

COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District (Vice-Chair)

Ed Scofield, 2nd District

Dan Miller, 3rd District

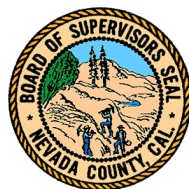
Susan Hoek, 4th District

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, June 11, 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 Mr. Lee French, District II resident.

Corrections and/or deletions to agenda.

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

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: The following members provided comment: Mr. Lee French, District II resident; and Mr. Richard Vanuzzi, Nevada County resident.

CONSENT CALENDAR:**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.

Adopted.

Enactment No: RES 19-243

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.

Adopted.

Enactment No: RES 19-244

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.

Adopted.

Enactment No: RES 19-245

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)
Adopted.
Enactment No: RES 19-246
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)
Adopted.
Enactment No: RES 19-247
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)
Adopted.
Enactment No: RES 19-248

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)
Adopted.
Enactment No: RES 19-249

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.
- Waived further reading and adopted.**
- Enactment No: ORD-2468

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)
- Adopted.**
- Enactment No: RES 19-250

Clerk of the Board: Julie Patterson Hunter

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

ACTION TAKEN: Chairman Anderson introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

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

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)
(Supervisor Miller - No)
Adopted.
Enactment No: RES 19-251

ACTION TAKEN: Chairman Anderson introduced the agenda item and Mr. Brian Foss, Planning Director, reviewed the staff report regarding the Board's motion of intent to uphold the appeal of the proposed cell tower located on Wild Life Lane in Grass Valley.

Mr. Matt Furtado, Deputy Fire Marshal for Nevada County and Fire Captain at CAL FIRE, responded to Board questioning regarding staff's review of the site as it relates to fire safety and emergency vehicle access.

Chairman Anderson provided an opportunity for public comment: The following members of the public provided comments: Mr. Warren Binder, District I resident; and Mr. Sean Smokovich, District I resident.

There being no further public comment, Chairman Anderson closed the public comment period.

Board discussion ensued regarding a letter that was received from AT&T requesting the Board continue the agenda item.

Board questioning ensued regarding cell coverage throughout Nevada County and how the County should do more discovery in areas requiring improved coverage. The Supervisors suggested the County complete a survey to identify areas that need improved cell and broadband services.

Supervisor Anderson suggested that the regulations and criteria applying to the permitting of cell towers would be a good subject for the next Board Workshop.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to adopt Resolution 19-251. On a roll call vote the motion passed as follows: (in roll call order) Ayes: Supervisors Scofield, Hoek, Hall and Anderson. Noes: Supervisor Miller.

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.

Adopted.

Enactment No: RES 19-252

ACTION TAKEN: Ms. Mali Dyck, Assistant County Executive Officer, and Mr. Steven Rose, Director of Human Resources, provided a PowerPoint presentation regarding Items #12, #13, and #14, Memorandum of Understanding for the Deputy Sheriff's Association, Compensation and Benefits Summary for Appointed and Confidential Senior Executives, and changes in Salary and Benefits for Elected Officials. Mr. Rose clarified the proposed changes in benefits and salary for each employee group, and requested the Board adopt the Resolutions.

Board questioning and discussion ensued.

Ms. Dyck clarified the COLA (Cost of Living Allowance) and equity increases for the Elected Officials.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Miller, to adopt Resolution 19-252. On a roll call vote the motion passed unanimously.

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.

Adopted.

Enactment No: RES 19-253

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 19-253. On a roll call vote the motion passed unanimously.

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. (Supervisor Anderson - No)

Adopted.

Enactment No: RES 19-254

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Hoek, to adopt Resolution 19-254. On a roll call vote the motion passed as follows: Ayes: Supervisors Scofield, Hoek, Miller and Hall. Noes: Supervisor Anderson.

***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.

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

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

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.

Adopted.

Enactment No: RES 19-255

ACTION TAKEN: Ms. Trisha Tillotson, Director of Public Works, and Mr. David Garcia, Solid Waste Program Manager, provided a PowerPoint presentation regarding the proposed Franchise Agreement with Tahoe Truckee Sierra Disposal (TTSD). Mr. Garcia reported that TTSD has a log and positive service history. He explained the proposed changes to the Agreement, including a 12% rate increase, and rate zone adjustments, and clarified additions to the Agreement, including increased public outreach, more information on the TTSD website, comprehensive reporting, liquidated damages, and record keeping.

Board questioning ensued.

Chairman Anderson opened the public hearing for public comment. There being no public comment, Chairman Anderson closed the public comment period.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Hall, to adopt Resolution 19-255. On a roll call vote the motion passed unanimously.

***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.

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.

Adopted.

Enactment No: RES 19-256

ACTION TAKEN: Chairman Anderson introduced the public hearing and Ms. Mali Dyck, Assistant County Executive Officer, provided a PowerPoint presentation regarding the fire district's annexations, which necessitated the reallocation of property tax revenue to Penn Valley Fire District, Higgins Fire District, Nevada County Consolidated Fire District, and Truckee Fire District. Staff used Board Resolution 06-162 and California Revenue and Taxation Code 99.02 for direction to apply formulas to provide consistency throughout County. Although the current estimated revenue to these District is small, it is expected to grow in future years as property taxes increase. Ms. Dyck clarified that the change does not impact any other special districts, and recommended the Board adopt the proposed Resolution.

Ms. Marcia Salter, Auditor-Controller, responded to Board questioning.

Chairman Anderson opened the public hearing for public comment. There being no public comment, Chairman Anderson closed the public comment period.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hoek, to adopt Resolution 19-256. On a roll call vote the motion passed unanimously.

***DEPARTMENT HEAD MATTER:**

Chief Information Officer: Stephen Monaghan

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

ACTION TAKEN: Mr. Stephen Monaghan, Chief Information Officer, and Captain Jeff Pettitt, Office of Emergency Services Program (OES) Manager, provided a PowerPoint presentation regarding the 2019 Nevada County Wild Fire Preparedness Action Plan.

Ms. Jenn Tamo, Administrative Analyst, reviewed staff's efforts to engage the community in preparing for wildfire. She reported that OES has hosted many public events including Town hall events throughout the County. Additionally, the County has contracted with Nevada County Media to hire Ms. Sheila Cameron, a marketing and media consultant, to increase their efforts. The "Ready Nevada County" campaign has been created and handbooks have been sent to all County residents, plus a "Ready Nevada County" website has been created. Partnerships have been created with media, local non-profits and organizations, including strategic retail partnerships. Ms. Tamo shared a video that they are working on that will be shown at Sierra Theatres prior to movies starting.

Captain Pettitt reviewed actions that are being taken by the Emergency Operations Center (EOC), including evacuation planning. Nine County employees have been selected to dedicate efforts in the EOC during an emergency. The entire team attended training in Placer County on each of their designated duties. He reviewed their process for evacuation planning, including the development of an Evacuation Plan as well as a Mass Shelter Plan. The County is working with Fire Districts and other agencies to prepare the Evacuation Plan, and to address traffic control problem areas with an eye on how to keep the traffic flowing through those areas.

Captain Pettitt addressed emergency alerts and sirens and he encouraged everyone to sign up for CodeRED, noting that they are also posting alerts on social media. He will be part of a subcommittee and has been in contact with others throughout the State regarding the feasibility of sirens in Nevada County. Staff is leaving nothing off of the table when it comes to emergency planning; their goal to ensure that everyone is notified of fire or other emergencies in their community.

Captain Mike Walsh, Sheriff's office, provided information regarding the fire evacuation process, and explained that the authority to conduct evacuations is provided by Section 409.5 of the Penal Code. Captain Walsh explained that evacuation orders are determined with local fire authorities, depending on the size and scope of a fire, and he expected law enforcement would err on the side of caution. Captain Walsh listed and reviewed the three types of Evacuation Messages: Evacuation Advisory; Immediate Evacuation Order; and Shelter in Place. Delivery of evacuation orders will be provided through the following methods: Code Red Alert; In person; through Social Media; and through Local Radio. Other considerations include: animal evacuations; individuals with disabilities; staffing levels; additional resources; other local agencies and Cal OES resources; and temporary refuge areas to be used as a last resort.

Fire Chief Terry McMahon, Nevada County Consolidated Fire District, provided information regarding the County's Defensible Space Inspection Program and Partnership. Deputy Fire Marshal Patrick Mason, Nevada County Consolidated Fire District, provided an overview of the inspection process and reported that they have received 106 hazardous vegetation complaints to date. He explained that addressing each complaint takes approximately 1-2 hours until they try to make first contact, and they have made an initial contact with 26 of the properties.

Fire Chief Jim Mathias, CAL FIRE Nevada-Yuba-Placer Unit, provided an overview of the upcoming fire season, and an overview of the upcoming Tour of CAL FIRE Campuses. He reported that there is a 38% increase in grasses over the highest year ever recorded and there are an estimated 124 million standing-dead trees remaining throughout the Sierra Nevada Mountain Range. Chief Mathias reported on the current fuel load and potential for a deadly fire, and explained that the weather predictions for 2019 suggest there should not be a large development of fires in Northern California. Although the potential for fire danger pushes higher in the foothills of Nevada County, higher potential exists in Southern California and coastal areas of the State.

Mr. Monaghan concluded the presentation, and Board questioning and discussion ensued.

The Board thanked Captain Pettitt and the Fire Chiefs for the presentation.

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

18. [SR 19-0498](#) Board of Supervisors Tour of CALFIRE Nevada-Yuba-Placer Unit Campuses.
(Brian 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

ACTION TAKEN: Following a short break, Chairman Anderson called the meeting back to order and Fire Chief Brian Estes, CALFIRE Nevada-Yuba-Placer Unit, thanked the Board for the opportunity to provide the tour, and he touched on some of the logistics and places the Board will see.

Chairman Anderson provided an opportunity for public comment, and there being none, he closed the public comment period.

The Board members left the Chambers to begin their tour of CALFIRE Nevada-Yuba-Placer Unit Campuses in the Nevada City/Grass Valley Area.

ACTION TAKEN: Upon returning from the tour, Chairman Anderson reconvened the meeting and reported out regarding the various CALFIRE campuses that the Board visited, and the Board members thanked the CALFIRE Fire Chiefs for organizing and sponsoring the afternoon.

ADJOURNMENT:

ACTION TAKEN: Chairman Anderson adjourned the meeting at 5:08 P.M.


Signature and Attestation



Richard Anderson, Chairman

ATTEST:

By:



Lella Loomis, Deputy Clerk to the Board