

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

950 Maidu Avenue
Nevada City, CA 95959-8617
(530) 265-1480
Fax: (530) 265-9836
bdofsupervisors@co.nevada.ca.us

SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, May 28, 2019	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

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

STANDING ORDERS:

Chairman Anderson called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Rolf Kleinhans, Chief Fiscal/Administrative Officer, Sheriff's Office.

Corrections and/or deletions to agenda.

ACTION TAKEN: No corrections and/or deletions to the agenda were noted.

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

ACTION TAKEN: The following members provided comment: Mr. Dan Landon, Executive Director, Nevada County Transportation Commission.

Individual Board Member Item:

1. [SR 19-0383](#) Resolution proclaiming May 31 through June 1, 2019, as “Celebration of Trails Weekend 2019” in Nevada County in conjunction with “National Trails Day.”

Sponsor(s): Richard Anderson, District V

Adopted.

Enactment No: RES 19-200

ACTION TAKEN: Chairman Anderson introduced the item and Mr. Terry Hundemer, Director and Co-Chair of the Trails Committee, Bear Yuba Land Trust, spoke about the importance of trails in the County and thanked the Board for their support.

Chairman Anderson read the proclamation into the record.

Mr. Hundemer and Ms. Erika Seward, Co-Executive Director, Operations & Development, Bear Yuba Land Trust, provided information regarding the Celebration of Trails events which are scheduled to take place the weekend of May 31 through June 1, 2019.

The Board members thanked Bear Yuba Land Trust and presented the proclamation.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 19-200. On a roll call vote the motion passed unanimously.

CONSENT CALENDAR:**Behavioral Health Director: Phebe Bell**

2. [SR 19-0390](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Midvalley Recovery Facilities, Inc, dba Pathways, for the provision of residential treatment and withdrawal management services for referred clients of Nevada County (Res. 19-132), increasing the maximum contract amount from \$84,000 to \$115,500, extending the termination date to June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 19-201
3. [SR 19-0336](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the provision of Mental Health Services Act Children's Assertive Community Treatment, Wraparound and Therapeutic Behavior Services (Res. 18-431), increasing the maximum contract amount from \$1,590,325 to \$1,602,000, incorporating the Contractor's collaboration with eCenter Research to develop a method of extraction and upload of data to align with the State requirements, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 19-202
4. [SR 19-0416](#) Resolution approving the Nevada County Mental Health Services Act (MHSA) Annual Update to the Three Year Program and Expenditure Plan for Fiscal Year 2019/20 and Annual Progress Report for Fiscal Year 2017/18, and authorizing the Nevada County Behavioral Health Director to sign and certify the MHSA County Compliance Certification included in the Plan.
Adopted.
Enactment No: RES 19-203

Public Health Director: Jill Blake

5. [SR 19-0414](#) Resolution approving Amendment A02 to Standard Agreement 15-10165 between the County of Nevada and the California Department of Public Health, Maternal, Child and Adolescent Health Division for administration of the California Home Visiting Program (Res. 15-275), replacing Exhibit A Scope of Work in its entirety and replacing Exhibit B, Attachments III and IV in its entirety, amending the total maximum amount payable from \$3,205,628 to \$3,002,040, for the period July 1, 2015 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 19-204

Director of Social Services: Tex Ritter

6. [SR 19-0385](#) Resolution accepting a one-time funding award in the amount of \$15,000 from the California Department of Veterans Affairs for Veteran Mental Health Outreach Services for Fiscal Year 2018/19. (Veterans Services)

Adopted.

Enactment No: RES 19-205

Child Support Services, Collections, and Housing Director: Mike Dent

7. [SR 19-0417](#) Resolution approving a Memorandum of Understanding (MOU) between Nevada County Health and Human Services Agency, Foothill House of Hospitality dba Hospitality House, Regional Housing Authority, and Pacific West Communities Inc., for development and operation of the Brunswick Commons Supportive Housing Project located at 936 Old Tunnel Road, Grass Valley, commencing upon ratification by the parties and continuing for 20 years from receipt of the Certificate of Occupancy, and authorizing the Nevada County Director of the Health and Human Services Agency to execute the MOU. (Housing)

Adopted.

Enactment No: RES 19-206

Sheriff-Coroner/Public Administrator: Shannan Moon

8. [SR 19-0393](#) Resolution approving Amendment 2 to Cooperative Law Enforcement Agreement 17-LE-1105-1360-018 between the Nevada County Sheriff's Office and the United States Department of Agriculture, Forest Service, Tahoe National Forest, pertaining to law enforcement services on National Forest Service lands (Res. 17-154), adopting the 2019 Annual Operating and Financial Plan, in an amount not to exceed \$12,000, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 19-207

Chief Probation Officer: Michael Ertola

9. [SR 19-0408](#) Resolution accepting a grant from the Federal Substance Abuse and Mental Health Services Administration in the total amount of \$1,475,141 for expansion of the Nevada County Collaborative Courts' Substance Abuse Treatment Programs, for the period May 31, 2019 through May 30, 2024.

Adopted.

Enactment No: RES 19-208

Agricultural Commissioner: Chris de Nijs

10. [SR 19-0413](#) Resolution approving Standard Agreement 18-0369 between the County of Nevada and the California Department of Agriculture for participation in the Cannabis Cultivation Licensing Compliance Inspections Pilot Program, with reimbursement to the County in an amount up to \$20,000, for the period of May 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 19-209

Building Director: Craig Griesbach

11. [SR 19-0362](#) Resolution approving Amendment 2 to the Agreement between the County of Nevada and Interwest Consulting Group, Inc. to provide on-call Building Inspection and Plan Review Services (Res. 18-305), increasing the contract amount by \$35,000 to a maximum amount not to exceed \$160,000 for Fiscal Year 2018/19, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Building Department budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 19-210

12. [SR 19-0409](#) Resolution summarily adopting a recommendation of the Hazardous Vegetation Abatement Hearing Body and approving a proposed assessment in the amount of \$43,035.87 against property located at 14010 Meadow View Drive, Grass Valley, CA 95945 after a nuisance abatement (APN 012-210-008). (Code Compliance) (Dist. I)
Adopted.
Enactment No: RES 19-211

Director of Public Works: Trisha Tillotson

13. [SR 19-0378](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and Winner Chevrolet for auto repair and body repair of vehicles for Nevada County Fleet Services (PESM3609), increasing the amount of the contract from \$25,000 to a new maximum amount not to exceed \$35,000 to cover costs of additional unexpected repairs, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Fleet)
Adopted.
Enactment No: RES 19-212
14. [SR 19-0379](#) Resolution approving Amendment 3 to the contract between the County of Nevada and HF&H Consultants, LLC. for Eastern Nevada County Municipal Solid Waste Contract Consulting and Negotiation Services (Res. 17-551), increasing the maximum contract amount from \$76,805 to an amount not to exceed \$81,305, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Solid Waste Eastern budget. (4/5 affirmative vote required) (Dist. V) (Sanitation)
Adopted.
Enactment No: RES 19-213
15. [SR 19-0372](#) Resolution accepting the Department of Resource Recycling and Recovery (CalRecycle) 2018/19 Oil Payment Program grant funding, in the amount of \$18,290, and authorizing the Director of the Department of Public Works to execute additional documents to implement this grant. (Sanitation)
Adopted.
Enactment No: RES 19-214

16. [SR 19-0329](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Central Striping Service, Inc. for the 2018 Nevada County Thermoplastic Safety Project - County Contract No. 225031, Federal No. HSIP-5917(098) (Res. 18-192), with contract costs totaling \$359,114.10, and directing the Clerk of the Board to record this notice in accordance with Civil Code Section 9208.
Adopted.
Enactment No: RES 19-215
17. [SR 19-0369](#) Resolution approving Environmental Clearance for the Purdon Bridge at South Yuba River Emergency Repair Project, and authorizing the Director of the Nevada County Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's Office. (Dist. IV)
Adopted.
Enactment No: RES 19-216
18. [SR 19-0370](#) Resolution adopting the Nevada County Active Transportation Plan.
Adopted.
Enactment No: RES 19-217
19. [SR 19-0371](#) Resolution adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual - Consultant Selection for State and/or Federal funded projects requiring Caltrans oversight.
Adopted.
Enactment No: RES 19-218
20. [SR 19-0402](#) Resolution awarding a contract between the County of Nevada and Vali Cooper and Associates, Inc., a TRC Company, to provide on-call construction management and inspection services for various projects, in an amount not to exceed \$200,000, for the period June 1, 2019 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 19-219
21. [SR 19-0403](#) Resolution awarding a contract between the County of Nevada and Psomas to provide on-call construction management and inspection services for various projects, in an amount not to exceed \$200,000, for the period June 1, 2019 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 19-220

22. [SR 19-0404](#) Resolution awarding a contract between the County of Nevada and HDR Construction Control Corporation to provide on-call construction management and inspection services for various projects, in an amount not to exceed \$200,000, for the period June 1, 2019 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 19-221
23. [SR 19-0412](#) Resolution approving the plans, specifications, and cost estimate for the 2019 Nevada County Thermoplastic Safety Striping Project, Contract No. 225033, HSIP 5917(101), authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance to the applicable regulations with the bid opening date to be set by the Director of Public Works on June 26, 2019 at 3:00 p.m. (Dists. I, II, and IV)
Adopted.
Enactment No: RES 19-222
24. [SR 19-0368](#) Resolution approving Amendment 1 to the Fiscal Year 2018/19 Local Agency Participation Subrecipient Agreement between the County of Nevada and the Nevada County Transportation Commission pertaining to reimbursement for transportation planning activities and the development of the Local Road Safety Plan (Res. 18-409), for a total amount of \$26,667, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 19-223
25. [SR 19-0397](#) Resolution approving the Funding Agreement between the County of Nevada and the Nevada County Transportation Commission (NCTC), authorizing NCTC to perform contract management and oversight of Regional Surface Transportation Program Exchange Funds distributed to the County, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
Adopted.
Enactment No: RES 19-224
26. [SR 19-0376](#) Resolution requesting the Nevada County Transportation Commission allocate \$148,500 from Nevada County's apportionment of Local Transportation Funds for the Combie Road Widening Project for Fiscal Year 2018/19. (Dist. II)
Adopted.
Enactment No: RES 19-225

27. [SR 19-0396](#) Resolution authorizing the Nevada County Department of Public Works to rescind Regional Surface Transportation Program Fiscal Year 2017/18 un-used fund allocations from the Nevada County Transportation Commission, totaling \$716,870.83, and to enable funding for Fiscal Year 2019/20 allocations approved in Resolution 19-150. (Dist. II)
Adopted.
Enactment No: RES 19-226
28. [SR 19-0406](#) Resolution awarding a contract between the County of Nevada and Baldwin Contracting Co. dba Knife River Construction for the Combie Road Corridor Improvement Project, Contract No. 440814, in an amount of \$3,673,438.52 plus a ten percent contingency of \$367,343.85 for a total amount of \$4,040,782.37, approving a deductive Contract Change Order No. 1 in the amount of (\$898,860.38), authorizing the Chair of the Board of Supervisors to execute the contract, and authorizing the Auditor-Controller to amend the budget in the amount of \$1,900,000. (4/5 affirmative vote required) (Dist. II)
Adopted.
Enactment No: RES 19-227

Chief Information Officer: Stephen Monaghan

29. [SR 19-0389](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
Adopted.
Enactment No: RES 19-228
30. [SR 19-0346](#) Resolution approving a Ground Lease between the County of Nevada and Race Telecommunications, Inc. for approximately 4,000 square feet of airport property located at 13083 John Bauer Avenue, Grass Valley, in the negotiated rate of \$12,000 per year paid in monthly installments with an increase of two percent each year, for an initial term of five years, and authorizing the Chair of the Board of Supervisors to execute the Ground Lease. (4/5 affirmative vote required) (Airport)
Adopted.
Enactment No: RES 19-229
31. [SR 19-0410](#) Resolution approving a capital asset and authorizing the purchase of an 8.5 x 24 foot Cargo Trailer in the amount of \$17,000, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Emergency Management budget. (4/5 affirmative vote required) (Emergency Services)
Adopted.
Enactment No: RES 19-230

32. [SR 19-0411](#) Resolution directing the Purchasing Agent to issue a Request for Qualifications for professional architectural design services and project management for the Odyssey House Renovation Project, located at 995 Helling Way, Nevada City. (Facilities)
Adopted.
Enactment No: RES 19-231
33. [SR 19-0421](#) Resolution approving Amendment 19 to the contract between the County of Nevada and Ray Morgan Company for equipment leasing and services (Res. 10-404), increasing the monthly lease payments from \$7,851 to \$9,791 per month, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Central Services budget. (4/5 affirmative vote required) (Purchasing)
Adopted.
Enactment No: RES 19-232
34. [SR 19-0384](#) Resolution authorizing the purchase of capital assets, four Canon Imagerunner Advance C5535i Copiers from Ray Morgan Company for public use at Madelyn Helling, Grass Valley , Truckee, and Penn Valley library branch locations, in the amount of \$31,316, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required) (Purchasing)
Adopted.
Enactment No: RES 19-233

County Librarian: Yolande Wilburn

35. [SR 19-0363](#) Resolution accepting the 2019 funding commitment from the Friends of the Nevada County Libraries in the total amount of \$43,520, for use during the period January 1, 2019 to December 31, 2019.
Adopted.
Enactment No: RES 19-234

County Executive Officer: Alison Lehman

36. [SR 19-0318](#) Resolution amending various Nevada County Budgets through the Third Consolidated Budget Amendment for Fiscal Year 2018/19. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 19-235

37. [SR 19-0395](#) Resolution approving Amendment 1 to the Program Agreement between the County of Nevada and the California Department of Health Care Services for County participation in the Medi-Cal Inmate Participation Program (Res.18-179), increasing the maximum payable amount from \$7,644.14 to \$50,000 to cover the additional eligible treatment costs not covered by Federal Financial Participation, for the period July 1, 2018 through June 30, 2019, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Inmate Medical Services budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 19-236

Individual Board Member Item:

38. [SR 19-0382](#) Request to send a Letter of Support for the Sierra State Parks Foundation Donner Project.

Sponsor(s): Richard Anderson, District V

Approved.

Clerk of the Board: Julie Patterson Hunter

39. [SR 19-0424](#) Appointment of Mr. Edward Sylvester as Public Member to the Nevada County Finance Authority, for a two-year unexpired term ending June 30, 2020.

Appointed.

40. [SR 19-0365](#) Acceptance of Board of Supervisors Summary Minutes for May 7, 14, and 20, 2019.

Accepted.

ACTION TAKEN: Chairman Anderson introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to approve the consent calendar. On a roll call vote, the motion passed unanimously.

Chairman Anderson recessed as the Board of Supervisors and convened as the Board of Directors of the Nevada County Sanitation District No. 1.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.

Call the meeting to order:

ACTION TAKEN: Chairman Anderson called the meeting to order. All Directors present.

#####

Consent:

Director of Public Works: Trisha Tillotson

41a. [SR 19-0380](#) Resolution approving the purchase of a capital asset, Power Quality Energy Analyzer, in the amount of \$6,316, for use at multiple wastewater treatment plants, and directing the Auditor-Controller to establish the budget in Fiscal Year 2018/19 for Nevada County Sanitation District No. 1, Admin Fund 4700. (4/5 affirmative vote required) (Sanitation)

Adopted.

Enactment No: SD19-003

41b. [SR 19-0405](#) Resolution directing the Auditor-Controller to establish capital budget in the Fiscal Year 2018/19 Lake of the Pines, Zone 2 budget for construction contract expenses for the Combie Road Sewer Line Extension Project, in the amount of \$983,211.

(4/5 affirmative vote required) (Sanitation) (Dist. II)

Adopted.

Enactment No: SD19-004

Clerk of the Board: Julie Patterson Hunter

41c. [SR 19-0444](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for May 14, 2019.

Accepted.

ACTION TAKEN: Chairman Anderson introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Director Hall, seconded by Director Scofield, to approve the consent calendar. On a roll call vote, the motion passed unanimously.

#####

Public Comment:

ACTION TAKEN: Chairman Anderson provided an opportunity for public comment. No public comment received.

#####

Adjournment:

Chairman Anderson adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.

DEPARTMENT HEAD MATTERS:*Behavioral Health Director: Phebe Bell**

42. [SR 19-0419](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Charis Youth Center for the provision of specialized mental health residential treatment services for seriously emotionally disturbed youth and young adults ages 13 - 21 (Res. 18-333), increasing the maximum amount of the contract from \$50,000 to \$300,000 to reflect additional services provided, for the period July 1, 2018 through June 30 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 19-237

ACTION TAKEN: Ms. Phebe Bell, Behavioral Health Director, provided a presentation regarding AB1299 enacted July 2018 with a goal for providing better mental health care to youth and children in foster care or out-of-home placements. Presumptive transfer places responsibility of payment for youth in residential care facilities to the County the child is transferred to.

She reported that Nevada County is responsible for the care of out-of-county youth, which has cost the County \$258,000 this year to date. Ms. Bell estimated that the amount will be close to \$400,000 by year end, and Charis has estimated the cost will increase to \$600,000 in Fiscal Year 2019/20.

Ms. Bell requested the Board adopt the Resolution increasing the contract from \$50,000 to \$300,000 for the current fiscal year, noting that they will continue to pursue fiscal solutions, such as a joint banking pool or direct billing to the other counties involved. Staff is also supporting new legislature (Assembly Bill 826) that would keep the responsibility for youth placed in facilities with the county of origin.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Hoek, to adopt Resolution 19-237. On a roll call vote the motion passed unanimously.

Child Support Services, Collections, and Housing Director: Mike Dent

43. [SR 19-0420](#) Resolution approving commitment to an Agreement between the County of Nevada and the Regional Housing Authority to provide a deferred loan to the Penn Valley Lone Oak Senior Apartment Project, in the amount of \$898,000, rescinding Resolution 18-611, and authorizing the County Executive Officer sign the letter of commitment for the Deferred Loan Agreement. (Housing)
- Adopted.**

Enactment No: RES 19-238

ACTION TAKEN: Mr. Mike Dent, Director of Child Support Services, Housing and Collections introduced Ms. Rebecca Flores, Planning/Community Development Manager, Regional Housing Authority. Mr. Dent reviewed the staff report and provided background information regarding the funding for both agenda items #43 and #44. He explained the "HOME Program" loan process and Ms. Flores reviewed the process for applying for funding conditioned upon the developer receiving an award of Federal tax credits from the California Tax Credit Allocation Committee with final scores being announced late this fall.

Mr. Dent noted that the Penn Valley Lone Oak Senior Apartment Project will provide housing for seniors and low-income residents. He asked the Board to approve the chances for funding by approving the Agreement with the Regional Housing Authority for a deferred loan for the Project, and to support the HOME Program for a deferred loan to the Project.

Board questioning and discussion ensued.

Mr. Martin Polt, CFO and County Deputy Executive Officer, responded regarding the sale of County property earmarked for affordable housing purposes which could be applied toward the repayment of the loan and whether there were any current encumbrances on the property. He reported that there were no current encumbrances.

Board questioning continued.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 19-238. On a roll call vote the motion passed unanimously.

44. [SR 19-0423](#) Resolution approving the commitment of HOME Program Income funds to an agreement between the County of Nevada and the Regional Housing Authority to provide a deferred loan to the Penn Valley Lone Oak Senior Apartment Project, in the amount of \$304,768, and authorizing the County Executive Officer to sign the letter of commitment for Deferred Loan Agreement.
(Housing)
Adopted.
Enactment No: RES 19-239

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to adopt Resolution 19-239. On a roll call vote the motion passed unanimously.

County Librarian: Yolande Wilburn

45. [SR 19-0364](#) Resolution allocating funding from the Friends of the Nevada County Libraries in the amount of \$1,500 to be used for at the Madelyn Helling Library and Grass Valley Library to provide stipend payments to five high school summer interns, for use during the period June 11, 2019 through to August 31, 2019.
Adopted.
Enactment No: RES 19-240

ACTION TAKEN: Ms. Elise Strickler, Administrative Services Officer, Information and General Services, reviewed the summer internship program regarding the Nevada County Library's interest in providing stipend payments to high school summer interns.

Board discussion ensued.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hall, to adopt Resolution 19-240. On a roll call vote the motion passed unanimously.

Chief Information Officer: Stephen Monaghan

46a. [SR 19-0388](#) Resolution adopting the Nevada County Purchasing Policy. (Purchasing)
Adopted.

Enactment No: RES 19-241

ACTION TAKEN: Ms. Elise Strickler, Administrative Services Officer, and Ms. Desiree Belding, Senior Administrative Analyst and Deputy Purchasing Agent, Information and General Services, provided a PowerPoint presentation regarding proposed updates to the Nevada County Purchasing Policy. Ms. Strickler commented that these updates align with State and Federal guidelines. Key changes include revisions to the purchasing thresholds, including an increase in contract authority for the Purchasing Agent from \$25,000 to \$50,000.

Board questioning ensued.

Ms. Belding reviewed the guidelines of best practices outlined by the State, and Ms. Strickler reviewed the changes to the Administrative Code included in Agenda Item #46b.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to adopt Resolution 19-241. On a roll call vote the motion passed unanimously.

46b. [SR 19-0439](#) (Introduce/Waive Further Reading) 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.
First reading held.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to introduce and waive further reading of the Ordinance. On a roll call vote the motion passed unanimously.

***INDIVIDUAL BOARD MEMBER ITEM:**

47. [SR 19-0381](#) Request to send a Letter of Concern regarding the availability and affordability of Homeowners' Fire Insurance in Nevada County.

Sponsor(s): Ed Scofield, District II

Approved.

ACTION TAKEN: Supervisor Scofield introduced his request for a proposed letter regarding the availability and affordability of Homeowner's Fire Insurance in Nevada County. He introduced Mr. Jeffrey Thorsby, Senior Administrative Analyst, to provide a detailed report.

Mr. Thorsby reviewed the staff report and reported on the number of properties located within Nevada County that are listed as being in elevated or extreme high-fire danger areas according to the California Public Utilities Commission (CPUC) Fire Threat Map. He explained that approximately 76% of parcels located in the County are located in high-risk areas. He suggested that the lack of availability of homeowners insurance will continue to have a major impact on Nevada County's residents. He urged the Board approve submittal of the proposed letter to the California Insurance Commissioner.

Board questioning and discussion ensued.

Chairman Anderson provided an opportunity for public comment.

The following members of the public provided comments: Mr. Bevan Iredale, future Nevada County resident; and Ms. Reinette Senum, District I resident and Nevada City Councilmember.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hall, to approve the letter of support. On a voice vote the motion passed unanimously.

SCHEDULED ITEM: 10:30 A.M.

48. [SR 19-0401](#) Public hearing to consider the appeal filed by Jens Larson, Rod Corvington, Kurt Anderson, Charles McCollough, George Basso, and Scott Kastning, of the Nevada County Zoning Administrator's March 28, 2019 Notice of Conditional Approval for a Conditional Use Permit (CUP17-0016) and a Petition for Exceptions to Driveway Standards (MIS18-0012), and the adoption of the Mitigated Negative Declaration (EIS17-0023). The applications are to allow the construction and operation of a 110-foot-tall unmanned telecommunications tower and 1,500-square-foot equipment facility with up to four carriers, with individual equipment cabinets and backup generators. The project includes 230 feet of driveway improvements along an existing driveway, and additional grading to construct a new 225-foot long driveway to the telecommunications facility, and a new hammerhead turnaround. The Petition for Exceptions to Driveway Standards is to allow a driveway grade of up to twenty-five percent (25%), and to allow a reduced driveway width of twelve (12) feet along an existing section of driveway that would be paved, instead of the standard width of twelve (12) feet with one-foot shoulders, for grades that exceed sixteen percent (16%).
(Dist. I)

Resolution denying the appeal filed by Jens Larson, Rod Corvington, Kurt Anderson, Charles McCollough, George Basso, and Scott Kastning regarding the Zoning Administrator's March 27, 2019 approval of the Conditional Use Permit (CUP17-0016), and the Petition for Exceptions to Driveway Standards (MIS18-0012), and 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 Wildlife Lane in Grass Valley (APN 012-720-045).

Motion of Intent.

ACTION TAKEN: Following a short break, Chairman Anderson called the meeting back to order and introduced the public hearing regarding an appeal of the Zoning Administrator's approval of a telecommunication cell tower located at Wild Life Lane in Grass Valley. He reviewed the formal process that the Board will follow.

Mr. Brian Foss, Planning Director, introduced Ms. Sadie Caldas, Associate Planner, who provided a PowerPoint presentation regarding the proposed project. The project includes a 110 foot tall monopine cell tower and a 900 square foot equipment facility. It additionally included a 600 square foot secondary lease area to provide space for up to three additional carriers. The Project includes improvements to a paved driveway and gravel turnaround area. Ms. Caldas reviewed the Project site, which has one landmark Oak tree located within the area. This Oak tree would be protected during construction. The Zoning Administrator's initial hearing was scheduled for February 27, and subsequently rescheduled for March 27 after receiving approval of the property owner.

Ms. Caldas responded to concerns raised in the appeal, which include: 1) environmental concerns; 2) potential damage to the roads and private bridge; 3) failure to comply with County Ordinances; and 4) whether the property owner was in the right mind to enter into the AT&T agreement. She also responded to concerns received by the Board regarding the potential affects of radio frequency emissions, noise levels, visual impacts and property values. She reported that the Initial Study/Mitigated Negative Declaration was completed for a thorough environmental review of the site, adding the there are no environmental impacts that have not been addressed or mitigated.

Ms. Caldas reported that the road analysis requires repairs to be made by AT&T if any structural damage is done to the road or bridge, and the Project is in compliance with County Ordinances. Ms. Caldas provided a photo simulation showing that the Project cannot be seen and would likely be concealed by vegetation to all public views, adding that the Project complies with the County noise standards. She explained that the County has no authority over private agreements and per the Telecommunications Act of 1996, the Projects meets all Federal Communications Commission (FCC) established requirements for radio frequency emissions and noise. Ms. Caldas explained that property values are not included in a CEQA Review (California Environmental Quality Act) and are not within the purview of the land use permit. Staff recommends the Board adopt the proposed Resolution denying the appeal and upholding the Zoning Administrator's decision to approve the Conditional Use permit adopting the Mitigated Negative Declaration.

Board questioning ensued.

Supervisor Hall had safety concerns regarding the generator and HVAC system the tower required. Ms. Caldas responded that the Fire Marshall has reviewed and approved the Project.

Mr. Rod Corvington and Mr. Jens Larson provided the Appellant's presentation.

Ms. Alice Perez, External Affairs Manager, and Ms. Sarah King, AT&T representative, provided

the Project Proponent's presentation.

Board questioning ensued.

Chairman Anderson provided an opportunity for public comment.

The following members of the public provided comments: Ms. Reinette Senum, District I resident and Nevada City Council member; Ms. Janet Tache, District IV resident; Ms. Marin Lipowitz, District 4 resident; Mr. Bevan Iredale, future County resident; Mr. George Basso, District I resident; two residents were not recorded due to equipment failure; Ms. Barbara Rivenes, District III resident; Ms. Leor Spector, District V resident; Ms. Louise Jones, District V resident; Mr. Kurt Anderson, District I resident; Mr. Don Rivenes, District III resident; Mr. Dan Christensen, District I resident; Ms. Gwen Christensen, District I resident; Dr. Jane Pharis, District I resident; and Ms. Cathy Collings, District I resident.

Public comment closed.

Mr. Rod Corvington and Mr. Kurt Anderson, Appellants, provided the Appellant's summation, requesting the Board uphold the appeal.

Ms. Perez and Ms. King, AT&T representatives, provided the Project Proponent's summation, asking the Board to deny the appeal.

Board questioning ensued.

Staff provided a brief summation and requested the Board deny the appeal and approve the Project.

Board questioning and discussion ensued.

Chairman Anderson provided an opportunity for members of the public to provide a rebuttal to the Project Proponent's presentation. The following members of the public provided comments: Mr. Rod Corvington, District I resident; Mr. George Basso, District I resident; Mr. Warren Binder, District I resident; Ms. Janet Tache, District IV resident; Ms. Marin Lipowitz, District 4 resident; and Ms. Louise Jones, District V resident.

Supervisor Scofield commented that he normally votes in favor of cell towers. He sees this as different because the towers he has been involved with were not in neighborhoods; they were more rural, and the landowner spoke with neighbors who provided their support. He stressed that there were no residents here who spoke of a need in their neighborhood.

Supervisor Hoek was in support of property rights. She stressed that it is important that people stop and think about what they sign prior to signing. She received many letters from the neighbors asking for the appeal to be upheld. She believed there were other areas in the County where a tower would be more desirable.

Supervisor Miller did not believe the Appellants presented enough arguments that would have him lean toward supporting their appeal. He would deny the appeal.

Supervisor Hall thanked staff for their work. While she did not agree with their recommendation, she supported the work that they did on the project. She expressed that she is a supporter of more and better broadband in Nevada County. However, there is a better way to do projects such as these, while taking into consideration the wishes of neighborhoods and protecting communities from wildfire. She suggested that this should be part of the Land Use Code. She understood that AT&T was attempting to push forward projects such as these, but she did not believe they have taken the needs of neighborhoods into consideration.

Supervisor Hall moved to uphold the appeal.

Ms. Alison Barratt-Green, County Counsel, asked for a Motion of Intent to have staff return to the next meeting with a proposal to uphold the appeal.

MOTION: Motion of Intent made by Supervisor Hall, seconded by Supervisor Scofield, to uphold the appeal. Motion approved by the following vote: (Supervisors Hall, Hoek, Scofield and Anderson - Aye; Supervisor Miller - No)

ACTION TAKEN: Ms. Alison Lehman, County Executive Officer, suggested the Board take a brief break for lunch.

ACTION TAKEN: Chairman Anderson called the meeting back to order at 1:30 P.M.

***CLOSED SESSIONS:**

[SR 19-0437](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: *Howie v. Nevada County, et al.*, U.S. Dist. Ct., E.D. Cal., Case No. 2:18-cv-03146-JAM-KLN.

[SR 19-0445](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are Mali Dyck, Assistant County Executive Officer, Steven Rose, Human Resources Director, and Donna Williamson, Labor Attorney. The negotiations concern the Deputy Sheriff's Association bargaining unit and the unrepresented Department Head employee group.

ACTION TAKEN: Ms. Alison Barratt-Green, County Counsel, read the title of the closed sessions into the record and the Board entered into closed session.

Following the closed session, Ms. Barratt-Green reported that nothing occurred in either closed session that is required to be reported out by law.

***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.

ACTION TAKEN: Updates were provided by members of the Board.

ADJOURNMENT:

ACTION TAKEN: Chairman Anderson adjourned the meeting at 2:14 P.M.

Signature and Attestation



Richard Anderson, Chairman

ATTEST:

By:



Lelia Loomis, Deputy Clerk to the Board