors Summary Minutes for September 10, 2019.

**SCHEDULED ITEM: 9:30 A.M.**

*(Video-conferencing for public hearing located at the District V Board of Supervisors Conference Room, Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California)*

**Planning Director: Brian Foss**

25. [SR 19-0831](#) Public hearing to consider approval of proposed increases to Development Impact Mitigation Fees ("AB 1600 Fees") for the Truckee-Donner Recreation and Park District. (Dist. V)

Resolution adopting Development Impact Mitigation Fees ("AB 1600 Fees") for the Truckee-Donner Recreation and Park District, pursuant to Section L-IX 1.1 of the Land Use and Development Code of the County of Nevada, with increased fees in the amount of \$1.99 per square foot for Single-Family Housing, and \$2.85 per square foot for Multi-Family Housing, effective November 23, 2019.

**\*DEPARTMENT HEAD MATTERS:****Agricultural Commissioner: Chris de Nijs**

26. [SR 19-0842](#) Acceptance of the 2018 Nevada County Annual Crop and Livestock Report.

**Building Director: Craig Griesbach**

27. [SR 19-0851](#) (Introduce/Waive further reading) An Ordinance amending Article 5 of Chapter II of Title 3 of the Nevada County Land Use and Development Code regarding administrative enforcement.

**Chief Information Officer: Stephen Monaghan**

28. [SR 19-0859](#) Resolution approving a License Agreement between the County of Nevada and the City of Nevada City for use of ten parking spaces at the Nevada County Eric Rood Administrative Center for overflow parking designated for the Sugarloaf Trail. (Facilities) (Dist I)

**SCHEDULED ITEMS: 10:30 A.M.****Chief Information Officer: Stephen Monaghan**

29. [SR 19-0808](#) Resolution proclaiming October 6 through 12, 2019 as Fire Prevention Week in Nevada County. (Emergency Services)
30. [SR 19-0867](#) Acceptance of the Office of Emergency Services' Wildfire Preparedness Informational Presentation.
31. [SR 19-0860](#) Informational presentation from Pacific Gas and Electric Co. (PG&E) regarding their Community Wildfire Safety Program and related activities. (Emergency Services)

**\*CLOSED SESSION:**

- [SR 19-0863](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiator for the County is Steve Monaghan, Chief Information Officer/Director of Information and General Services. The negotiator for the property owner, Sixteen Circles LLC, is Jason Read and the owner/agents of Sixteen Circles LLC. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for property located at 1125 Sutton Way, Grass Valley, California (APN 035-400-088).

**\*ANNOUNCEMENTS:**

*Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.*

Recess for lunch:

**AFTERNOON SESSION****SCHEDULED ITEM: 1:30 P.M.****Planning Director: Brian Foss**

32. [SR 19-0866](#) Public hearing to consider an urgency ordinance for amendments to Land Use and Development Code Chapter II, Article 3, Section 3.30 Commercial Cannabis Ordinance. The amendments will add a definition of “processing” and add a subsection regulating “offsite processing.”

(Introduce/Waive further reading/Adopt) An Urgency Ordinance amending Section L-II 3.30 Cannabis Cultivation by adding Subsection L-II 3.30(C)(34.1) Processing Definition and Subsection L-II 3.30(D)(12) Offsite Processing to Chapter II Zoning Regulations, Article 3 Specific Land Uses. (4/5 affirmative vote required)

**ADJOURNMENT:**

*\*(The Board of Supervisors can discuss these items at any time during the meeting.)*

*This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations:*

- 1. Eric Rood Administrative Center; outside Board office, outside Board Chambers, and outside main entrance.*
- 2. Madelyn Helling Library.*
- 3. Truckee Joseph Center.*

*Posted: September 19, 2019.*

*Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Library and the Grass Valley Library.*



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**PERSONS DESIRING TO ADDRESS THE BOARD****CONTROL OF MEETING:**

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

**PUBLIC COMMENT:**

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items.

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

**PUBLIC HEARINGS:**

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

**ORDER AND DECORUM:**

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. 6) In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack. 7) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.

**ORDINANCES:**

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.
- 4) Adoption of the ordinance is made by majority vote.
- 5) The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

**INFORMATIONAL CORRESPONDENCE:**

The Board may direct any item of informational correspondence to a department head for appropriate action.

**REFERENCES:**

- Nevada County Resolution 17-084 (Public comment)  
Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)  
Nevada County Land Use Code Sec. L-II 5.12 (Appeals)