

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)

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



BOARD OF SUPERVISORS

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AGENDA

Date	Time	Location
Tuesday, June 11, 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 and 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 for Public Hearings beginning at 10:00 a.m. 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.

PUBLIC COMMENT: 9:01 A.M.

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.)

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.

Behavioral Health Director: Phebe Bell

1. [SR 19-0471](#) Resolution approving a renewal agreement between the County of Nevada and the Tahoe Truckee Unified School District (TTUSD) for the provision of mental health services at TTUSD Campuses for students identified as having a mental health need, with reimbursement to the County's Behavioral Health Department in the maximum amount of \$25,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Public Health Director: Jill Blake

2. [SR 19-0425](#) Resolution approving Amendment A04 to Standard Agreement 15-10096 between the County of Nevada and the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program (Res. 15-444), shifting funds between budget lines of state agency approved budgets for Federal Fiscal Year 2018/19, in the maximum amount of \$2,683,081, for the period October 1, 2015 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Planning Director: Brian Foss

3. [SR 19-0441](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Kimley-Horn and Associates, Inc. for the preparation of an Environmental Impact Report for the Commercial Cannabis Cultivation Ordinance (Res. 18-328), increasing the maximum amount of the contract to \$288,310, for Fiscal Year 2018/19, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Director of Public Works: Trisha Tillotson

4. [SR 19-0451](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Dokken Engineering pertaining to professional engineering services for the South Yuba River at Soda Springs Road Bridge Replacement Project (Res. 14-530), extending the term of the contract to June 1, 2021, increasing the amount of the contract to a new maximum amount not to exceed \$338,567.46, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. V)
5. [SR 19-0454](#) Resolution approving Amendment 2 to the agreement between the County of Nevada and Riebes Auto Parts, LLC. for a Vendor Managed Inventory Parts Facility Operation (Res. 18-104), increasing the amount of the contract to a new maximum amount not to exceed \$969,628, extending the contract term for an additional year to June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Fleet)
6. [SR 19-0469](#) Resolution approving Amendment 3 to the contract between the County of Nevada and Quincy Engineering, Inc. for the Combie Road Corridor Improvement Project Number 440814 (Res. 15-047), increasing the contract amount from \$731,290 to a maximum amount not to exceed \$752,427, authorizing the Chair of the Board of supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Road Capital Improvement budget. (4/5 affirmative vote required) (Dist. 2)

Chief Information Officer: Stephen Monaghan

7. [SR 19-0446](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
8. [SR 19-0501](#) (Waive Further Reading/Adopt) An Ordinance repealing Section A-II 17.10 and amending Sections A-II 17.11 through A-II 17.14 of Article 17 of Chapter II of the Nevada County Administrative Code regarding County Executive Officer contracting authority, adding Section A-II 42.10.5 of Article 42 to Chapter II of the Nevada County Administrative Code regarding Director of Public Works contracting authority, and repealing and replacing Chapter IV of the Nevada County Administrative Code regarding Purchasing.

County Librarian: Yolande Wilburn

9. [SR 19-0434](#) Resolution accepting a grant from the California State Library in the amount of \$7,000 in Federal Library Services and Technology Act funds, for use during the period January 6, 2019 through June 30, 2019, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget to reflect the additional revenue. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

10. [SR 19-0463](#) Acceptance of Board of Supervisors Summary Minutes for May 28, 2019.

DEPARTMENT HEAD MATTERS:*Planning Director: Brian Foss**

11. [SR 19-0490](#) Resolution upholding the appeal filed by Jens Larson, Rod Corvington, Kurt Anderson, Charles McCollough, George Basso, and Scott Kastning, overturning the Zoning Administrator's March 27, 2019 approval of the Conditional Use Permit (CUP17-0016) and the Petition for Exception to Driveway Standards (MIS18-0012), and the adoption of the Mitigated Negative Declaration (EIS17-0023), for the construction and operation of a 110-foot tall telecommunications tower and 1,500 square-foot equipment facility at 13083 Wild Life Lane in Grass Valley (APN 012-720-045). (Dist. I)

Director of Human Resources : Steven Rose

12. [SR 19-0426](#) Resolution ratifying the Memorandum of Understanding between the County of Nevada and the Nevada County Deputy Sheriff's Association, providing changes in compensation and terms and conditions of employment, during the period July 1, 2019 through June 30, 2022.
13. [SR 19-0427](#) Resolution adopting a revised Compensation and Benefits Summary for Appointed and Confidential Senior Executives (Res. 16-327), during the period July 1, 2019 through June 30, 2022.
14. [SR 19-0428](#) Resolution approving changes in salary and benefits for Elected Officials of the County of Nevada, during the period July 1, 2019 through June 30, 2022.

***CLOSED SESSION:**

- [SR 19-0488](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Thibodeaux Nickerson v. County of Nevada et al., U.S. Dist. Ct., E.D. Cal., Case No. 2:18-cv-02648-KJM-DB.

Video Conferencing for Public Hearing Items #15 and #16 will be available beginning at 10:00 a.m. located at the District V Board of Supervisors Conference Room, Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California.

SCHEDULED ITEM: 10:00 A.M.

Director of Public Works: Trisha Tillotson

15. [SR 19-0373](#) Public hearing to consider the approval and award of Franchise Agreement with Tahoe Truckee Disposal Company, Inc., a California Corporation, (dba Tahoe Truckee Sierra Disposal or TTSD), for the collection, transportation, processing, and disposal of discarded materials, in the unincorporated area of Eastern Nevada County. (Dist. V)

Resolution approving and awarding a Franchise Agreement between the County of Nevada and Tahoe Truckee Disposal Company, Inc., a California Corporation (dba Tahoe Truckee Sierra Disposal or TTSD), for the collection, transportation, processing, and disposal of discarded materials, in the unincorporated area of Eastern Nevada County, for the period July 1, 2019 through June 30, 2029, and authorizing the Chair of the Board of Supervisors to execute the Franchise Agreement.

SCHEDULED ITEM: 10:30 A.M.

County Executive Officer: Alison Lehman

16. [SR 19-0485](#) Public hearing regarding the reapportionment of property tax revenue from the County of Nevada to the Penn Valley Fire District, Higgins Fire District, Nevada County Consolidated Fire District, and Truckee Fire District in accordance with Resolution 06-162 and beginning in tax year 2019. The purpose of the proposed hearing is to consider the effect of the proposed transfer on fees, charges, assessments, taxes or other revenues in accordance with Revenue & Taxation Code Section 99.02

Resolution approving the reallocation of property tax revenues from the County of Nevada to the Penn Valley Fire District, Higgins Fire District, Nevada County Consolidated Fire District, and Truckee Fire District, consistent with Resolution 06-162.

***DEPARTMENT HEAD MATTER:**

Chief Information Officer: Stephen Monaghan

17. [SR 19-0516](#) Wildfire preparedness informational presentation to the Board. (Emergency Services)

***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.

AFTERNOON SESSION**SCHEDULED ITEM: 12:00 Noon**

The Board of Supervisors will accept public comment on this item in the Board Chambers, prior to the start of the Tour.

- 18.** [SR 19-0498](#) Board of Supervisors Tour of CALFIRE Nevada-Yuba-Placer Unit Campuses. (Bian Estes, CALFIRE Unit Chief)

12:00 p.m. Tour Begins
Eric Rood Administrative Center
950 Maidu Avenue, Nevada City, CA 95959

12:15 p.m.
Welcome and Tour of Nevada City Fire Station 20
40242 Ridge Road, Nevada City, CA 95959

2:45 p.m.
Tour of Empire Mine State Park
10791 East Empire Street, Grass Valley, CA 95945

3:45 p.m.
Tour of Grass Valley Emergency Command Center
13120 Loma Rica Drive, Grass Valley, CA 95945

4:15 p.m.
Tour of Grass Valley Air Attack Base
13120 Loma Rica Drive, Grass Valley, CA 95945

5:00 p.m.
Tour ends at the Eric Rood Administrative Center
Board of Supervisors Chambers
950 Maidu Avenue, Nevada City, CA 95959

ADJOURNMENT:

(The Board of Supervisors will adjourn the meeting from the Board Chambers.)

**(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 June 6, 2018.

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

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)