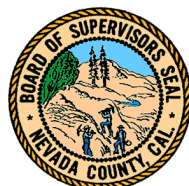


# COUNTY OF NEVADA

## 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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Nevada City, CA 95959-8617  
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*Julie Patterson Hunter, Clerk of the Board*  
*Richard A. Haffey, County Executive Officer*  
*Alison Barratt-Green, County Counsel*

## SUMMARY MINUTES - Draft

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, October 25, 2016	9:00 AM	Truckee Town Hall - Administrative Center 10183 Truckee Airport Road Truckee, CA 96161

### SPECIAL MEETING: 9:00 AM

*Rollcall*

*The following Supervisors present:*

*Nathan H. Beason, 1st District*  
*Ed Scofield, 2nd District*  
*Dan Miller, 3rd District*  
*Hank Weston, 4th District*  
*Richard Anderson, 5th District*

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### STANDING ORDERS:

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

Pledge of Allegiance led by Ms. Stacy Caldwell, Tahoe Truckee Community Foundation.

Corrections and/or deletions to agenda.

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

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**PUBLIC COMMENT: 9:01 A.M.**

ACTION TAKEN: No public comment received.

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**CONSENT CALENDAR:**

Public Health Director: Jill Blake

1. [SR 16-0850](#) Resolution approving the renewal Agreement Funding Application (AFA) for Agreement 201629 between the County of Nevada and the California Department of Public Health for Maternal, Child and Adolescent Health (MCAH) Program funding, and accepting funds in the maximum payable amount of \$200,625, for Fiscal Year 2016/17.  
**Adopted.**  
Enactment No: RES 16-501
2. [SR 16-0855](#) Resolution approving the renewal Nevada County Children's Medical Services (CMS) Plan, which includes the Child Health and Disability Prevention Program (CHDP) (\$174,572), Health Care Program for Children in Foster Care (HCPCFC) (\$202,604), and California Children's Services (CCS) (\$406,556), for Fiscal Year 2016/17, and authorizing the Chair of the Board of Supervisors to execute the Plan Certifications.  
**Adopted.**  
Enactment No: RES 16-502

Child Support Services Director: Tex Ritter

3. [SR 16-0870](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Adams Ashby Group to provide Davis-Bacon Act Compliance Officer services (Res. 16-114), extending the contract termination date from September 30, 2016 to October 31, 2017 to coincide with the awarding of the construction contracts for the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects, for the unchanged maximum amount of \$42,720, and authorizing the Chair of the Board of Supervisors to execute the Amendment.  
(Housing)  
**Adopted.**  
Enactment No: RES 16-503

4. [SR 16-0884](#) Resolution approving Amendment 2 to Standard Agreement 13-CDBG-8931 between the County of Nevada and the State Department of Housing and Community Development (Res. 14-041), extending the date for expending Program funds and submitting Fund Disbursement Requests from December 30, 2016 to December 31, 2017 to coincide with the awarding of the construction contracts for the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects, for the Agreement term February 4, 2014 through September 30, 2018, with the maximum amount of \$1,953,750 remaining unchanged, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Housing)

**Adopted.**

Enactment No: RES 16-504

Sheriff-Coroner/Public Administrator: Keith Royal

5. [SR 16-0858](#) Resolution authorizing a Memorandum of Understanding (MOU) and Operational Agreement between the Nevada County Sheriff's Office, the Nevada County District Attorney's Office, the Nevada County Probation Department and the Grass Valley Police Department pertaining to operational responsibilities and sharing of asset forfeiture and Realignment monies obtained as a result of the Nevada County Narcotics Task Force mission, for the period July 1, 2016 through June 30, 2017, and directing the Auditor-Controller to distribute funds to the participating agencies. (Pulled from consent by Ms. Diana Gamzon, Director, Nevada County Cannabis Alliance)

Enactment No: RES 16-515

District Attorney: Clifford Newell

6. [SR 16-0818](#) Resolution accepting California Governor's Office of Emergency Services (Cal OES) Grant Award XC16010290 to provide crime victim services, in the amount of \$197,979, for the period July 1, 2016 through June 30, 2018, and authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing the grant funding. (Pulled from consent by Supervisor Weston.)

Enactment No: RES 16-516

Environmental Health Director: Amy Irani

7. [SR 16-0897](#) Resolution approving a software purchase and maintenance agreement between the County of Nevada and Accela, Inc. for EnvisionConnect Remote software to implement remote field inspections, for Fiscal Year 2016/17 through Fiscal Year 2019/20, in the maximum contract amount of \$131,412, authorizing the Chair of the Board of Supervisors to execute the agreement, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Environmental Health budget. (4/5 affirmative vote required.)

**Adopted.**

Enactment No: RES 16-505

Director of Public Works: Steven Castleberry

8. [SR 16-0879](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Trees Unlimited, Inc. for tree felling and brush removal services (PESK3120), increasing the maximum amount by \$50,000 to an amount not to exceed \$75,000 to provide sufficient funding for increased tree removal activity in this fiscal year, and authorizing the Chair of the Board to execute the Amendment.

**Adopted.**

Enactment No: RES 16-506

9. [SR 16-0883](#) Resolution approving Final Map 04-004 "Cascade Crossing - Phase-4," authorizing the Chair and the Clerk of the Board of Supervisors to sign the map, directing the County Surveyor to deliver the map to the Nevada County Clerk-Recorder's office for recording, approving the Subdivision Improvement Agreement between the County of Nevada and HBT of Saddle Ridge, LLC, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. II) (Pulled from consent by Supervisor Scofield.)

Enactment No: RES 16-517

10. [SR 16-0887](#) Resolution approving a Tree Removal Assistance Agreement between the County of Nevada and Pacific Gas and Electric (PG&E), providing in-lieu funding from PG&E of \$100 per franchise tree, for tree removal in the public right of way for dead or diseased trees, for a total maximum payment of \$60,300 to offset impacts, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Road Maintenance budget. (4/5 affirmative vote required.)

**Adopted.**

Enactment No: RES 16-507

11. [SR 16-0877](#) Resolution approving Environmental Clearance for the 2017 Nevada County HSIP Thermoplastic Safety Project, proposing to provide thermoplastic striping and pavement illumination markers on approximately 31 miles of rural western Nevada County roadways, 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.  
**Adopted.**  
Enactment No: RES 16-508
12. [SR 16-0878](#) Resolution approving Environmental Clearance for the Nevada County HSIP High Friction Surface Treatment (HFST) Safety Project to provide HFST on various curves with high 'run-off the road' vehicle accidents at locations throughout rural western Nevada County roadways, 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.  
**Adopted.**  
Enactment No: RES 16-509
13. [SR 16-0882](#) Authorizing the Director of Public Works to execute on behalf of Nevada County all right of way certifications required by Caltrans and the Federal government certifying that right of way has been acquired in accordance to the regulations for Federally funded projects.  
**Adopted.**  
Enactment No: RES 16-510

Chief Information Officer: Stephen Monaghan

14. [SR 16-0869](#) Resolution recognizing the continuing proclamation of a local emergency in Nevada County due to extreme Tree Mortality, and directing a certified copy of this Resolution be forwarded to the Governor of California with a request he proclaim the County of Nevada to be in a state of emergency. (Emergency Services)  
**Adopted.**  
Enactment No: RES 16-511

15. [SR 16-0891](#) Resolution approving a Third Amendment to the Lease Agreement between the County of Nevada and 224 Main Street Partners, LLC, for Nevada County Public Defender office space located at 224 Main Street, Nevada City (Res. 01-519), at a rental rate of \$4,900 per month, extending the term of the Lease from October 31, 2016 to February 28, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)

**Adopted.**

Enactment No: RES 16-512

16. [SR 16-0890](#) Resolution approving and awarding a contract between the County of Nevada and Jacobs Custom Homes, Inc., for the Madelyn Helling Library Amphitheater Project located at 980 Helling Way, Nevada City (Res. 16-459), in the amount of \$36,940 plus a contingency of \$3,694, for a total contract amount of \$40,634, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Library and Capital Facilities Management budgets. (Facilities) (4/5 affirmative vote required.)

**Adopted.**

Enactment No: RES 16-513

17. [SR 16-0889](#) Resolution approving and awarding a contract between the County of Nevada and Deschaine Enterprises, Inc., for the Laura Wilcox Memorial Building Accessibility Project located at 208 Sutton Way, Grass Valley (Res. 16-460), in the amount of \$44,968 plus a contingency of \$4,496.80, for a total contract amount of \$49,464.80, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

**Adopted.**

Enactment No: RES 16-514

Clerk of the Board: Julie Patterson Hunter

18. [SR 16-0911](#) Acceptance of the Board of Supervisors Summary Minutes for October 11, 2016.

**Accepted.**

ACTION TAKEN: Chairman Miller introduced the consent calendar. Ms. Diana Gamzon, Director, Nevada County Cannabis Alliance requested Agenda Item #5 be pulled from consent for discussion. Supervisor Weston requested Agenda Item #6 be pulled from consent. Supervisor Scofield requested Agenda Item #9 also be pulled from consent for discussion.

*Approval of the Consent Agenda*

**Adopted.**

**MOTION: Motion made by Supervisor Beason, seconded by Supervisor Anderson, to approve the consent calendar less Agenda Items #5, 6, and 9. On a roll call vote, the motion passed unanimously.**

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**ITEMS PULLED FROM THE CONSENT CALENDAR:**

Sheriff-Coroner/Public Administrator: Keith Royal

5. [SR 16-0858](#) Resolution authorizing a Memorandum of Understanding (MOU) and Operational Agreement between the Nevada County Sheriff's Office, the Nevada County District Attorney's Office, the Nevada County Probation Department and the Grass Valley Police Department pertaining to operational responsibilities and sharing of asset forfeiture and Realignment monies obtained as a result of the Nevada County Narcotics Task Force mission, for the period July 1, 2016 through June 30, 2017, and directing the Auditor-Controller to distribute funds to the participating agencies. (Pulled from consent by Ms. Diana Gamzon, Director, Nevada County Cannabis Alliance)

**Adopted.**

Enactment No: RES 16-515

**ACTION TAKEN:** Ms. Diana Gamzon, Director, Nevada County Cannabis Alliance, and Nevada City resident, read a letter from the Alliance requesting the Board of Supervisors amend Section 13 of the Memorandum of Understanding (MOU) pertaining to Asset Forfeiture Distribution. The Alliance supports the Narcotics Task Force mission to diminish issues caused by dangerous illegal substances such as heroin, opiates and methamphetamine, but disagrees with the current distribution of any asset forfeitures and believes some of the funds should be distributed among County departments and local organizations to be used to treat drug use and abuse in the County. The Alliance asks that the County treat drug use as a health problem with social and economic implications and believes that approaches which focus on addicts and abusers, as well as social services, will reduce many of the root causes of abuse. The Alliance asks the County Officials to recognize the need to fund programs that can tackle this issue from all sides.

Sheriff Keith Royal responded to questioning regarding how the funds are used and the extent of cannabis arrests. He reported that the vast majority of drug related offenses have nothing to do with marijuana. With the passage of current legislation, marijuana has been decriminalized to the extent that his office does not arrest people unless there are major violations occurring, which are few and far between. The purpose of the MOU between these agencies has to do with grant funds that are received as a result of the CalMet grant. These funds are distributed based on a formula which is based on participation in the Narcotic Task Force. The vast majority of staff assigned to the Task Force are Sheriff personnel, which is the reason that a larger percentage of the funds go to the Sheriff's Office. The funds offset operational costs of the Task Force, and it is not an extra benefit that can be used for other reasons.

Supervisor Beason requested clarification regarding the amount of funding that is spent on alcohol and substance abuse programs by Nevada County. Michael Heggarty responded that about \$700,000 is spent through Community Recovery Resources and Common Goals, in addition approximately \$250,000 in substance abuse prevention and treatment funds go to CORE and Common Goals.

Supervisor Anderson asked if the funds generated any additional revenue, or if there are funds leftover after the operating costs are covered. Sheriff Royal responded that there are no funds generated or leftover. He explained that the CalMet grant is the principal grant the Sheriff's Office receives, and is about \$120,000, so when you think about the formula split, it is not a lot.

Chair Miller asked how many people are on the Task Force at this time. Sheriff Royal responded that there is one clerical person, one sargent, three deputies and one Grass Valley officer. If Probation is involved in an investigation they also receive a portion of the funding. The District Attorney would also receive a portion of the funding if they were involved.

Sheriff Royal clarified that the funding is not used for marijuana activity; it is used for cocaine, heroin, and methamphetamine. The issue of marijuana enforcement is primarily handled as a civil action. However, the funds are used if the marijuana investigation takes place on public lands.

**MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Beason, to adopt Resolution 16-515. On a roll call vote the motion passed unanimously.**

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District Attorney: Clifford Newell

6. [SR 16-0818](#) Resolution accepting California Governor's Office of Emergency Services (Cal OES) Grant Award XC16010290 to provide crime victim services, in the amount of \$197,979, for the period July 1, 2016 through June 30, 2018, and authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing the grant funding. (Pulled from consent by Supervisor Weston.)

**Adopted.**

Enactment No: RES 16-516

**ACTION TAKEN:** Supervisor Weston requested clarification on the funding source, noting that the contract includes a local match in the amount of \$49, 495.00 He asked where the match was coming from. Ms. Alison Lehman, Assistant County Executive Officer, responded that the staff report states that utilization of volunteers from the Domestic Violence and Sexual Assault Coalition, as well as the Court-Appointed Special Advocates, would provide in-kind match for the grant.

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Anderson, to adopt Resolution 16-516. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

Director of Public Works: Steven Castleberry

9. [SR 16-0883](#) Resolution approving Final Map 04-004 "Cascade Crossing - Phase-4," authorizing the Chair and the Clerk of the Board of Supervisors to sign the map, directing the County Surveyor to deliver the map to the Nevada County Clerk-Recorder's office for recording, approving the Subdivision Improvement Agreement between the County of Nevada and HBT of Saddle Ridge, LLC, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. II) (Pulled from consent by Supervisor Scofield.)

**Adopted.**

Enactment No: RES 16-517

**ACTION TAKEN:** Supervisor Scofield asked for clarification as to what is happening that is preventing the County from continuing with the Project. Mr. Joshua Pack, Principal Civil Engineer, explained that this is the fourth of the final four phases. The first three phases incorporated about 80 units; the fourth phase was the remaining parcel, which was a small parcel with a home already on it. Homes by Town wanted to subdivide the Project into four parcels, and because the parcel was adjacent to a subdivision, the Subdivision Map Act requires the process of formally doing a subdivision. This item provides formal authority for construction to begin on the Project relating to the Final Map.

**MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Beason, to adopt Resolution 16-517. On a roll call vote the motion passed unanimously.**

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

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

Chairman Miller called the meeting to order. All Directors present.

19. Consent:

- a. [SR 16-0888](#) Resolution approving the Notice of Acquisition of one Equivalent Dwelling Unit (EDU) of Sewer Capacity for Assessor's Parcel Number (APN) 50-020-80 in Lake Wildwood, Zone 1, and directing the Clerk of the Board of Directors of the Nevada County Sanitation District No. 1 to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office. (Dist. IV) (Sanitation)
- b. [SR 16-0915](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for September 13, 2016.

*Approval of the Consent Agenda.*

**Adopted.**

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

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Public comment.

ACTION TAKEN: No public comment received.

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**Adjournment.**

ACTION TAKEN: Chairman Miller adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.

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

21. [SR 16-0881](#) Report and presentation of the Truckee North Tahoe Regional Housing Study. (Ms. Stacy Caldwell, CEO, Tahoe Truckee Community Foundation) (Dist. V)

ACTION TAKEN: Chairman Miller announced that Ms. Stacy Caldwell, Chief Executive Officer, Tahoe Truckee Community Foundation (Foundation), would be providing the same presentation to the Placer County Board of Supervisors later this morning, and therefore would take Agenda Item #21 ahead of #20.

Mr. Brian Foss, Planning Director, introduced Ms. Caldwell. Ms. Caldwell thanked the Board of Supervisors for their support of time, resources and staff, and for the opportunity for regional collaboration to provide creative solutions to move forward.

Ms. Caldwell provided a PowerPoint Presentation regarding the 2016 Regional Housing Study and reviewed Solutions. She reported that the Foundation connects people and opportunities, generating resources to build a more caring, creative and effective community. She reviewed the collaboration participants including Ms. Alison Schwedner, Director of Community Collaborative of Tahoe Truckee, funding and media partners, plus the technical advisory group that participated. She added that BAE Urban Economics, Inc. (a private consulting firm), served as consultants. Ms. Caldwell reviewed the study area that was focused on, representing approximately 16,000 people in the Town of Truckee, approximately 30,000 throughout the region, and about 100,000 visitors on a busy weekend. The area is very complex, which experiences significant swings of employment, and is comprised of 17 special districts, 3 counties, and 1 town. In order to be sure to cover everyone in the region, the Community Outreach hosted Public Forums, Focus Groups, published Media stories, and took local surveys of both employees and employers. They hosted "Voices of the Community" stories from residents about the quality of life in their community, and received a great diversity of response from members of the community.

Ms. Caldwell listed some statistics of the community, which includes 33,300 units, 80% of which are single family homes, more than half were built before 1979, and 65% are vacant more than half the time primarily because they are second home units. She discussed the affordability, and reviewed HUD (Housing and Urban Development) income limits for Nevada County. 50% of the Truckee community is in the extremely low to moderate HUD income level. Also, based on HUD, it is considered overpaying if you pay more than 30% of your income for housing. she reported that per the employee survey, they learned that 76% of respondents pay more than 30%, and 26% pay over 50% of their income towards housing. This puts a lot of families in a critical position, facing their choices for their future and the future of their children. Ms. Caldwell reviewed housing prices and rental rates in the area, and the availability of both. Ms. Caldwell noted that almost 60% of the local employees commute from outside of the area for work, and about 46% of local residents commute outside of the region for employment opportunities, which has a negative impact on the roads and on the quality of life for residents. She reviewed the current unmet needs due to overcrowding and sub-standard housing.

Ms. Caldwell reported that the Community Foundation believes there is community momentum and a collaborative spirit, providing for an opportunity to move forward. They would like to create an entity to take the study forward, and is recommending a Regional Housing Council, where participants would focus as a region on an action plan. In exploring this concept, the Foundation has opened a Housing Solutions Fund, which has been seeded with \$10,000. They are talking to partners to determine how to attract larger funding and leverage those dollars for real bricks and mortar projects, how to expand current grants for funding, and how to sustain these efforts for 3 to 5 years. Proposed goals for the Regional Housing Council might include; working collaboratively within the region across jurisdictions and special districts, streamlining the process for fees, creating design incentives, tackling the housing needs, designing mutual accountability with regional accountability, and promoting whats working.

Board questioning and discussion ensued.

Chairman Miller asked Mr. Foss for clarification regarding the Nevada County Housing Element zoning accommodation for the Town of Truckee. Mr. Foss responded that one of the policies in the Housing Element was to eliminate the inclusionary and affordable housing policy Countywide. In collaborating with Truckee, they requested that some level of the inclusionary housing policy be retained within the sphere of the Town of Truckee. The Board did take action to keep that policy in place for Eastern County, within the sphere of influence of the Town of Truckee in order to be more consistent with the Town's policies. Mr. Foss clarified that 'inclusionary Housing' is a requirement that a percentage of the units built are provided at an affordable level, usually deed restricted or rent restricted, with only a small percentage (10%) needed to qualify.

Chair Miller provided an opportunity for public comment.

Mr. John Falk, Legislative Advocate, Tahoe Sierra Board of Realtors, agreed that the study was an outstanding effort. As the County moves forward with implementation, he asked the Board to recognize regulation versus incentive, and acknowledge that one of the problems with creating affordable housing is governmental involvement. He asked what the impact would be if vacant homes and short-term rentals were converted into other forms of dwelling units, and suggested that it is not all positive. Mr. Falk reported that the Board of Realtors is available to work with the Board regarding these issues.

Ms. Pat Davison, Executive Director, Contractors' Association Tahoe-Truckee, explained that she served on the Technical Advisory Group for the study. She thanked the Board for their support, and complimented the leadership of Ms. Stacy Caldwell. Ms. Davison wanted to confirm that there was a dedicated effort to find a collaborative approach, and that the Contractors' Association supports the strategy that was included in the study. The Contractors' Association hopes the Board will support continued funding to continue the momentum, noting that they hope to find common ground with the Board's help and support.

Board discussion and questioning ensued.

Ms. Alison Schwedner, Executive Director, Community Collaborative of Tahoe-Truckee, read a letter on behalf of the Community Collaborative. The Collaborative is comprised of over 45 health, education, and social service organizations that work together to meet the fundamental needs of children, families and seniors in the Tahoe-Truckee community. She thanked the Board for funding the study and requested continued leadership from the Board to advance the solutions identified in the study.

Ms. Kristin York, Sierra Business Council, and Community Foundation Board member, provided comments regarding how the Council works with private developers and the idea of public/private partnership is something they have worked on with affordable housing. She encouraged the Board to work with the developers, looking at tax credits and cap and trade monies through the Strategic Growth Council, and asked that the Board be open to zoning changes in the future.

Chair Miller thanked Ms. Caldwell for the presentation.

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**INDIVIDUAL BOARD MEMBER ITEMS:**

20. [SR 16-0893](#) Recommendation to direct staff to review Nevada County Sphere of Influence Policies and to return to the Board of Supervisors in December with recommendation(s) for an updated Policy.

**Sponsors:** Nate Beason, District 1

ACTION TAKEN: Supervisor Beason introduced the Agenda Item, suggesting one correction to the proposed letter, deleting the direction for staff to return in December with recommendations. His motivation for bringing the item forward was the experience the Board had with the Housing Element. He reported that the County would not build anything that is affordable unless there is volume; the requirements preclude volumes of small houses. He noted that when Nevada County Economic Resource Council (ERC) brought in interns for the Green Screen Institute, they had a difficult time finding housing. He explained that Nevada City's vacancy rate is about 1-2 %, which is the same as Grass Valley's. Recently, he found out that there is a small company of six employees that planned to move to Nevada County; however, they are now in El Dorado County because they could not find housing in the price range they were looking for. Supervisor Beason suggested that a conversation is needed, and would like the Board to direct staff to speak with the Cities and Town, as well as special districts to review and discuss a possible modified sphere of influence policy. He believes the jurisdictions need to work together. If the County does not provide housing, we are not going to have a prosperous community. He wanted the County to move forward with opportunities for people to come here to live, work, etc., and to think in terms of multi-use, or multiple-family housing needs, and to include homelessness. Supervisor Beason shared his concerns regarding young families and seniors having to leave the County in order to find housing. He requested the Board to move forward with a sphere update review.

Chair Miller agreed that on the need for housing, and believed that working with staff from both the cities and town would be a sensible way to move forward.

Supervisor Anderson suggested that Supervisor Beason's concerns are broader than just housing and suggested that people are aware of the depth of concern coming from the County regarding housing affordability. He added that the staff report suggests modifications to current policy, noting that there is already policy in the Land Use and Development Code directing the staff to continue to work closely with the Cities concerning planning and development of land within the Cities sphere of influence. His understanding was that the letter is directing the County to enter into discussions with the cities. Supervisor Anderson stressed the need for all jurisdictions to have an opportunity to air concerns regarding land use planning, as well as potential conflicts, and he wondered if the Board should direct the staff to form an Ad-Hoc Committee to begin the discussion, or simply start talking on a staff to staff level with the Cities.

Chair Miller suggested that the electeds stay out of it and have staff work to find common goals. He did not want the Cities to lose the ability to use their own discretion, and thought that perhaps staff should initiate conversations with Cities and Town to determine long-term goals. He stressed the need to create an environment that is attractive to developers.

Mr. Sean Powers, Community Development Agency Director, heard what the Board is requesting and was pleased to engage with staff of the Cities and Town to work collaboratively. He could direct staff to reach out to our partners in the city jurisdictions and then return to the Board with recommendations.

Supervisor Scofield commented that the ERC is also looking at the housing issue. The Hospital recently completed a report with many of the same numbers that were presented in the Foundation study today. ERC is in the process of starting a strategic plan, and is having success drawing people to the County with the Green Screen Institute, although they are having difficulty housing house them. He suggested the discussion be part of the Board's annual workshop discussion and include the other community partners, ERC, Hospital, etc., and he did believe the elected officials should be involved.

Board discussion ensued.

Supervisor Anderson wanted to clarify the direction to staff; will the direction be to bring recommendations to the Board Workshop, or will they begin discussion with jurisdictions earlier than that.

Ms. Alison Lehman, Assistant County Executive Officer, responded that staff should work with colleagues in the cities and town, and bring the item back to the Board at the January Workshop.

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Chair Miller provided an opportunity for public comment.

Mr. Brian McAllister, City Engineer, City of Nevada City, share the City's concerns regarding the way the proposed policy language was written, although he did not think that was the intent. The city agrees to work together to provide low and moderate housing. Ms. McAllister stressed that it is a misconception that Nevada City is slow-growth or no-growth. In reality the City has an identity; and it is very important to the citizens of Nevada City to protect that identity. It is expensive to build in the City and projects don't come forward very often. He did not think changing the sphere of influence is the way to do it since the County and City zoning currently are very close and there is no conflict. He suggested that Nevada City has excellent sewer capacity, and if more density needed, the City and County could work together on general plan amendments to allow for additional density. He felt that letting the County be unilaterally in control of the City's sphere is not the way to do it, adding that if the County is concerned about meeting the state mandated housing goals, the City could share the credits for the housing. He believes the government has the ability to build affordable housing, and suggested that the County and City work together to create housing rather than wait for a developer to come forward. Supervisor Beason agreed that the language in the staff report was a bit strong.

Ms. Jenna Anders representing the Town of Truckee on behalf of Mr. Tony Lashbrook, Truckee Town Manager, reported that Mr. Lashbrook is more than happy to sit down with the Board, staff, or Ad Hoc Committee to discuss making amendments to the plan. He has indicated he will direct the appropriate level of staff resources needed towards that effort.

Chairman Miller closed the public comment period, and thanked Supervisor Beason for bringing the item forward.

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Following a short break, Chairman Miller called the meeting to order.

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### **DEPARTMENT HEAD MATTERS:**

#### **Director of Public Works: Steven Castleberry**

22. [SR 16-0845](#) Review of the Nevada County Bicycle Master Plan "Draft Amendment." (Mr. Mike Woodman, Transportation Planner, Nevada County Transportation Commission (NCTC))



**ACTION TAKEN:** Mr. Steve Castleberry introduced Mr. Mike Woodman, Transportation Planner, Nevada County Transportation Commission (NCTC).

Mr. Woodman provided a PowerPoint presentation regarding the Nevada County Bicycle Master Plan that included the Eastern County's Town of Truckee Trails and Bikeways Master Plan. Given that both planning documents would not be able to happen at the same time, they agreed not to do public outreach so as not to confuse the public. He reported that the Nevada County Bicycle Master Plan was completed in July of 2013. When it was submitted for adoption by the Board, concerns were brought forward by the Truckee Community. NCTC staff participated in public outreach for the Truckee Trails and Bikeways Master Plan, which was adopted on September 22, 2015. Mr. Woodman reported that consulting firm Fehr & Peers has completed the draft amendment of the Nevada County Bicycle Master Plan and they have incorporated the bicycle information from the Town's Plan update as well as information from Eastern County facilities. He reviewed the proposed County bike routes, facilities for the Town of Truckee and for the outlying areas in Eastern County. NCTC staff has reviewed the Plan with the initial concerned stakeholders and he believed the concerns have been addressed. He explained that the next steps will be for NCTC to present to the Truckee Town Council, where comments received will be incorporated, and concluded that the Plan would then be taken to NCTC for approval and return for final adoption by Resolution.

Supervisor Anderson wanted to clarify that Eastern County concerned parties had participated in the Plan. Mr. Woodman confirmed that interested parties in Eastern County had reviewed the Plan and their concerns were reflected in the Final Plan.

Board discussion and questioning ensued.

The Board thanked Mr. Woodman for the report. Chairman Miller clarified that direction for staff is for the Report has been received by the Board and staff will return to the Board for formal action in 2017.

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**\*CLOSED SESSION:**

[SR 16-0916](#) Pursuant to Government Code Section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter.

ACTION TAKEN: Ms. Alison Barratt-Green, County Counsel, read the title of the closed session 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.

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Recess for lunch: Meeting recessed at 11:20 A.M.

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Weather permitting, Board members will proceed to a Field Study to Sagehen Creek Field Station, 11616 Sagehen Road, Truckee CA 96160.

Due to poor weather, the visit to Sagehen Creek has been cancelled., and Mr. Jeffrey Brown, Director, UC Berkeley - Central Sierra Field Research Stations, provided his PowerPoint presentation in the Truckee Town Hall Council Chambers beginning at 1:00 p.m.

ACTION TAKEN: Chairman Miller called the meeting to order.

**AFTERNOON SESSION: 1:00 P.M.**

Presentation regarding Sagehen Creek Field Station, provided by Mr. Jeffrey Brown, Director, UC Berkeley - Central Sierra Field Research Stations.

ACTION TAKEN: Mr. Jeffrey Brown, Director, University of California Berkeley – Central Sierra Field Research Stations, reported that he is a resident at Sagehen Creek Field Station and is also responsible for the Central Sierra Snow Lab, the Onion Creek Experimental Watershed, the North Fork Association Properties and the Chickering American Reserve Properties. Mr. Brown provided a PowerPoint presentation regarding Sagehen Creek Field Station.

Mr Brown reviewed the location, which is about 8 miles north of Truckee and about 20 miles east of Lake Tahoe. It covers approximately 9,000 acres starting at the Sierra Crest and running due east. This land was clear-cut twice; once in the late 1800's and again when they found silver in Nevada. Currently it is overgrown due to many years of fire suppression. Sagehen was established to study trout, although moving forward they have also studied the Pine Martin, Goshawks, California Spotted Owl. When he originally arrived he was against cutting or removing any trees, but now his biggest fear now of impending forest fire. The facility has been struggling to figure out their relevance and their relationship to the Forest Service. In the early 2000s the Forest Service created Sierra Nevada Framework II, which was the guiding document to be used for Region 5, which includes Sagehen. In the document they formed a strategy called "SPLATS" (Strategically Placed Land Area Treatments) which identified a way to thin the forest that would improve fire-fighting efforts. This method had been tested on an area of land in Utah that was flat, but had not been tested in areas that had topography and trees. He approached researchers at Berkeley to plot Sagehen and classify the fire fuels. They learned that pre-European influence, fires occurred about every 2.4 years, and were low intensity, small scale fires. Post-European influence, fires are of a larger scale and intensity. From the data collected, they decided that the SPLATS strategy might work, although they felt it was managing for only one purpose, not including the animal population of Sagehen.

Mr. Brown and the Ranger staff at Sagehen, led by Ms. Joanne Revek, District Ranger, wanted to find a holistic way to solve Sagehen's problems. They were able to launch a collaborative process and Sierra Nevada Conservancy provided funding. They had many active participants who helped to create a plan. As the project moved forward it bridged the environmental community, the utility companies, and the foresters. They used a small area to test their plan and decided it would work on a larger scale. They needed to deal with both NEPA (National Environmental Policy Act) and CEQA (California Environmental Quality Act) because Sagehen is on Federal land. They did not end up with any of the regular roadblocks because they had included all of the interested stakeholders in the process and their concerns and ideas were incorporated in the final plan. The final plan not only improves the land for fire management, it also enhances habitat for wildlife, creates openings in the canopy and proved scientists, land managers and the public can work together.

Mr. Brown reported that approximately 600 acres of Sagehen was thinned this year, the Forest Service has contracted out the thinning that would include "saw" logs on the property. However, that contract has not been carried out to date due to the lack of demand for the timber industry. He reported that lumber mills that are still in operation are overloaded with trees from forest fires. Mr. Brown commented that the current forest problem in California is a man-made catastrophe, and suggested that creating a wood products industry in California would create jobs. He reported that for our forests to stand a chance, we need to be thinning up to 1 million acres per year to solve the current fire issue.

Board questioning and discussion ensued.

Supervisor Beason asked what it might take to get to the threshold of being able to use fire in the Sierra Nevada as a fuel treatment tool. Mr. Brown responded that fire is not only a fire treatment; it is a key piece of the ecosystem. The problem is, with the current state of the forest, it is too dangerous to use fire. Over time, if thinning is done, fire suppression needs will decrease to a scale that is reasonable. At that time the Forest Service will be able to get back to using fire as a management tool. Mr. Brown concluded his presentation and invited the Board to visit this summer.

The Board members thanked Mr. Brown for his presentation.

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**SCHEDULED ITEMS: 1:30 P.M.**

23. [SR 16-0892](#) Presentation of a Certificate of Appreciation to Chad David Hitchcock, Boy Scouts Troop 267, for completion of his Eagle Scout Project for the Truckee Joseph Center Pathway Project. (Mr. Tom Coburn, Facilities Program Manager)

ACTION TAKEN: Chairman Miller introduced Mr. Tom Coburn, Facilities Manager. Mr. Coburn introduced Boy Scout Troop 267 member, Mr. Chad David Hitchcock, who with his troop, completed his Eagle Scouts Project by working on the Truckee Joseph Center Pathway Project.

Mr. Hitchcock, 16 years old, responded to questions from the Board regarding earning his Eagle Scout Badge, and explained that he has a couple more projects to do to become an Eagle Scout. The Board commended him on his efforts and thanked him for completing the project.

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**Planning Director: Brian Foss**

24. [SR 16-0886](#) Public hearing to consider the Nevada County Planning Commission's August 25, 2016, 4-0 (1 absent) recommendation to approve the Soda Springs Area Plan (Project), which includes the following actions:
- 1) Adopt a Negative Declaration for the Soda Springs Area Plan (EIS14-004);
  - 2) Approve a General Plan Amendment to adopt the Soda Springs Area Plan (GP14-003);
  - 3) Approve a General Plan Land Use Map Amendment to change the base land use designation of 51 parcels within the Soda Springs Rural Center (GP16-004);
  - 4) Approve a Zoning District Map Amendment to rezone parcels consistent with the proposed General Plan land use designation amendments, including adding the Rural Center (RC) and Site Performance (SP) Combining District zoning overlays to specific parcels (Z16-005); and
  - 5) Amending Sec. L-II 4.2.3, Article I, Chapter II of the Nevada County Zoning Ordinance to approve the Soda Springs Area Plan design guidelines and standards (ORD14-002). (Dist. V)

**Public hearing held.**

**ACTION TAKEN:** Chairman Miller introduced the Soda Springs Area Plan agenda item.

Mr. Brian Foss, Planning Director, introduced Mr. Patrick Dobbs, Senior Planner, Advanced Planning Division, who reviewed the staff report and provided a PowerPoint presentation. He reported that in 2004 the Economic Development Study for Donner Summit kicked off the process of planning for the future of the summit, other studies also followed. The community became more organized, held annual meetings and formed groups such as the Donner Summit Area Association. All of the strategies, key issues, and priorities that came out of these past planning efforts formed the foundation and the blueprint for the Soda Springs Area Plan (SSAP) being presented.

Mr. Dobbs reported that today, thousands of people pass by Donner Summit on their way to Truckee, Reno and Tahoe. These attractions are highly advertised and create competition for visitor dollars to the area. He explained that the areas included in the SSAP are connected by scenic Old Highway 40 and stretch from Cisco Grove on the west to the Donner Summit Bridge (Rainbow Bridge) on the east. The communities within this area are Rainbow, PlaVada, Kingvale, Soda Springs and Serene Lakes. Some areas are within Placer County, but the Area Plan does attempt to provide for the entire area. When people think of the summit, most picture winter activities, but there are many non-winter activities within the area. Donner Summit holds a wealth of California history, some of the best access to trails, world class recreation opportunities and an abundance of natural diversity. The community of Soda Springs is a general hub for the surrounding communities. One of the main issues that led to the Soda Springs area for the next area plan is the existing highway commercial zoning, which is geared toward travelers, allowing restaurants and gas stations, but does not allow for other retail businesses such as real estate offices or community meeting facilities. Adding to the challenges are the multiple political jurisdictions, consecutive drought years, recession, and projected climate changes showing less snow pack in the future. These challenges create a great deal of uncertainty for the local economy which has historically been dependent on snow fall.

The Eastern edge of Soda Springs has some commercial development including Soda Springs Station which has 19 Units, so there is some multi-family development in that part of the area. The Southern area of the Plan includes Lake Van Norden and a portion of the Soda Springs Ski Resort parking lot and base facilities. Lake Van Norden is a hot topic within the community; there is an application pending to remove the dam and restore the lake to a meadow. Lake Van Norden has recognized recreation opportunities whether it remains a lake or is restored to a meadow.

Mr. Dobbs transitioned from the history to the process of developing the Area Plan; over the past two years they have held nine community workshops and sent letters to the property owners regarding their zoning. Using input from the community, they drafted the chapters on economic development, posted them online, and then reviewed them at the next community workshop. In this fashion they released one chapter at a time until the Area Plan was complete. In addition to the community meetings, they presented the plan at the Donner Summit Area Association meetings and the Donner Summit Municipal Advisory Committee for Placer County. He added that a complete draft of the Area Plan has been available on Planning's website since March 2016.

Mr. Dobbs reviewed the seven chapter headings included in the Area Plan and mentioned 3 attachments, including the Development and Design Standards, Assessor's Parcel Numbers by zoning district; and Area Plan references. The Plan adds goals and policies specific to Donner Summit, land use map amendments and rezoning. Zoning changes include changes to the Rural

Center Combining District (RC) – Flexible Design as well as the Site Performance Combining District – (SP) Community Character.

Mr. Dobbs reviewed the zoning and existing land use designations. The majority of the changes and the focus of the plan are to change the current business zoning to provide greater flexibility for local commercial businesses, and to provide increases to the residential capacity bringing a sense of place to the area and building in a market of consumers.

Mr. Dobbs reviewed two parcels where there is conflict. The Board has received a letter in opposition to these parcels being rezoned as R3 and suggested they be left R2. The author of the letter has concerns that changing to R3 will negatively affect the character of the neighborhood. He reported that this issue is unresolved and the Board might want to discuss it further. Mr. Dobbs reviewed the four RC Combining District distinctions: new construction on vacant lands; community development flexible design standards; housing density standards; and permissible agricultural uses.

At their meeting of August 25, 2016 the Planning Commission agreed that it is a good plan, and highlighted items for further discussion, including; public restrooms and economic development; equestrian opportunities on Donner Summit; and the uncertain future of Lake Van Norden. Staff returned to the Commission with revisions and the Commission unanimously recommended the Board approve the Soda Springs Area Plan. There are six actions staff is requesting of the Board; adopt the Negative Declaration for the SSAP (EIS14-004); approve the General Plan amendments to adopt the SSAP (GP14-003); approve the General Plan Land Use Map designations for the SSAP (GP16-004); approve the Zoning District Map (ZDM) amendments adding the “RC” and the “SP” Combining Districts zoning to parcels in the Soda springs Rural Center for the SSAP (Z16-005); approve the Zoning Ordinance amendments to adopt the SSAP Flexible Design & Development Standards (ORD14-002); and Close Board Order BO14-02.

Following Board questioning and discussion, Chairman Miller opened the public hearing for public comment.

The following members of the public spoke in support of the proposed Area Plan: Mr. Bill Odegiest, Donner Summit resident; Ms. Pat Malberg, Donner Summit resident; Ms. Maria Montano, Donner Summit resident, and owner of The Summit restaurant; Ms. Sue Busbee, Donner Summit resident; Mr. Tom Applebaum, Donner Summit resident, and President, Donner Summit Area Association; Ms. Ursula Heffernon, Donner Summit resident; and Mr. Norm Saylor, Donner Summit resident, and representative of the Donner Summit Historical Society.

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

Board questioning and discussion ensued.

The Supervisors thanked the Planning staff and the area residents for being so engaged in the process. Supervisor Anderson also commented on the passion of the residents for their communities.

Supervisor Weston asked about the future of the Lake Van Norden dam. Mr. Foss responded that the dam is in Nevada County, the majority of the lake and meadow is within Placer County. There is a current application in with the County to notch the dam and revitalize the meadow. There are many entities involved in this process. Environmental studies are being reviewed. Placer County has been notified and there will be further coordination with them during the process. They do recognize that it would be a community asset either way.

Supervisor Weston commented regarding fire safety. Supervisors Beason and Anderson also commented on defensible space requirements and grant funding for fire reduction purposes.

- a. [SR 16-0903](#) Resolution adopting a Negative Declaration (EIS14-004) for the Soda Springs Area Plan which includes General Plan Text Amendments (GP14-003), General Plan Land Use Map Amendments (GP16-004), Zoning District Map Amendments (Z16-005), and a Zoning Ordinance Text Amendment (ORD14-002).

**Adopted.**

Enactment No: RES 16-518

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Beason, to adopt Resolution 16-518. On a roll call vote the motion passed unanimously.**

- b. [SR 16-0904](#) Resolution amending the Nevada County General Plan Chapter 1: Land Use Element Supporting Planning Documents and Policy 1.3.13 to adopt the Soda Springs Area Plan (GP14-003).

**Adopted.**

Enactment No: RES 16-519

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Weston, to adopt Resolution 16-519. On a roll call vote the motion passed unanimously.**



- c. [SR 16-0905](#) Resolution amending the Nevada County General Plan Land Use map designations for the Soda Springs Area Plan (GP16-004).

**Adopted.**

Enactment No: RES 16-520

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to adopt Resolution 16-520. On a roll call vote the motion passed unanimously.**

- d. [SR 16-0906](#) (Introduce/waive further reading/adopt) An Ordinance amending Section L-II 1.3.D, Article 1, Chapter II, of the Land Use and Development Code of the County of Nevada, to amend Zoning District Maps No. 114 and No. 119 for fifty-one specific parcels within the Soda Springs Rural Center to various other zoning districts, and to add the Rural Center (RC) Combining District to seventy-seven parcels and add the Site Performance (SP) Combining District to one hundred and ninety-four parcels within the Soda Springs Rural Center, and identifying the Specific Flexible Development Standards and Community Character Protections applicable to the Soda Springs Rural Center (Z16-005).

**Adopted.**

Enactment No: ORD-2422

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Weston, to adopt Ordinance 2422. On a roll call vote the motion passed unanimously.**

- e. [SR 16-0907](#) (Introduce/waive further reading/adopt) An Ordinance amending Section L-II 4.2.3, Article 1, Chapter II, of the Land Use And Development Code of the County Of Nevada to adopt the Soda Springs Area Plan Flexible Design and Development Standards (Ord14-002).

**Adopted.**

Enactment No: ORD-2423

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to adopt Ordinance 2423. On a roll call vote the motion passed unanimously.**

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Weston, to close Board Order 14-02. On a roll call vote the motion passed unanimously.**

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**\*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 Board members.

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**ADJOURNMENT:**

ACTION TAKEN: Chairman Miller adjourned the meeting at 3:21 P.M.

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**Signature and Attestation**

**Dan Miller, Chairman**

**ATTEST:**

**By:**

**Lelia Loomis, Deputy Clerk to the Board**