

# STATE OF CALIFORNIA, COUNTY OF NEVADA BOARD OF SUPERVISORS MINUTES, JANUARY 28, 2015

Workshop held at Fire Station 2, 213 Sierra College Drive, Grass Valley, CA

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## SPECIAL MEETING: 8:30 A.M.

**WORKSHOP:** No formal action will be taken by the Board of Supervisors; only direction to staff. Any action items will be agendaized for a regular meeting of the Board of Supervisors.

## STANDING ORDERS:

Chairman Scofield called the meeting to order at 8:30 a.m.

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

Pledge of Allegiance led by Chairman Scofield.

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Ms. Alison Lehman, Assistant County Executive Officer, distributed tickets for tomorrow's Economic Summit event.

Richard A. Haffey, County Executive Officer

I. Review of discussion from the January 27, 2015 Workshop and any carry over items.

Ms. Lori Burkart Frank, Facilitator, reviewed the schedule.

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II. Economic Development.

- Business License

Mr. Richard Haffey, County Executive Officer, said he is bringing this item forward in light of the discovery last year of a large "underground" wedding industry. A business fee or license might be helpful in identifying sectors of the economy and in taking the pulse of how our economy is doing. Ms. Alison Barratt-Green, County Counsel, added that it could be helpful in educating business owners on zoning and other requirements before they expend financial resources.

Mr. Brian Foss, Planning Director, presented a PowerPoint presentation, starting with a brief summary of how many other California counties have a business license fee. He reviewed how Home Occupation permits and business licenses are used in other counties. Nevada County has a Home Occupation permit process, which is a one-time fee, not annual. Nevada County also has a Tenant Improvement Permit, also a one-time fee, which is used when a tenant in a business or industrial park changes, to ensure the new use is consistent with the original approved use.

Discussion ensued on how a business license would work, fee collection, and comparisons with the Use Permit process and other existing permits required by the County. Chairman Scofield suggested bringing this to a public meeting for further discussion. Ms. Alison Lehman, Assistant County Executive Officer, will put this on the priority list to vote on later in the day.

- Infrastructure fund

Mr. Richard Haffey, County Executive Officer, reviewed the history and purpose of the Infrastructure Fund. Nevada County receives approximately \$250,000 per year in Transient Occupancy Tax (TOT). For the last three years, \$125,000 per year has gone to the Economic Resource Council (ERC) and the balance is set aside in the Infrastructure Fund. The purpose of this fund is so that sometime in the future, if there is a business opportunity in the County that could provide significant benefit for economic development, the County could tap the infrastructure fund for one-time capital improvement (infrastructure) such as a road, pipeline, fiber optic, etc. It could not be used for studies. He noted that all of County TOT goes toward Economic Development.

Although this fund is currently close to \$400,000, Mr. Haffey advised that this amount of money would not go far in building a road or pipeline and that they are looking to build the fund to over \$1 million before making it available for a project. He suggested establishing a clear definition of the intent and purpose of the infrastructure fund prior to giving any money away. Mr. Martin Polt, Deputy County Executive Officer/Chief Fiscal Officer, will be putting the definition together in the budget process. Mr. Haffey added that as our Economic Development partner, the Nevada County Economic Resource Council (ERC) would be an appropriate body to recommend a project for the monies.

- ERC Contract

Chairman Scofield stated that he asked for the Nevada County Economic Resource Council (ERC) contract to be placed on the agenda. He reviewed a brief history of the County's relationship with ERC and noted that Mr. Jon Gregory, Executive Director, has done an incredible job. Their three-year contract is coming to end, and he would like to look at options from here.

Mr. Haffey referred to the memo he prepared for this item which is in the Board's binders. In a brief statement, he recommended that the County continue a long-term relationship with ERC and direct staff to prepare a 5-year contract, at \$125,000 a year to include tourism and the website. Staff would come back in June with the new contract for Board approval. He added that a five year contract would give them stability.

He presented two other options which he did not recommend: (1) break up the funding and distribute to various entities, as before (using the "budget dust" metaphor); or (2) bring the Economic Development function in-house which could cost taxpayers upwards of \$300,000. The Board agreed not to pursue either option.

Board discussion ensued.

Supervisor Weston would like to see a cost of living put into the contract. He does not want them to eliminate the tourism function. Supervisor Beason added that he wants to keep the website [[www.GoNevadaCounty.com](http://www.GoNevadaCounty.com)].

Mr. Haffey noted that a Consumer Price Index (CPI) based on inflation can be put in the contract. We can make sure tourism is incorporated in the contract, and during contract negotiations ERC can propose how they would allocate the funds between tourism, economic development and the website. They would also have more flexibility with regard to the specific line items in the contract. Staff will bring back the contract in June with other contracts at public hearing.

Ms. Alison Lehman, Assistant County Executive Officer, summarized that staff will draw up a contract for the Budget Subcommittee to look at and have it to come to the Board in June. Mr. Haffey added they will incorporate \$125,000 a year, the CPI increase, tourism incorporated into it, evaluation on a quarterly basis, and flexibility. Supervisor Anderson recommended we bring that initial \$125,000 up to \$130,000, which would provide a rough CPI adjustment for the previous years. The base amount for the five-year contract would thus be \$130,000, with the CPI added each year thereafter. Mr. Haffey concurred. Chairman Scofield said it will be discussed in Budget Subcommittee.

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Following a short recess, Chairman Scofield called the meeting to order.

Mr. Steve DeCamp, Community Development Agency Director, introduced the new Agricultural Commissioner, Ms. Chris Flores.

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### III. Community Development Agency Program.

- Emigrant Trail - next steps, funding

Mr. Brian Foss, Planning Director, gave a PowerPoint presentation on the history of the Emigrant Trail and the next steps. In 2013 the Board directed staff to begin steps to develop the trail (mapping, survey, collect data). In August 2014 the Board extended closure of the easements for two more years while staff worked with homeowners and sought a Memorandum of Understanding (MOU) with the Bear Yuba Land Trust to develop the trail.

Mr. Foss reviewed cost assumptions associated with developing the trail. He had hoped to get surveyor work done by Bear Yuba Land Trust, but it has not been successful. The County's initial exposure would be approximately \$30,000 just to begin the process of Phase 1.

Board discussion ensued.

Mr. Foss noted that in 2011/12, Planning staff presented eight options including abandoning the trail, swapping or buying it out, and looking at NID property as a swap, and at that time NID was not interested.

Mr. Richard Haffey, County Executive Officer, proposed we refer this matter to the Budget Subcommittee and find the money for the initial survey going through the budget process. The Board concurred.

- Sphere of Influence

Supervisor Beason introduced this item. He said that certain projects in City or Town spheres have difficulty progressing. Certain spheres have existed a long time but annexation has not occurred. The Housing Rezone Project is a perfect example where we may have been able to utilize some of that area for the rezone but under the current Spheres and current General Plan we are unable to. He asked for clarification on how we proceed if someone comes to us with an application and we send it to the cities, and if nothing is done, does it come back to the County?

Mr. Steven DeCamp, Community Development Agency Director, agreed that the County pays deference to incorporated communities within their spheres of influence. It is our policy to avoid conflict between cities and the County. Most Local Agency Formation Commissions (LAFCo) set a limit of five years. He suggested asking LAFCo to amend sphere policies or move in some other direction. In most situations, the capacity for sewage is the question, in moving the sewage to the project. The Board members briefly discussed some of the problems and how to proceed. Ms. Alison Barratt-Green, County Counsel, concurred the County has a very deferential sphere policy.

Mr. Brian Foss, Planning Director presented some slides with excerpts from the General Plan Sphere of Influence policy and proposed text amendments. Mr. DeCamp suggested writing to LAFCo and request they examine their sphere policy. After some discussion, Mr. Richard Haffey, County Executive Officer, said that staff will prepare a letter for the Chair's signature asking LAFCo to review the current spheres, noting that the County's overarching goal is to coordinate with cities and town.

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#### IV. PACE Update

Ms. Tina Vernon, Treasurer-Tax Collector, stated that there have been many changes in the PACE program from last year. She noted that she would like direction from the Board on which matrix model the Board would like her to pursue so she can move forward and adopt a program for Nevada County residents to take advantage of these types of projects.

Ms. Vernon presented a PowerPoint presentation on Property Assessed Clean Energy (PACE) and reviewed the different PACE models, noting that most people believe mPower is best model to work with. She suggested adopting both the commercial and residential program.

She said that RCRC is opting into the PACE program (through Ygrene) and will be asking Nevada County to join with them. However, she would like to see investments locally, which would be with mPower. Ms. Vernon requested direction from the Board to go forward with a program. Once she has direction, she will start working on it and bring agreements to the Board by the spring.

A Board member asked about cost to the County. Ms. Vernon noted there are no overhead costs to the County with the mPower Program but it would involve a small amount of staff time by the Auditor-Controller's office.

Following Board questioning and discussion, Mr. Richard Haffey, County Executive Officer, said he will meet with the Auditor-Controller and Treasurer-Tax Collector to work out the details and bring back to the Board.

11:50a.m. Break for lunch, 30 minutes.

#### V. Health and Human Service Safety-Net Programs.

Mr. Michael Heggarty, Interim Director of the Health and Human Services Agency, presented a PowerPoint presentation on housing services and support in Nevada County. He began by noting that the Supervisors and staff are often asked why the County doesn't do more to help the homeless in Nevada County. He felt this presentation will illustrate that in fact, we are spending millions of dollars helping tens of thousands of people either avoid being homeless or helping those who are find emergency, transitional and permanent housing.

Mr. Richard Haffey, County Executive Officer, indicated we are a low-crime, low-welfare county compared to other counties, but he did not know if it was because of our programs or because of our demographics. We need to work on getting the word out better.

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#### VI. Capital Facility Project Updates

- County Solar Project

Handouts were distributed. Mr. Tom Coburn, Facilities Program Manager, suggested this might be a good time to pursue a solar program in the County. The goal is to reduce energy costs and greenhouse gas emissions, and work on some deferred maintenance projects and improvements. The biggest ticket besides deferred maintenance is parking lots. He showed four slides illustrating where solar panels would be installed at the Lake of the Pines wastewater treatment plant, the "Ranch" property at 16782 Highway 49, the Wayne Brown Correctional Facility (WBCF) and Eric Rood Administrative Center (ERAC) parking lots, and at the Veterans Memorial Hall in Grass Valley.

Results from a survey and assessment with Chevron Energy showed that 2.5 megawatts of solar on various county sites came out with a positive cash flow.

A proposal and cost audit will be run through the Capital Facilities Committee. If it looks worth pursuing, staff would come to the Board probably in the early summer.

- Corporation Yard Update

Mr. Coburn presented a brief update on the Bear River Transportation Center (Corp. Yard). This is working its way through the planning and approval process.

- GV Veterans Memorial Building/YMCA

Ms. Mary Ross, Nevada County Purchasing Agent, noted that there has been talk of an effort by the YMCA and others for a community/recreation center. She and Mr. Coburn have reached out to the YMCA and given them a tour of the Veterans Memorial Building and overview of their services.

They will continue to talk to YMCA informally and if there is anything to bring to the Board in the future, they will do so.

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Supervisor Beason noted that he had a meeting with Mr. Lee Ocker, Airport Manager, a couple of weeks ago, and Mr. Ocker is looking at putting a restaurant at the airport. Lee has done research, and if the building is renovated, the Federal Aviation Administration (FAA) will pay for about 90 percent and Caltrans will pay for the other portion. The County's cost would be about \$40,000.

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## VII. Library Tax Measure C

Ms. Laura Pappani, County Librarian, presented an update on library services through a PowerPoint presentation. She noted that Measure C, the 1/8-cent sales tax for Library funding, will be expiring in 2018. An Ad Hoc Committee has been formed and is meeting to talk about a ballot initiative to move libraries forward. The ballot initiative is targeted for 2016. She believes it is important to get the word out on the services the Library provides to the public.

Supervisor Beason added that he is working with this Committee. If we don't renew Measure C and Library services are not continued, it would cost a lot to keep services going. He is concerned about this ballot being loaded up with a lot of propositions and measures that may turn off the voters. Another challenge is that people may feel they do not need a library with iPads and smart phones. Libraries are changing to accommodate these new technologies and still provide many needed services to the public. Supervisor Weston suggested adding a Consumer Price Index (CPI) increase, and making the tax permanent. There was also discussion about increasing it to 1/4-cent.

The Board expressed its support for continuing Measure C.

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## VIII. Board Announcements/Comments.

Mr. Lori Burkart Frank, Facilitator, stated that this is the time for open discussion--topics that a member of the Board would like to discuss that were not on the agenda, or anything that has not been discussed that should go onto the priority list.

Supervisor Miller expressed that he sees opportunities for county/cities/town collaboration. He said the relationship and discussions with Grass Valley have been very well received by city staff and electeds as a whole.

Supervisor Weston would like to discuss a contract for the Fire Protection Planner in the County. This is a good opportunity to contract with the City of Grass Valley. They could use contract money to hire an inspector. In an appeal, the Grass Valley Fire Chief would handle the appeal process. Since we are already doing building inspections and issuing permits, it would be a natural fit. Mr. Richard Haffey, County Executive Officer, said this is a good idea and he will talk with Mr. Bob Richardson, Grass Valley City Manager, to see what kind of service they could provide. After some discussion, the Board agreed that Mr. Haffey will have the conversation with the City.

Supervisor Weston added that the Board will need to meet the new CalFire Unit Chief and give CalFire notice if necessary. He suggested the new Unit Chief, George Morris III, be introduced to the Board at the February 24 Board meeting. The Board can then decide if they want to appoint him as the next Fire Marshal. A resolution for the appointment would have to come back to the Board. The Board concurred.

Supervisor Weston suggested looking into municipal advisory commissions (MAC) appointed by the Board, to see how they work when there is an issue to get the community leaders there. Mr. Haffey expressed concerns that MACs are usually in bigger counties, require Brown Act compliance and require staff support. This is costly and means another layer of government. He did not believe we have resources to attend MACs. He suggested that an Ad Hoc Advisory Committee could serve the same purpose and would only be used as needed.

Supervisor Scofield expressed a desire for a similar committee in the South County. Mr. Brian Foss, Planning Director, will meet with the two Supervisors to discuss their needs and guidelines.

Supervisor Beason asked if the Board should put some conditions on the Proposition 172 funds allocated to the fire districts for fuel treatment inspections. After some discussion, it was agreed that the Board Analyst, Ms. Eve Diamond, will draft a letter for the Chairman's signature at the end of Budget Subcommittee cycle when the Proposition 172 allocations are determined.

Chairman Scofield added this is not an A-B-C priority but he wants to ensure transparency of the labor negotiation process going forward.

#### IX. Review and Finalize 2015 BOS Priorities.

Ms. Alison Lehman, Assistance County Executive Officer, distributed the priorities that were voted on yesterday, with the new priorities added that were discussed over the last two days.

The results of the voting process were as follows:

##### Priority A

- Maintain the County's financial stability and core services in light of economic conditions.
- Review the County's existing set of fire-related policies and programs to identify those that have been implemented and those that remain to be implemented. Prioritize the implementation of existing County policies and programs to reduce the risk of wildfire and the effects of wildfire on life, property and the environment.
- Assist water agencies as requested during this drought as appropriate.

##### Priority B

- Work with our legislative advocates to introduce flexibility with rural counties in the affordable housing element policy.
- Support and advocate for services that promote the well-being and self-sufficiency of individuals and families.
- Explore a partnership with Placer County to implement the mPOWER Property Assessed Clean Energy PACE program in Nevada County.
- Support job-enhancing economic development efforts where appropriate.

- Support efforts to enhance and improve emergency department psychiatric services for mentally ill patients, their families, hospital staff, and law enforcement.
- Re-evaluate the County's sphere policies.

Priority C

- Increase public awareness and civic engagement through educational information programs.
- Evaluate the options and feasibility of establishing a Business License process in the County.

X. Final Recap.

Ms. Lori Burkart Frank, Facilitator, recapped the meeting and asked the Board to submit the mini-evaluation.

Board members commented on how the meeting went.

**ADJOURNMENT:** Chairman Scofield adjourned the meeting at 2:55 p.m.

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Edward C. Scofield, Chairman

ATTEST:

By: Eve Diamond, Administrative Analyst II