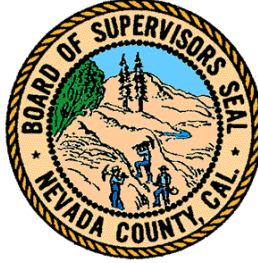


# COUNTY OF NEVADA

## STATE OF CALIFORNIA

Nate Beason, 1st District  
Ed Scofield, 2nd District  
Dan Miller, 3rd District (Chair)  
Wm. "Hank" Weston, 4th District (Vice-Chair)  
Richard Anderson, 5th District



## BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board  
Richard A. Haffey, County Executive Officer  
Alison Barratt-Green, County Counsel

## AGENDA

Date	Time	Location
Tuesday, November 8, 2016	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 [http://nevco.granicus.com/ViewPublisher.php?view\\_id=3](http://nevco.granicus.com/ViewPublisher.php?view_id=3).

Video Conferencing at 9:30 a.m. for Public Comment 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.**

1. [SR 16-0920](#) Resolution proclaiming 2016 as the 20th anniversary of the opening of Sierra College - Nevada County Campus. (Ms. Stephanie Ortiz, Executive Dean, Nevada County Campus)
2. [SR 16-0939](#) Certificate of Recognition for Game Warden Jerry Karnow, upon his retirement from the California Department of Fish and Wildlife.
3. [SR 16-0956](#) Nevada County 4-H All Stars 2016 Annual Activities Report. (Ms. Tracy Ivey, Nevada County 4-H All Star Advisor)

**PUBLIC COMMENT: 9:30 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: Rebecca Slade**

4. [SR 16-0913](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Charis Youth Center pertaining to the provision of specialized mental health residential treatment services for seriously emotionally disturbed youth and young adults ages 13-21 (PESK3101), increasing the maximum contract price from \$25,000 to \$65,000, for the period July 1, 2016 through June 30, 2017, authorizing the Chair of the Board of Supervisors to execute the Amendment, and authorizing and directing the Auditor-Controller to release fund balance and amend the Behavioral Health Department's Fiscal Year 2016/17 budget. (4/5 affirmative vote required.)

Public Health Director: Jill Blake

5. [SR 16-0875](#) Resolution approving a renewal Contract for Services between the County of Nevada and the County of Placer for the provision of microbiological, rabies testing and other laboratory tests and consultation services through the Placer County Public Health Laboratory for the Nevada County Public Health Department and the Sheriff's Animal Control Division, for a total aggregate contract maximum amount of \$30,000, for the period July 1, 2016 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Contract.
6. [SR 16-0910](#) Resolution approving the renewal Standard Agreement 16-10303 between the County of Nevada and the California Department of Public Health, Office of AIDS, which provides funding for services related to the Housing Opportunities for Persons with AIDS (HOPWA) Program, in the maximum amount of \$78,735, for the period July 1, 2016 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
7. [SR 16-0912](#) Resolution approving Amendment A03 to Agreement 14-10525 between the County of Nevada and the California Department of Public Health pertaining to funding local Public Health Emergency Preparedness (PHEP), Pandemic Influenza (Pan Flu), and the Hospital Preparedness Program (HPP) (Res. 14-404), decreasing the maximum amount payable from \$1,107,717 to \$1,097,757, for the period July 1, 2014 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Director of Social Services: Mike Dent

8. [SR 16-0774](#) Resolution approving a Software License and Support Agreement between the County of Nevada and JUMP Technology Services, LLC pertaining to the provision of User Software Licenses, Subscription and Support Agreement Services to provide access to the automated elder care and dependent adult services system for Adult Protective Services (APS) known as AACTS, for a total maximum amount of \$38,880, for the period July 1, 2016 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
9. [SR 16-0928](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Helping Hands Nurturing Center, LLC for the provision of Nurturing Parenting Program (NPP) services as referred to by Child Protective Services (CPS) (Res. 16-266), amending Exhibit "A" Schedule of Services and revising Exhibit "B" Schedule of Charges and Payments, in the maximum amount of \$255,000, the period July 1, 2016 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Director of Public Works: Steven Castleberry

10. [SR 16-0929](#) Resolution authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office for Environmental Clearance for the 2017 Microsurface Project.
11. [SR 16-0930](#) Resolution approving the proposed 2017 Nevada County Annual Striping Project (Phase 1 and Phase 2) 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 for Environmental Clearance for the 2017 Nevada County Annual Striping Project (Phase 1 and Phase 2).
12. [SR 16-0931](#) Resolution authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office for Environmental Clearance for the Nevada County Sign Update and Roadway Safety Signing Audit (RSSA) Project.
13. [SR 16-0927](#) Resolution approving an Indemnification Agreement between the County of Nevada and New Verde Mines, LLC relating to the North Star Water Treatment Project located at 12509 Allison Ranch Road, Grass Valley, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Director of the Department of Public Works to execute the Certificate Accepting Offer of Dedication. (Dist. III)
14. [SR 16-0940](#) Resolution awarding and approving the contract between the County of Nevada and Innovative Construction Solutions for the McCourtney Road Landfill Leachate Pump Improvements Project (Res. 16-449), in the amount of \$169,995 plus 10% of base bid contingency in the amount of \$17,000, for a maximum amount not to exceed a grand total of \$186,995, and authorizing the Chair of the Board of Supervisors to execute the contract. (Sanitation)

Chief Information Officer: Stephen Monaghan

15. [SR 16-0934](#) Resolution accepting the Fiscal Year 2016 Homeland Security Grant from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events, in the amount of \$175,166 for use during the period September 1, 2016 through May 31, 2019, and authorizing the Director of Emergency Services to fulfill the requirements of the Fiscal Year 2016 Homeland Security Grant Program. (Emergency Services)

County Counsel: Alison Barratt-Green

16. [SR 16-0900](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Porter Scott, A Professional Corporation, for legal services (Res. 14-338), increasing the contract amount by \$100,000, for a maximum contract price of \$240,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

County Executive Officer: Richard Haffey

17. [SR 16-0937](#) Resolution amending various Nevada County budgets through the First Consolidated Budget Amendment for Fiscal Year 2016/17. (4/5 affirmative vote required.)

Individual Board Member Item:

18. [SR 16-0951](#) Request for letter in support of Sierra Business Council requesting that the Fiscal Agent of record for the portion of the Rural and Regional Consortia grant application covered in Resolution T-17538 on the November 10, 2016 Public Utilities Commission of The State of California agenda be changed from Sierra Economic Development Corporation (SEDCorp) to Sierra Business Council.

Clerk of the Board: Julie Patterson Hunter

19. [SR 16-0909](#) Approval of the Penn Valley Fire Protection District's amended Conflict of Interest Code.
20. [SR 16-0902](#) Acknowledge Supervisor Miller's reappointment of Mr. Jonathan Keehn as District III representative to the Building and Accessibilities Standards Board of Appeals, for a four year term expiring July 1, 2020.
21. [SR 16-0901](#) Acknowledge Supervisor Weston's reappointment of Mr. John Payne as District IV representative to the Building and Accessibilities Standards Board of Appeals, for a four year term expiring July 1, 2020.
22. [SR 16-0944](#) Appointment of Ms. Lauren Garrison as a Discretionary member to the Child Care and Development Planning Council, for an unexpired term ending June 30, 2018.
23. [SR 16-0948](#) Reappointment of Mr. James Rees as a regular member, for a three year term ending September 30, 2019, and Mr. Richard Corn as an alternate member, for a one year term ending September 30, 2017, to the Assessment Appeals Board .
24. [SR 16-0941](#) Appointment of Ms. Jill Blake as Public Health Director representative to the First 5 Nevada County Children and Families First Commission, for a two year term ending October 31, 2018.
25. [SR 16-0918](#) Acceptance of Board of Supervisors Summary Minutes for October 25, 2016.

**DEPARTMENT HEAD MATTERS:****Environmental Health Director: Amy Irani**

26. [SR 16-0949](#) Resolution approving a Memorandum of Agreement (MOA) between the Nevada County Environmental Health Department, the County of Placer, the Town of Truckee, the Truckee Donner Public Utility District, the Placer County Water Agency and the Northstar Community Services District (collectively referred to as the Martis Valley Groundwater Basin Group Parties) for the development and implementation of the Martis Valley Groundwater Basin Alternative Plan, and authorizing the Chair of the Board of Supervisors to execute the MOA. (Dist. V)

**Chief Probation Officer: Michael Ertola**

27. [SR 16-0923](#) Resolution approving the Nevada County Community Corrections Partnership Plan for Fiscal Year 2016/2017.

**SCHEDULED ITEM: 10:00 A.M.**

28. [SR 16-0908](#) Public hearing to consider an Ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2016 California Building Standards, and local amendments thereto, and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

(Introduce/Waive Further Reading) An Ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2016 California Building Standards, and local amendments thereto: and adoption of express findings of reasonable necessity for changes and modifications to the California Buildings Standards Code based on local climatic, geological, or topographical conditions.

**DEPARTMENT HEAD MATTERS: (Continued)****Chief Information Officer: Stephen Monaghan**

29. [SR 16-0935](#) Resolution approving a contract between the County of Nevada and LDA Partners, LLP, for professional architectural design services for the Nevada County Operations Center located at 12350 La Barr Meadows Road, Grass Valley, in the maximum contract price of \$1,044,900, for the period November 1, 2016 through December 31, 2018, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Capital Facilities budget. (Facilities) (4/5 affirmative vote required.)

**\*CLOSED SESSION:**

[SR 16-0961](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is significant threat of litigation against the County.

**INDIVIDUAL BOARD MEMBER ITEM:**

30. [SR 16-0950](#) Acknowledge the Chair of the Board of Supervisors' dissolution of the Interim Ordinance Subcommittee, formation of a new Marijuana Regulations Subcommittee, and appointment of Supervisors Hank Weston and Richard Anderson to the new Marijuana Regulations Subcommittee.

**\*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.

**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 Town Hall.

Posted November 3, 2016.

Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Joseph Center, 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 during the time the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item to no less than 3 minutes for each individual. 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.

The Board will allocate at least 15 minutes for receiving public comment during any Board meeting. The chairperson of the Board may limit any individual desiring to address the Board to no less than 3 minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

At special meetings of the Board, there will not be a scheduled public comment period allocated for items not on the agenda. Public comment will only be allowed on matters appearing on the agenda at the time they are discussed by the Board.

**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 Board may limit any person's input 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 to 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. After the public hearing is closed, if 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 after giving name and city of residence. Speakers shall direct their comments to the Board, not the audience; 2) Comment on the specific matter before the Board with reasons for the position taken; 3) A time limit of at least three minutes per speaker will be provided for all oral comments. Time limits may be increased at the Chair of the Board's discretion; 4) The chair may, at his or her discretion allow five (5) minutes for those who are serving as a spokesperson for a group or organization; 5) A speaker may not yield time to another speaker; 6) 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; 7) In the interest of civil discourse, the same rules specified in the Board Order and Decorum (adopted every year by Resolution) and Robert's Rules of Order (General Henry M. Robert) shall apply for this section as well, and are hereby incorporated by reference. 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; and 8) 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 increased at the Chair of the Board's discretion.

**ORDINANCES:**

By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.

An urgency ordinance may be passed immediately upon introduction.

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.

Adoption of the ordinance is made by majority vote.

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 13-050 (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)