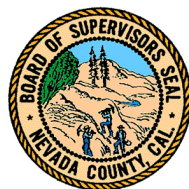


COUNTY OF NEVADA

STATE OF CALIFORNIA



BOARD OF SUPERVISORS

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SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, December 12, 2017	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 A.M.

Rollcall

The following Supervisors present:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Hank Weston, 4th District

Richard Anderson, 5th District

STANDING ORDERS:

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

Pledge of Allegiance led by Mr. Lee French, District II resident.

Corrections and/or deletions to agenda.

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

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: Mr. Kent Reese, District I resident and Chairman of Coalition of Firewise Communities with Ms. Susan Rogers Co-Chair, introduced the Coalition and provided an overview of their organization including their membership of approximately 50,000 and he reviewed their objectives. He provided the Board with a fact sheet and reported that the Firewise Communities have lost their Title III funding.

Ms. Linda Chaplin, District 1 resident, provided comments in support of opening the Overland Emigrant Trail. She advocated that the Board to continue working forward to protect the trail and the trail's history.

The following members of the public provided comments in opposition to declaring Nevada County a Non-Sanctuary County: Ms. Valentina Masterz, District III resident; Ms. Avila Lowrance, District II resident; Ms. Itara O'Connell, District I resident; Chambe and Amy Cooke, District I residents and Owners of Summer Thymes Bakery in Grass Valley; Ms. Stevee Duber, District I resident; Ms. Sushila Mertens, District IV resident; Ms. Deborah Cohen, District I resident; Ms. Wendy Hartley, District I resident; Mr. Howard Levine, District II resident; and Mr. Tomas Evangelista, Nevada County resident and DACA recipient.

Mr. Mark Shafer, District IV resident and Community Advisory Group (CAG) member, provided comments in support of the CAG process and felt the members have been open to listening to the issues. He wanted to acknowledge the negatives and "bad actors" attached to growing cannabis in Nevada County. He hopes the current transparent process continues through to the time a new ordinance is passed.

The following members of the public spoke in favor of declaring Nevada County a Non-Sanctuary County: Mr. Alex, Nevada County resident; and Ms. Shirley Osgood, District III resident.

Ms. Pauline Halstead, District I resident, provided comments regarding the capacity of Hospitality House and the need for a dedicated building for the homeless over the winter months.

Mr. Weldon Travis, District IV resident, spoke in favor of the non-sanctuary resolution, and provided comments regarding animal control actions regarding the Simply County Farm store.

Ms. Judy McDonald, District V resident, provided comments in support of the Simply Country feed store.

Mr. Calvin Clark, District IV resident, provided comments regarding Prop 65 and hazardous chemicals relating to vaccine injuries since the implementation of Senate Bill (SB) 277.

There being no further public comment, Chairman Weston closed public comment.

Chairman Weston responded to the questions from the public regarding consideration of the Non-Sanctuary County resolution. He reported that the opinion and recommendation of County Counsel is that it is the County's responsibility to carry out the State's Mandates, therefore the Board will maintain the Sanctuary position and this issue will not come forward on an Agenda for support or non-support.

CONSENT CALENDAR:

Interim Behavioral Health Director: Phebe Bell

1. [SR 17-0916](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada County Housing Development Corporation for services related to Behavioral Health's community-based housing projects targeted to reduce homelessness for residents with mental health disabilities (Res. 16-561), increasing the maximum contract price from \$201,848 to \$318,710, extending the contract termination date to June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to release fund balance and amend the Behavioral Health Department's budget for Fiscal Year 2017/18. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-580
2. [SR 17-0882](#) Resolution approving a renewal Memorandum of Understanding (MOU) between the Superior Court of California, County of Nevada, and Nevada County Behavioral Health Department to cooperate in the operation of the Juvenile Drug Court and Adult Mental Health Court, allowing for the Court to reimburse Behavioral Health for assessments, case management and administrative services, up to a maximum of \$7,500, for the period July 1, 2016 through June 30, 2017, and authorizing the County Executive Officer to execute the MOU.
Adopted.
Enactment No: RES 17-581

3. [SR 17-0908](#) Resolution approving a renewal contract between the County of Nevada and CF Merced Behavioral, LLC., dba Merced Behavioral Center for the provision of skilled nursing services, plus long-term, 24-hour treatment program services for chronic mentally ill clients, in the maximum amount of \$40,000, for the period July 1, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 17-582
4. [SR 17-0902](#) Resolution approving a renewal contract between the County of Nevada and Sierra Nevada Memorial Hospital for the provision of ambulance transport services for Nevada County Behavioral Health Department's 5150 clients, in the maximum amount of \$50,000, not to exceed \$25,000 per fiscal year, for the period July 1, 2017 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 17-583
5. [SR 17-0903](#) Resolution approving the renewal Standard Agreement 17-94146 between the County of Nevada and the California Department of Health Care Services for Substance Abuse Prevention and Treatment Block Grant funding for the provision of alcohol and drug prevention, treatment, and recovery support services, in the total maximum amount of \$2,113,050, for the period July 1, 2017 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
Adopted.
Enactment No: RES 17-584
6. [SR 17-0907](#) Resolution approving the Nevada County Mental Health Services Act (MHSA) Three-Year Program and Expenditure Plan for Fiscal Year 2017/18 through Fiscal Year 2019/20 and Annual Progress Report for Fiscal Year 2015/16, with estimated Program expenditures under the County's MHSA in the amount of \$5,600,341 for Fiscal Year 2017/18, \$5,571,500 for Fiscal Year 2018/19, and \$5,571,500 for Fiscal Year 2019/20, and authorizing the Behavioral Health Director to sign the MHSA County Compliance Certification.
Adopted.
Enactment No: RES 17-585

7. [SR 17-0915](#) Resolution approving a contract between the County of Nevada and the California Institute for Behavioral Health Solutions for the provision of log-in access to use the electronic Behavioral Health Solutions web-based data system and implementation, training, and support activities for use of the Improvement and Innovation through Data model, in the maximum amount of \$61,100, for the period July 1, 2017 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 17-586

Public Health Director: Jill Blake

8. [SR 17-0913](#) Resolution approving the renewal Agreement Funding Application for Agreement 201729 between the County of Nevada and the California Department of Public Health for Maternal, Child and Adolescent Health Program, and accepting funds in the maximum payable amount of \$177,541 for Fiscal Year 2017/18.

Adopted.

Enactment No: RES 17-587

Child Support Services Director: Tex Ritter

9. [SR 17-0928](#) Resolution approving Amendment 1 to Standard Agreement 14-HOME-10037 between the County of Nevada and the State Department of Housing and Community Development (HCD) for the HOME Grant Program (Res. 15-358), extending the deadline to expend the funds from November 30, 2017 to August 31, 2018, and extending the expiration date of the Agreement from November 30, 2032 to August 31, 2033, in the maximum amount of \$1,000,000, authorizing the continuation of a General Fund Advance of \$130,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

(Housing)

Adopted.

Enactment No: RES 17-588

Sheriff-Coroner/Public Administrator: Keith Royal

10. [SR 17-0930](#) Resolution approving a renewal contract between the County of Nevada and National Medical Services for the provision of forensic toxicology services, in the amount of \$90,000, for the period July 1, 2017 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 17-589

Clerk-Recorder/Registrar of Voters: Gregory Diaz

11. [SR 17-0893](#) (Waive further reading/Adopt) An Ordinance amending Section A-II 24.8 of Article 24 of Chapter II of the Administrative Code of the County of Nevada pertaining to County Clerk-Recorder fees for services.

Waived further reading and adopted.

Enactment No: ORD-2444

District Attorney: Clifford Newell

12. [SR 17-0877](#) Resolution approving an Amendment to the California Department of Insurance Automobile Insurance Fraud Grant, accepting additional funds in the amount of \$1,817 for a total award of \$33,634 to investigate and prosecute automobile insurance fraud and economic car theft cases, for use during the period July 1, 2017 to June 30, 2018, authorizing the District Attorney to execute the Amendment and all necessary payment requests and related documents, and directing the Auditor Controller to amend the District Attorney's Fiscal Year 2017/18 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-590

Community Development Agency Director: Sean Powers

13. [SR 17-0935](#) Resolution approving Amendment 2 to an agreement between the County of Nevada and MIG, Inc. for services related to the formation and facilitation of the Cannabis Community Advisory Group (CAG) (Res. 17-169), increasing the contract amount by \$8,690, for a new maximum amount of \$137,934 for the period April 11, 2017 through April 10, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Community Development Agency's Fiscal Year 2017/18 budget. (4/5 affirmative vote required) (Pulled from consent by Ms. Diana Gamzon, Executive Director of Nevada County Cannabis Alliance)

Adopted.

Enactment No: RES 17-621

Agricultural Commissioner: Chris de Nijs

14. [SR 17-0885](#) Resolution approving renewal Agreement 17-0132 between the County of Nevada and the California Department of Food and Agriculture for County Pest Detection/Emergency Projects Trapping Services, in the total amount of \$20,719, for the period July 1, 2017 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Agricultural Commissioner to execute additional documents necessary for implementation of the Program.

Adopted.

Enactment No: RES 17-591

Environmental Health Director: Amy Irani

15. [SR 17-0912](#) Resolution approving the Memorandum of Agreement (MOA) between County of Nevada Environmental Health Department, City of Grass Valley, and City of Nevada City to ensure collaboration with the implementation of the Gold Country Redevelopment Coalition Community Wide Assessment Grant, and authorizing the Director of Environmental Health to sign the MOA and other advisory documents associated with the Grant.

Adopted.

Enactment No: RES 17-592

Director of Public Works: Trisha Tillotson

16. [SR 17-0892](#) (Waive further reading/Adopt) An Ordinance repealing Section G-IV 3.A.25 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to Ten Minute Parking at the Lake Wildwood Clubhouse. (Dist IV)

Waived further reading and adopted.

Enactment No: ORD-2445

17. [SR 17-0890](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Kimley-Horn and Associates, Inc. for professional design and engineering services for the Roadway Safety and Signing Audit Project - Phase 2 (Res. 17-224), extending the contract term to December 31, 2019, with the total contract amount remaining at \$290,420.96, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-593

18. [SR 17-0899](#) Resolution approving an agreement between the County of Nevada and the Town of Truckee regarding the Traffic Impact Mitigation Fees collected in the unincorporated portion of Eastern Nevada County, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. V)
Adopted.
Enactment No: RES 17-594
20. [SR 17-0937](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and the Town of Truckee for snow removal services in the Glenshire/Hirschdale area of Eastern Nevada County (Res. 17-568), in an amount not to exceed \$50,000 for Fiscal Year 2017/18, amending the agreement to include insurance requirements in order to protect the County in the event of any property damage or personal injury, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. V)
Adopted.
Enactment No: RES 17-596
21. [SR 17-0900](#) Resolution approving an agreement between the County of Nevada and the County of Placer for snow removal services in the Donner Pass Road area of Eastern Nevada County, in an amount not to exceed \$180,000 for Fiscal Year 2017/18, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. V)
Adopted.
Enactment No: RES 17-597
22. [SR 17-0905](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Andregg Psomas (previously Andregg Geomatics) for professional land surveying services for various capital improvement projects and road maintenance activities (Res. 14-359), to amend the existing contract to reflect the recent aquisition of Andregg Geomatics by Andregg Psomas.
Adopted.
Enactment No: RES 17-598

23. [SR 17-0874](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and D & E Construction, Inc. for the McCourtney Road Landfill Final Cover Maintenance Project (Res. 17-347), with contract costs totaling \$109,235.30, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Sanitation)

Adopted.

Enactment No: RES 17-599

24. [SR 17-0875](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the County of Nevada and the County of Placer for use of the Eastern Regional Material Recovery Facility for the disposal of solid waste generated in Eastern Nevada County (Res. 97-523), extending the expiration date to December 31, 2018, and authorizing the Chair of the Board of Supervisors to execute the MOU. (Sanitation) (Dist. V)

Adopted.

Enactment No: RES 17-600

Interim Human Resources Director: Alison Lehman

25. [SR 17-0886](#) Resolution extending salary, benefits and employer contributions for up to 365 days for Nevada County employees under orders to serve in an active duty capacity or training for active duty capacity on military leave in the U.S. Armed Forces.

Adopted.

Enactment No: RES 17-601

26. [SR 17-0888](#) Resolution delegating the County Executive Officer and Assistant County Executive Officer the authority to make Safety Disability Retirement determinations under Government Code Section 21023(c).

Adopted.

Enactment No: RES 17-602

27. [SR 17-0889](#) Resolution approving a renewal agreement between the County of Nevada and Prudential Life Insurance Company of America for basic and voluntary life insurance benefits for Nevada County employees, continuing the current rates, without increase, for basic life insurance in the amount of \$0.198 per \$1,000 for employee coverage and \$0.38 per \$1,000 for spouse and dependent coverage, voluntary life insurance in the amount of \$.056 to \$15.042 per \$1,000 for employee coverage depending on age, and accidental death and dismemberment, an optional subset of voluntary life insurance, in the amount of \$0.03 per \$1,000 of coverage, for the period January 1, 2018 through January 1, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 17-603

Chief Probation Officer: Michael Ertola

28. [SR 17-0919](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the provision of mental health services, crisis intervention, wraparound services, medication support and case management services for eligible youth (Res. 17-355), increasing the contract amount by \$50,000 for a maximum of \$250,000 funded by the Mentally Ill Offender Crime Reduction (MIOCR) Grant, for the period July 1, 2017 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-604

29. [SR 17-0921](#) Resolution approving a contract between the County of Nevada and New Events and Opportunities (NEO) to provide peer mentoring and pro-social group activities for youth previously involved or at risk of becoming involved in criminal activities, in the maximum amount of \$7,676 funded through the Board of State and Community Corrections (BSCC) Community Recidivism Reduction Grant, for the period January 1, 2018 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-605

30. [SR 17-0922](#) Resolution approving a contract between the County of Nevada and Project H.E.A.R.T. Inc. to provide peer mentoring and pro-social group relationship services for people previously involved, currently involved or at risk of becoming involved in criminal activities, in the maximum amount of \$7,324 funded through the Board of State and Community Corrections (BSCC) Community Recidivism Reduction Grant, for the period January 1, 2018 through June 03, 2018, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-606

31. [SR 17-0924](#) Resolution approving a contract between the County of Nevada and Spirit Peer Empowerment Center to provide peer mentoring and Co-Occurring Disorder support groups for adults previously involved, currently involved or at risk of becoming involved in criminal activities, in the maximum amount of \$10,000 funded through the Board of State and Community Corrections (BSCC) Community Recidivism Reduction Grant, for the period January 1, 2018 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-607

Chief Information Officer: Stephen Monaghan

32. [SR 17-0929](#) Resolution approving Amendment 6 to the contract between the County of Nevada and EPIC Aviation, LLC, for aviation fuel services and support at the Nevada County Airport (Res. 06-071), extending the contract through March 31, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

Adopted.

Enactment No: RES 17-608

33. [SR 17-0934](#) Resolution authorizing the Airport Manager to submit an application for a Federal Aviation Administration Grant in the amount of \$130,316 to fund the design of the Taxiway A, Ramps 1, 2, and 5, Pavement Preservation and Rehabilitation at the Nevada County Airport, for the period July 1, 2018 through August 31, 2021, and authorizing the Chief Information Officer to execute the application. (Airport)

Adopted.

Enactment No: RES 17-609

34. [SR 17-0895](#) Resolution terminating the proclamations of Local Emergencies in Nevada County due to extreme and cumulative precipitation, atmospheric rivers and storms in January and February 2017 resulting in flooding, subsidence and other damage to public and private infrastructure and facilities. (Emergency Services)
Adopted.
Enactment No: RES 17-610
35. [SR 17-0896](#) Resolution continuing the proclamation of a Local Health Emergency in Nevada County due to Hazardous Waste and Debris from the Wind Complex - Lobo and McCourtney fires. (Emergency Services)
Adopted.
Enactment No: RES 17-611
36. [SR 17-0897](#) Resolution continuing the proclamation of a Local Emergency in Nevada County due to the Wind Complex Fires and related evacuations in the affected communities and requesting that the Governor continue to maintain a State of Emergency for the County of Nevada. (Emergency Services)
Adopted.
Enactment No: RES 17-612
37. [SR 17-0898](#) Resolution accepting Fiscal Year 2017 Homeland Security Grant Program funding in the amount of \$173,751 from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, for use during the period September 1, 2017 through May 31, 2020, and authorizing the Director of Emergency Services to fulfill the requirements of the Program. (Emergency Services)
Adopted.
Enactment No: RES 17-613
38. [SR 17-0894](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Steve A. Owens dba Owens Construction for the Odyssey House Roofing Replacement Project located at 995 Helling Way, Nevada City (Res. 17-491), with contract costs totaling \$36,280, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
Adopted.
Enactment No: RES 17-614

39. [SR 17-0932](#) Resolution directing the Purchasing Agent to issue a Request for Qualifications for professional construction management services for the County Operations Center Project located at 12350 La Barr Meadows Road, Grass Valley. (Facilities)

Adopted.

Enactment No: RES 17-615

40. [SR 17-0931](#) Resolution authorizing the purchase and implementation of a K2 Blackpearl Software License (electronic forms and workflow automation software platform), a Capital Asset, in the amount of \$63,533, providing for up to 250 users of the software, authorizing the Purchasing Agent to sign the agreement, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Information Systems budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-616

County Librarian: Laura Pappani

41. [SR 17-0920](#) Resolution accepting a grant from the California State Library for \$28,100 in California Library Services Act funds for microfilm equipment for the Doris Foley Library for Historical Research, for use during the period December 12, 2017, to December 31, 2018, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Library budget. (4/5 affirmative vote required) (Pulled from consent by Ms. Linda Chaplin, District I resident)

Adopted.

Enactment No: RES 17-622

42. [SR 17-0871](#) Resolution approving an agreement between the County of Nevada and the Nevada Joint Union High School District regarding joint use of the Bear River High School Library, in an amount not to exceed \$13,000, for the period July 1, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 17-617

Clerk of the Board: Julie Patterson Hunter

43. [SR 17-0926](#) Resolution making findings, accepting the appeal filed by Simon CRE, CJS Development II, LLC from the decision of the Planning Commission denying Development Permit (DP14-001) and Management Plan (MGT14-010) for a 9,100 square foot Dollar General Store located at 10166 Alta Sierra Drive, Grass Valley (APN 25-430-08); septic line located at 10120 Alta Sierra Drive, Grass Valley (APN 25-430-10); and septic leach field located at 15675 Johnson Place, Grass Valley (APN 25-430-12); and scheduling the appeal for a public hearing on February 27, 2018 at 1:30 p.m. (Dist. II)
Adopted.
Enactment No: RES 17-618
44. [SR 17-0925](#) Resolution making findings, accepting the appeal filed by Simon CRE, Harley V, LLC from the decision of the Planning Commission denying Development Permit (DP15-001) for a 9,100 square foot Dollar General Store located at 12345 Rough and Ready Highway, Grass Valley (APN 52-122-03); and scheduling the appeal for a public hearing on February 27, 2018 at 1:30 p.m. (Dist. III)
Adopted.
Enactment No: RES 17-619
45. [SR 17-0927](#) Resolution making findings, accepting the appeal filed by Charisse Lolli from the decision of the Planning Commission certifying Environmental Impact Report (EIR15-001) for Dollar General Store Projects located at Alta Sierra, Rough and Ready Highway and Penn Valley and the approvals of Development Permit (DP15-004), Management Plan (MGT15-013), Certificate of Compliance (COC17-0001), and Lot-Line Adjustment (LLA16-006) for a 9,100 square foot Dollar General Store located at 17652 Penn Valley (APN 51-120-06); and scheduling the appeal for a public hearing on February 27, 2018 at 1:30 p.m. (Dists. II, III, and IV)
Adopted.
Enactment No: RES 17-620
46. [SR 17-0940](#) Reappointment of Mr. Andrew Burton as Non-Supervisor member to the Area 4 Agency on Aging Governing Board, for a two-year term expiring December 31, 2019.
Reappointed.

47. [SR 17-0887](#) Reappointment of Ms. Laura Brown as the Greater Truckee Area member representing the interests of children to the First 5 Nevada County Children & Families First Commission, for a two-year term ending October 31, 2019.
Reappointed.
48. [SR 17-0859](#) Acceptance of Board of Supervisors Summary Minutes for November 14 and 28, 2017.
Accepted.

ACTION TAKEN: Chairman Weston introduced the consent calendar. Agenda Item #13 pulled from consent by Ms. Diana Gamzon, Director, Cannabis Alliance; and Agenda Item #41 pulled from consent by Ms. Linda Chaplin, District I resident.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Dan Miller, seconded by Supervisor Anderson, to approve the consent calendar less Agenda Items #13 and #41. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

13. [SR 17-0935](#) Resolution approving Amendment 2 to an agreement between the County of Nevada and MIG, Inc. for services related to the formation and facilitation of the Cannabis Community Advisory Group (CAG) (Res. 17-169), increasing the contract amount by \$8,690, for a new maximum amount of \$137,934 for the period April 11, 2017 through April 10, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Community Development Agency's Fiscal Year 2017/18 budget. (4/5 affirmative vote required) (Pulled from consent by Ms. Diana Gamzon, Executive Director of Nevada County Cannabis Alliance)
Enactment No: RES 17-621

ACTION TAKEN: Chairman Weston introduced the agenda item, and Ms. Diana Gamzon, Director, Cannabis Alliance, commented in support of additional funding for the 10th advisory CAG meeting.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Miller, to adopt Resolution 17-621. On a roll call vote the motion passed unanimously.

41. [SR 17-0920](#) Resolution accepting a grant from the California State Library for \$28,100 in California Library Services Act funds for microfilm equipment for the Doris Foley Library for Historical Research, for use during the period December 12, 2017, to December 31, 2018, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Library budget. (4/5 affirmative vote required) (Pulled from consent by Ms. Linda Chaplin, District I resident)
Enactment No: RES 17-622

ACTION TAKEN: Chairman Weston introduced the agenda item, and Ms. Linda Chaplin, District I resident, expressed her support of the grant funding for the Doris Foley Library for Historical Research.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hall, to adopt Resolution 17-622. On a roll call vote the motion passed unanimously.

DEPARTMENT HEAD MATTERS:

Planning Director: Brian Foss

49. [SR 17-0918](#) Resolution approving a contract between the County of Nevada and Economic & Planning Services, Inc. pertaining to the preparation of a nexus and district consolidation study, in the maximum amount of \$85,000, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to release fund balance in the amount of \$23,136 from the Grass Valley, Nevada City, and Twin Ridges Recreation Benefit Zone Funds and to release fund balance in the amount of \$61,864 from the General Fund Unassigned fund balance, and to amend the Fiscal Year 2017/2018 Planning Department budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-623

ACTION TAKEN: Chairman Weston introduced the agenda item, and Mr. Brian Foss, Planning Director, reviewed the staff report regarding the update of the AB1600 nexus study analyzing the potential benefits for consolidation of the five Western Recreation and Park Districts into one larger Recreation and Park District.

Mr. Foss reported that currently, each of the five Park District collects and administers their own funds for improvements within their districts, and the County collects and administers the AB1600 funds for the Grass Valley and Nevada City benefit zone as well as the portions that are left of the Twin Ridges benefit zone not included in the Oak Tree Park District. The current fee scheduled was based on the 1991 nexus study. A Request for Proposal (RFP) was published pertaining to a new nexus and district consolidation study. He explained that eight firms responded to the RFP, resulting in the recommendation to enter into a contract with Economic & Planning Services, Inc. to complete the studies and prepare a report for the Board. Mr. Foss added that staff anticipates starting the process in early January, after which they would begin meeting with representatives from each district and from each city.

Board questioning ensued.

Chairman Weston provided an opportunity for public comment.

Ms. Linda Chaplin, District I resident, spoke in support of the facilities at Pioneer Park, and commented in support of recreation.

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

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to adopt Resolution 17-623. On a roll call vote the motion passed unanimously.

Director of Public Works: Trisha Tillotson

50. [SR 17-0883](#) Review of the Draft 2018 Annual Update of the Nevada County Department of Public Works Road Maintenance and Capital Improvement Plan (CIP) for Fiscal Years 2017/18 through 2021/22.

Presentation provided.

ACTION TAKEN: Chairman Weston introduced the agenda item, and Ms. Trisha Tillotson, Public Works Director, and Mr. Joshua Pack, Principal Civil Engineer, provided a PowerPoint presentation regarding the Road Maintenance and Capital Improvement Plan (CIP) for Fiscal Years 2017/18 through 2021/22. Ms. Tillotson reported that revenue levels are expected to increase because of the recent implementation of Senate Bill (SB)1. Due to recent storms and damage to County roads, fund balance will remain low until Federal funding is received.

Mr. Pack reviewed the capital expenditures for the 5-year period and reviewed upcoming projects proposed for 2018. He reported that staff would meet directly with each Supervisor regarding projects in their districts, and would then return to the Board for approval of the Public Works Road Maintenance and CIP.

Board questioning ensued.

Chairman Weston provided an opportunity for public comment.

Mr. Matthew Coulter, District I resident, requested updates regarding requested warranty work; he also asked if there is a schedule for the painting of lines; is the County working closely with City on the Timberwood Estates project; and has the County taken into account the increase in larger delivery trucks and how it affects our County traffic. Mr. Pack and Ms. Tillotson, responded to the questions.

Ms. Skyler Bright, District IV resident, commented regarding flooding on Tyler Foot Road. She suggested larger culverts would assist in remedying the situation.

There being no further public comment, Chairman Weston closed the opportunity for public comment.

SCHEDULED ITEM: 10:30 A.M.

51. [SR 17-0914](#) California State Association of Counties (CSAC) awards presentation. (Ms. Farrah McDaid Ting, and Ms. Kiana Valentine, Legislative Representatives)

Challenge Award:

Over-the-Counter Plan Review Program:

Craig Griesbach, Chief Building Official,

Building Department

Merit Award:

Nevada County CalWORKS Connection Program:

Mali Dyck, CalWORKS Program Manager,

& Karen Heggarty, Lead Employment & Training Worker,

Department of Social Services

Merit Award:

What's Up? Wellness Checkups in Nevada County:

Cindy Morgan, Children's Behavioral Health Program Manager,

Behavioral Health Department

ACTION TAKEN: Chairman Weston introduced Ms. Farrah McDaid Ting, and Ms. Kiana Valentine, California State Association of Counties (CSAC) Legislative Representatives who provided a brief overview of the scope of the awards.

Ms. McDaid Ting, and Ms. Valentine, provided Merit awards to Ms. Mali Dyck, CalWORKs Program Manager, Ms. Karen Heggarty, Lead Employment & Training Worker, Department of Social Services and Ms. Cindy Morgan, Children's Behavioral Health Program Manager, Behavioral Health Department. Ms. McDaid Ting and Ms. Valentine also presented the Challenge award to Mr. Craig Griesbach, Chief Building Official, Building Department.

***ANNOUNCEMENTS:**

Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

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

Supervisor Hall announced that Area 4 Agency on Aging will no longer provide funding for the RSVP Program. She reported that the County staff is working very hard to find ways to continue the program.

Supervisor Miller announced that the Regional Housing Authority of Sutter and Nevada Counties is supporting new low-income and senior housing projects for both Truckee and Penn Valley.

Recess for lunch: 11:04 a.m.

AFTERNOON SESSION**SCHEDULED ITEM: 1:30 P.M. Brian Foss, Planning Director**

52. [SR 17-0917](#) Discussion and direction regarding potential programs and activities to facilitate housing opportunities in the County.

Close Board Order BO17-02.

ACTION TAKEN: Chairman Weston called the meeting back into order and introduced the agenda item. Mr. Brian Foss, Planning Director, provided a PowerPoint presentation regarding housing opportunities in Nevada County and the County's role in developing and sustaining housing within the community. He reported that approximately 50% of households spend more than 30% of their income on housing, which is considered overpaying for housing costs. He reviewed the various housing types and the existing policies within the Housing Element which provide for affordable housing, as well as potential tool options that could be considered and implemented which would provide incentives for builders of single family homes and multi-family structures for low-income and senior housing projects. Mr. Foss reviewed the current Accessory Dwelling Unit (ADU) requirements and the options for making this a more viable solution for low-income house, such as removing the owner occupancy requirement or limiting short term rentals.

Mr. Foss reviewed the current transitional and supportive housing standards in place, as well as the various funding programs and partnerships, including the Community Development Block Grant Program (CDBG), CalHome, Veterans Voucher Program, Regional Housing Authority, Mountain Housing Council, developers, other regulating jurisdictions, and publicly owned land/donated land. He reported on inclusionary housing requirements to build onsite or offsite units restricted for low-income groups and in-lieu fees, requiring payment of fees for new development and to fund affordable housing programs.

Mr. Foss reviewed the next steps, noting that multiple solutions will be needed, including existing Housing Element programs and policies; Health & Human Services Agency programs; and ordinance/development standards. He completed his presentation, and requested Board direction.

Board questioning ensued.

Supervisor Hall asked to review the report regarding expanding sewer systems in unincorporated areas. She wondered if Planning has applied for funding for this expansion. Mr. Foss explained that they applied for Community Development Block Grant (CDBG) funding but did not receive it. Supervisor Hall asked for clarification regarding the requirement to construct a new septic system for new ADUs that would be built. Mr. Foss responded that this is required by the Nevada County Environmental Health and has to do with overloading the tank. Supervisor Hall felt that this can be a significant expense when building a second unit and would like to know more about the science behind the restriction and if it is in line with other Counties.

Supervisors Weston and Miller asked about requirements for owner-occupancy and who would monitor that requirement, and also about revising the code to require a property manager in R1 zoning as opposed to an owner. Mr. Foss responded that monitoring would probably be an affidavit from the Owner and that the Code could be revised regarding ADUs in R1 zoning. Supervisor Hall agreed with removing the owner-occupancy requirement and adding a requirement for a property manager plus a deed restriction to require at least one of the units be low-income. Supervisor Miller wanted more options, to include both low-income and market rate rentals, owner occupied or property manager.

Supervisor Anderson asked about an owner/developer building a duplex as opposed to an ADU and about the inconsistent requirements with regard to owner occupancy. Mr. Foss responded that staff could look at that language to make it more consistent.

Board questioning and discussion ensued.

Ms. Amy Irani, Environmental Health Director, clarified Supervisor Hall's questions regarding requirements that ADUs built with a kitchen require a new septic tank, and whether this is a State or County requirement. She explained that adding additional square footage to a current house is different, in that a new building designated as a separate home including food preparation and cooking creates a larger amount of waste. Tying into an existing septic system developed for a 3 bedroom home calls for a certain capacity, adding a new independent house creates the need for additional capacity and the added demand can potentially overload the current system. The new structure can tie into the existing leach lines, but require a separate tank. The State requires every home to have a sound wastewater system and potable water. The County added the separate septic tank requirement due to the additional load a new dwelling loads on a current system. The State does not set down the mandate; it requires the County to ensure that there is not a health hazard. Ms. Irani stressed that if a system fails, both the main house and the ADU become uninhabitable. This requirement is evaluated on a case-by-case basis, but if it comes with a kitchen, it will be required to have its own tank. Ms. Irani agreed to reach out to other rural counties to see how they handle it.

Board questioning and discussion continued.

Supervisor Hall suggested limiting short-term rentals, without eliminating them. Mr. Foss suggested this could be provided as an incentive.

Supervisor Anderson asked to what extent agencies and businesses that have excess land can use it to create housing on their property to ensure their workforce has adequate housing? Mr. Foss noted that ski resorts provide this, which could be used as a model.

Chairman Weston provided an opportunity for public comment.

The following members of the public provided comments: Mr. Rod Mildare, District I resident; Ms. Shannon Miller, District II resident, Mr. Mel Marshall, District IV resident; Ms. Mary Jane Huenergardt, District II resident; and Mr. Tom Keller, Nevada County resident; Mr. Mike Berlin, District I resident; Mr. Ralph Remick, District I resident; and Mr. Matthew Coulter, District I resident.

Mr. Gus Becerra, Executive Director, Regional Housing Authority of Sutter and Nevada Counties, reported that other jurisdictions do use waivers and referrals regarding fees. However this is not done for special districts, although they have been able to negotiate discounted fees and some fee waivers in certain cases.

Ms. Barbara Bashall, Executive Director, Nevada County Contractors Association, believed housing to be a critical issue throughout the County. She reported that a couple hundred units will be built in Grass Valley within the next couple of years. She conceded that this is a bit more difficult in the unincorporated areas due to the need for infrastructure. Ms. Bashall believes that ADUs are a great housing opportunity to provide affordable housing. She wanted the Board to be careful about adding additional deed restrictions as they often deter people from building an ADU unit.

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

Board questioning ensued.

Ms. Alison Lehman responded that the issue could come back to the Board's January Workshop. Chairman Weston asked the Board members to provide direction to staff.

Supervisor Miller would like to see information regarding the following:

- Remove owner-occupancy with a condition of property manager.
- Option for property owner to receive incentives for low-income.
- Remove the owner occupancy requirement and allow ADUs in R1.

Supervisor Weston would like to see information regarding the following:

- Possible increase in R2s.
- Focus on long term housing in new ADU codes, not short-term rentals.

Supervisor Hall would like to see information regarding the following:

- Serious incentives for low-income housing.
- How to make more low-income housing available.
- Did not want to restrict short-term rentals completely.
- Wants to know more about Title 25 and septic systems.

Supervisor Anderson would like to see information regarding the following:

- Creation of ADUs for lower-income rather than market-rate housing.
- He also wanted housing for those in the middle.
- Incentives to ensure affordability.

Supervisor Scofield would like to see information regarding the following:

- Fee deferral as opposed to fee waivers or reductions.
- Look at CDBG grants for larger projects.
- Residential spaces within existing businesses.

Board discussion ensued.

Ms. Alison Lehman, Assistant County Executive Officer, agreed to agendize the topic on the Board's Workshop agenda, with a report from staff and Board discussion.

ACTION TAKEN: Action to close BO17-12 not taken. Staff directed to return with recommendations based on Board direction at the January Board Workshop.

ADJOURNMENT:

ACTION TAKEN: Chairman Weston adjourned the meeting at 4:03 P.M.

Signature and Attestation

Hank Weston, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board