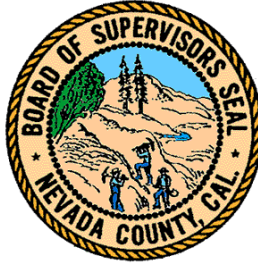


COUNTY OF NEVADA

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, July 26, 2016 | 9:30 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.

Video Conferencing at 9:31 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: 9:30 AM**STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

PUBLIC COMMENT: 9:31 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.

Health and Human Services Agency Director: Michael Heggarty

1. [SR 16-0642](#) Resolution approving a renewal Memorandum of Understanding (MOU) between the County of Nevada and the County of Placer pertaining to Nevada County providing consultative/program management services for development of collaborative and regional health and human services in Eastern County, in the maximum amount of \$111,537, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the MOU.

Behavioral Health Director: Rebecca Slade

2. [SR 16-0624](#) Resolution approving Amendment A05 to renewal Standard Agreement 14-90076 between the County of Nevada and California Department of Health Care Services (DHCS) which provides funding for substance use disorder services (Res. 14-507), modifying the terms and conditions, and increasing the total maximum amount from \$3,123,131 to \$3,123,695, for the period July 1, 2014 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
3. [SR 16-0625](#) Resolution approving a renewal contact between the County of Nevada and Auburn Counseling Services, Inc., dba Communicare for the provision of phone triage services and Regional Telephone Triage Services for Placer County's Adult System of Care, and patients' rights and quality assurance services, in the maximum amount of \$888,726, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.

4. [SR 16-0628](#) Resolution approving a renewal contract between the County of Nevada and Turning Point Community Programs, Inc. for the provision of Adult Assertive Community Treatment (AACT) Program Services as a component of the County's Mental Health Services Act (MHSA) Community Services and Supports (CSS) Plan, Supported Independent Living Program Services, and Integrated Health Care Services as part of the Integration Services Team (IST), in the maximum amount of \$2,511,104, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.

Public Health Director: Jill Blake

5. [SR 16-0634](#) Resolution approving Amendment A01 to Standard Agreement 14-10066 between the County of Nevada and California Department of Public Health, Childhood Lead Poisoning Prevention Branch (CLPPB), for the provision of lead poisoning prevention activities (Res. 14-170), increasing the total maximum amount from \$141,696 to \$189,001, for the period July 1, 2014 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
6. [SR 16-0643](#) Resolution approving renewal Agreement 15-11066 between the County of Nevada and California Department of Public Health, Office of AIDS (CDPH/OA), pertaining to funding the HIV Care Program (HCP) Core Medical and Support Services and Minority AIDS Initiative (MAI) Outreach and Treatment Services, in the maximum amount of \$133,959, for the period April 1, 2016 through March 31, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Social Services: Mike Dent

7. [SR 16-0639](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and California Department of Social Services (CDSS) for the purpose of authorizing the Nevada County Department of Social Services' staff access to TALX Corporation's on-line employment verification service, at no cost to the County, upon approval by CDSS through September 30, 2017.
8. [SR 16-0640](#) Resolution approving Standard Agreement 16F-5544 between the County of Nevada and the State Department of Community Services and Development (CSD) for 2016 Community Services Block Grant (CSBG) Targeted Initiative Funding, in the maximum amount of \$17,000, for the period June 15, 2016 through December 31, 2016, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing and directing the Auditor- Controller to amend the Health and Human Services Agency - Housing Division's budget for Fiscal Year 2016/17. (Housing Division) (4/5 affirmative vote required)

Child Support Services Director: Tex Ritter

9. [SR 16-0649](#) Resolution approving the Amended and Restated Joint Exercise of Powers Agreement (JPA) between Sutter, Nevada, Yuba and Colusa Counties, and the Cities of Live Oak, Yuba and Colusa, for the purpose of creating a Regional Housing Authority (Res. 11-205), and authorizing the Chair of the Board of Supervisors to execute the JPA. (Housing Division)

Sheriff-Coroner/Public Administrator: Keith Royal

10. [SR 16-0606](#) Resolution approving a renewal agreement between the County of Nevada and County of Amador pertaining to the housing of Amador County inmates in the Wayne Brown Correctional Facility, with payment to Nevada County in the amount of \$70 per inmate, per day, for the period of one year beginning with the date of the last signature, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Director of Public Works: Steven Castleberry

- 11a. [SR 16-0595](#) Resolution awarding and approving a contract between the County of Nevada and Dokken Engineering for professional engineering services for the Hirschdale at Truckee River Bridge Rehabilitation and Seismic Retrofit Project (Res. 16-123), in an amount not to exceed \$504,400, for the period July 26, 2016 through December 31, 2020, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Department of Public Works Fiscal Year 2016/17 budget. (Dist. V) (4/5 Affirmative vote required)
- 11b. [SR 16-0673](#) Resolution awarding and approving a contract between the County of Nevada and Dokken Engineering for professional engineering services for the Hirschdale Road at Hinton Overhead UPRR Bridge Rehabilitation Project (Res. 16-123), in an amount not to exceed \$267,902, for the period July 26, 2016 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Dist. V)
12. [SR 16-0630](#) Resolution approving and directing the Department of Public Works to solicit Request for Qualifications from qualified traffic and/or civil engineering firms to develop a Feasibility Analysis for future La Barr Meadows Drive Corridor Safety Improvements. (Dist. III)
13. [SR 16-0601](#) Resolution approving Program Supplement Number F057 to Administering Agency-State Agreement for Federal Aid Projects Number 03-5917F15, in the amount of \$267,740, for preliminary engineering on the Hirschdale Bridge at UPRR Crossing Rehabilitation Project - 5917(097), and authorizing the Chair of the Board of Supervisors to execute the original two documents. (Dist. V)

14. [SR 16-0650](#) Resolution approving and authorizing the Auditor-Controller to place delinquent solid waste parcel charge assessments onto the 2016/17 secured property tax roll. (Dist. V) (Sanitation)
15. [SR 16-0651](#) Resolution approving Amendment 3 to the agreement between the County of Nevada and Paratransit Services for the provision of specialized paratransit services in Western Nevada County (Res. 13-168), increasing the fixed vehicle service hourly rate to \$35.88 and the fixed monthly rate to \$56,692, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Transit)

Chief Information Officer: Stephen Monaghan

16. [SR 16-0645](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and Climatec LLC to install energy efficiency improvements at various Nevada County facilities and to oversee a program of energy conservation measures and solar energy generation (Res. 16-176), providing for an extension of the contingency period through August 31, 2016 in order for the County to secure financing for the projects, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
17. [SR 16-0646](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and SunPower Corporation, Systems to engineer, procure, and construct five Solar Energy Generation Systems (Res. 16-177), providing for an extension of the contingency period through August 31, 2016 in order for the County to secure financing and obtain Planning approvals for the projects, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
18. [SR 16-0638](#) Resolution approving revised construction documents and directing the Purchasing Agent to solicit bids for the Bost House Renovation Project. (Facilities)
19. [SR 16-0637](#) Resolution approving construction documents and authorizing the Purchasing Agent to solicit bids for the Electric Vehicle Charging Stations Project. (Facilities)

Clerk of the Board: Julie Patterson Hunter

20. [SR 16-0669](#) Acceptance of Board of Supervisors Summary Minutes for June 28, 2016.

***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.

SCHEDULED ITEM: 10:00 A.M. Stephen Monaghan, Chief Information Officer

21. [SR 16-0644](#) Public hearing to consider an Ordinance amending Article 2; replacing Articles 2.A and 2.B; and repealing Article 2.C to Chapter II of the Nevada County General Code pertaining to implementation of the Digital Infrastructure and Video Competition Act of 2006 (“DIVCA”).

(Introduce/Waive further reading/Adopt) An Ordinance amending Article 2; replacing Articles 2.A. and 2.B; and repealing Article 2.C to Chapter II of the Nevada County General Code, pertaining to implementation of the Digital Infrastructure and Video Competition Act of 2006.

***CLOSED SESSION:**

- [SR 16-0675](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Global Discoveries, Ltd. v. Nevada County, et al., Nevada County Superior Court, Case No. CU16-081645.

Recess for lunch:

AFTERNOON SESSION: 1:30 P.M.**DEPARTMENT HEAD MATTER:****County Counsel: Alison Barratt-Green**

22. [SR 16-0661](#) (Introduce/Waive further reading/Adopt) An Urgency Ordinance adding Subsections G-IV 5.2.W, G-IV 5.4.C.4, G-IV 5.4.E.4, G-IV 5.4.H.14, G-IV 5.4.L, G-IV 5.10.C, G-IV 5.10.D, G-IV 5.10.E, G-IV 5.10.F, and G-IV 5.15.D to Article 5 of Chapter IV, and amending Subsections G-IV 5.2.V, G-IV 5.3.F, G-IV 5.4.C, G-IV 5.4.C.3, G-IV 5.4.E.1, G-IV 5.4.E.2, G-IV 5.4.F, G-IV 5.4.H, G-IV 5.4.H.9, G-IV 5.4, G-IV 5.7.F, G-IV 5.7.G, G-IV 5.8.B., G-IV 5.9.A., G-IV 5.9.B, G-IV 5.9.C, G-IV 5.9.E, G-IV 5.9.F, G-IV 5.10.A, G-IV 5.11, G-IV 5.12.A, G-IV 5.13, G-IV 5.14, G-IV 5.15.C, G-IV 5.16, G-IV 5.17, G-IV 5.18 of Article 5 of Chapter IV, of the Nevada County General Code, regarding Marijuana Cultivation Regulations. (4/5 affirmative vote required)

ADJOURNMENT:

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

This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations: 1. Eric Rood Administrative Center; outside Board office, outside Board Chambers, and outside main entrance. 2. Madelyn Helling Library. 3. Truckee Town Hall.

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)