

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

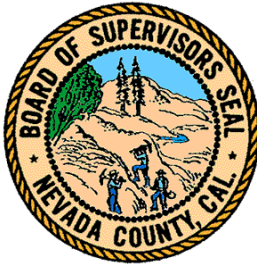
Nate Beason, 1st District

Ed Scofield, 2nd District (Chair)

Dan Miller, 3rd District (Vice-Chair)

Wm. "Hank" Weston, 4th District

Richard Anderson, 5th District



## BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board

Richard A. Haffey, County Executive Officer

Alison Barratt-Green, County Counsel

## AGENDA

Date	Time	Location
Tuesday, October 13, 2015	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

This meeting is broadcast live on NCTV Channel 17 in the Western County and on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County and can be viewed live through the web at [http://nevco.granicus.com/ViewPublisher.php?view\\_id=3](http://nevco.granicus.com/ViewPublisher.php?view_id=3).

Video Conferencing at 9:01 a.m. for Public Comment located at the  
District V Board of Supervisors Conference Room  
Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California

*The Board of Supervisors welcomes you to its regular meetings that are scheduled the second and fourth Tuesdays of every month. Your interest is encouraged and appreciated.*

*ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please approach the rostrum and, after receiving recognition from the Chair, give your name and comments or questions as all meetings are recorded. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. Time limitations are explained on the last page of the agenda.*

*The meeting room is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.*

*The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at <http://www.mynevadacounty.com/nc/bos/cob>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents.*

*Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.*

**REGULAR MEETING: 9:00 AM****STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

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

*Members of the public shall be allowed to address the board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board.*

*(Video-Conferencing for the public comment portion of the meeting is also available in Truckee at the District V Board of Supervisors Conference Room, east (left) side of the Sheriff's Substation at 10879A Donner Pass Road.)*

**SCHEDULED ITEM: 9:02 A.M.**

1. [SR 15-0892](#) Resolution proclaiming the month of October 2015 as "United Way of Nevada County Campaign Kick-off Month" in Nevada County. (Ms. Megan Timpany, Executive Director, United Way of Nevada County, and Ms. Darlene King, Chief Fiscal/Administrative Officer, Health and Human Services Agency and United Way Board Member.)

**CONSENT CALENDAR:**

*These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member, staff member or interested party may request that an item be removed from the consent calendar for discussion.*

Health and Human Services Agency Director: Michael Heggarty

2. [SR 15-0884](#) Resolution confirming the appointment of Ms. Rebecca Slade, MFT as the Acting Director of the Nevada County Behavioral Health Department, effective as of October 27, 2014.

Interim Behavioral Health Director: Rebecca Slade

3. [SR 15-0880](#) Resolution authorizing execution of a renewal contract with St. Helena Hospital for the provision of psychiatric inpatient hospital services for clients as referred by Nevada County Behavioral Health Department, in the maximum amount of \$55,000, for the period July 1, 2015 through June 30, 2016.

4. [SR 15-0866](#) Resolution authorizing execution of contract with Sierra Mental Wellness Group for the provision of management and oversight of the Crisis Response Team (CRT) and Crisis Stabilization Unit (CSU), in the maximum amount of \$646,434, for the period July 1, 2015 through June 30, 2016.

Interim Public Health Director: Jill Blake

5. [SR 15-0895](#) Resolution authorizing execution of a renewal contract with Elizabeth Matson, dba Matson Research for the provision of Evaluation Consultation Services related to Nevada County Public Health Department's Nutrition Education and Obesity Prevention (NEOP) Program and Alcohol or Other Drugs (AOD) and Tobacco Prevention Programs, in the maximum amount of \$29,200, for the period October 1, 2015 through September 30, 2016.
6. [SR 15-0881](#) Resolution authorizing execution of a renewal contract with Wendy Van Wagner, dba In the Kitchen for the provision of Nutrition Education Consultant Services for the Nevada County Nutrition Education and Obesity (NEOP) Program, in the maximum amount of \$31,000, for the period October 1, 2015 through September 30, 2016.
7. [SR 15-0867](#) Resolution authorizing execution of a renewal contract with Shaun K. Havard for the provision of Health Education Community Liaison Consultant Services for the Nevada County Nutrition Education and Obesity Prevention (NEOP) Program, in the maximum amount of \$34,000, for the period October 1, 2015 through September 30, 2016.

Director of Social Services: Mike Dent

8. [SR 15-0886](#) Resolution authorizing execution of a renewal contract with RecordXpress of California, LLC, dba Access Information Management for the provision of cataloguing and storage of inactive, closed and archival records for the Nevada County Health and Human Services Agency, in the maximum amount of \$50,000, for the period July 1, 2015 through June 30, 2017.

Sheriff-Coroner/Public Administrator: Keith Royal

9. [SR 15-0894](#) Resolution authorizing execution of a renewal contract with Nevada Joint Union High School District to provide General Education Development (GED) and Adult Secondary Education Programs for the inmates housed at the Wayne Brown Correctional Facility, in an amount not to exceed \$30,000, for the period July 1, 2015 through June 30, 2016.

10. [SR 15-0883](#) Resolution accepting Grant Agreement C15L0610 from the California Department of Boating and Waterways for the purchase of boating equipment (Res. 15-101), in the maximum amount of \$13,500, authorizing Edward C. Scofield, Chair of the Nevada County Board of Supervisors, as signatory of the Grant, and directing the Auditor-Controller to amend the Sheriff's Office Fiscal Year 2015/16 budget. (4/5 affirmative vote required.)
11. [SR 15-0893](#) Resolution authorizing execution of an Agreement with Teleosoft, Inc. for licensed software, services, and maintenance of a web-based system for processing, tracking, accounting, and noticing of civil service process conducted by Sheriff's Office personnel, and authorizing the purchase of a software suite known as CountySuite:Sheriff as a capital asset.

District Attorney: Clifford Newell

12. [SR 15-0910](#) Resolution proclaiming the month of October 2015 as "Domestic Violence Awareness Month" in Nevada County, and urging all citizens to join in a coordinated community effort to put an end to domestic violence. (Domestic Violence and Sexual Assault Coalition (DVSAC))
13. [SR 15-0882](#) Resolution accepting Automobile Insurance Fraud Program Grant funds in the amount of \$31,099 from the California Department of Insurance for investigation and prosecution of automobile insurance fraud and economic car theft cases, for use during the period July 1, 2015 through June 30, 2016, authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing these grant funds, and directing the Auditor-Controller to amend the Fiscal Year 2015/16 budget. (4/5 affirmative vote required.)

Director of Public Works: Steven Castleberry

14. [SR 15-0889](#) Resolution approving and authorizing execution of a Reimbursement Agreement with the Nevada County Transportation Commission (NCTC) for Regional Transportation Mitigation Fees (RTMF) funding in the amount of \$488,790 for the Brunswick at Loma Rica Intersection Improvement Project. (Dists. I and III) (Transit Services)

15. [SR 15-0890](#) Resolution approving the Fiscal Year 2014/15 Proposition 1B (Prop 1B), Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) application for a capital project to improve Gold Country Stage bus stops, in the amount of \$127,986, returning to the Board of Supervisors for acceptance upon approval of the grant, and authorizing the Chair of the Board of Supervisors to appoint the Director of Public Works and the Transit Services Manager to execute the application(s) and other financial and special reporting documents on behalf of the County of Nevada. (Transit Services)
16. [SR 15-0891](#) Resolution approving the Fiscal Year 2014/15, Proposition 1B (Prop 1B), Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) application for a capital project to replace two Gold Country Stage transit vehicle buses and one accessible transit van in the amount of \$400,000, returning to the Board of Supervisors for acceptance upon approval of the grant, and authorizing the Chair of the Board of Supervisors to appoint the Director of Public Works and the Transit Services Manager to execute the application(s) and other financial and special reporting documents on behalf of the County of Nevada. (Transit Services).

Chief Information Officer: Stephen Monaghan

17. [SR 15-0906](#) Resolution authorizing execution of contract with Aramark Uniform Services to provide for rental and laundering services of uniforms, mats and towels for various County Departments, and authorizing the Nevada County Purchasing Agent to administer the contract, including authorizing modifications to the scope of services, up to a total contract amount not to exceed \$50,000, for the period October 1, 2015 through September 30, 2017. (Purchasing)
18. [SR 15-0907](#) Resolution awarding bid and authorizing execution of contract with Jacobs Custom Homes, Inc. for the Eric Rood Administrative Center (ERAC) Elections, Recorder and Auditor Remodel Project located at 950 Maidu Avenue, Nevada City (Res. 15-435), in the amount of \$289,726 plus a contingency of \$28,973 for a total contract amount of \$318,699, and directing the Auditor-Controller to amend the Fiscal Year 2015/16 Capital Facilities budget. (4/5 affirmative vote required.) (Facilities)
19. [SR 15-0903](#) Resolution authorizing the replacement of capital asset 27170, a Tegile Zebi Storage Area Network with a Tegile T3200 model valued at \$201,776, at no cost to the County, authorizing the purchase of a capital asset, a Tegile T1300 Storage Area Network in the amount of \$75,000, and directing the Auditor-Controller to amend the Fiscal Year 2015/16 Information Systems budget. (4/5 Affirmative vote required.) (Information Systems)

Clerk of the Board: Julie Patterson Hunter

20. [SR 15-0855](#) Resolution proclaiming October 18, 2015 as the "20th Annual Truckee River Day" in Nevada County, and congratulating the committed citizens who join with the Truckee River Watershed Council on this day to protect and restore our beloved river and its tributaries. (Truckee River Watershed Council)  
**Sponsors:** Richard Anderson, District 5
21. [SR 15-0900](#) Acknowledge Supervisor Scofield's appointment of Mr. Andrew Pawlowski as District II representative to the Building and Accessibilities Standards Board of Appeals, for an unexpired four-year term ending July 1, 2018.
22. [SR 15-0896](#) Acceptance of Board of Supervisors summary minutes for September 22, 2015.

**DEPARTMENT HEAD MATTERS:****Agricultural Commissioner: Chris Flores**

23. [SR 15-0902](#) Acceptance of the Nevada County 2014 Annual Crop and Livestock Report.

**Director of Public Works: Steven Castleberry**

24. [SR 15-0885](#) (Introduce/Waive Further Reading) Ordinance adding Subsection 201 to Section G-IV 3.A.3 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to speed limits on Wheeler Acres Road. (Twenty-five miles per hour Prima Facie Speed Limit established on the entire length of Wheeler Acres Road.) (Dist. II)

**Clerk of the Board: Julie Patterson Hunter**

25. [SR 15-0915](#) Resolution making findings, accepting the appeal filed by Mr. Leroy Bakelmun, et al. from the decision of the Nevada County Planning Commission approving a Use Permit (U14-009), Management Plan (MGT14-015), and adoption of the Mitigated Negative Declaration (EIS14-012) for Newmont USA Limited pertaining to mining operations on property located at 12509 Allison Ranch Road, Grass Valley, and scheduling a public hearing for November 10, 2015 at 1:30 pm. (Dist. III)

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

Call the meeting to order:

**Consent:**

*These items are expected to be routine and noncontroversial. The Board of Directors of the Nevada County Sanitation District No. 1 will act upon them at one time without discussion. Any Board member, staff member, or interested party may request that an item be removed from the consent calendar for discussion.*

- 26a.** [SR 15-0872](#) Resolution authorizing the purchase of a replacement standby generator (Kohler 20 RESA Generator) for Nevada County Sanitation District No. 1, Zone 8 - Cascade Shores. (Dist. I) (Sanitation)
- 26b.** [SR 15-0825](#) Resolution authorizing execution of a Purchase Agreement for the purchase of approximately 10,949 square feet of exclusive easement and approximately 5,587 square feet of permanent access easement, located at 10513 Spenceville Road, Penn Valley, Assessor's Parcel Number (APN) 51-160-26, from the Penn Valley Fire Protection District for the Penn Valley Pipeline Project, in the amount of \$15,900, and authorizing the Director of the Department of Public Works to execute any and all additional documents required to consummate this real property transaction. (Dist. IV)
- 26c.** [SR 15-0869](#) Acceptance of Nevada County Sanitation District No. 1 minutes for September 8, 2015. (Clerk of the Board)

**Public comment:**

*(Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board.)*

**Adjournment:****SCHEDULED ITEM: 10:00 A.M. Keith Royal, Sheriff-Coroner/Public Administrator**

- 27.** [SR 15-0828](#) Public hearing to establish a revised Fee Schedule to replace the current Fee Schedule for the Animal Control Program to reflect changes in the cost to provide rabies testing, boarding, owner turn in, and adoptions.

Resolution adopting a revised Fee Schedule for the Nevada County Animal Control Program per Nevada County General Code Section IV 1.22, effective January 1, 2016, and rescinding Resolutions 05-279 and 14-347.



**SCHEDULED ITEM: 10:30 A.M. Steven Castleberry, Director of Public Works**

28. [SR 15-0887](#) Public hearing continued from the September 8, 2015 Board of Supervisors meeting regarding approval of Amendment No. 2 to the contract between County of Nevada and USA Waste of California, Inc., dba Waste Management for disposal of solid waste and operation of Transfer Station for Western Nevada County.

Resolution approving and authorizing execution of Amendment 2 to contract with USA Waste of California, Inc., dba Waste Management for collection, transport, processing and disposal of solid waste, recyclables, green waste, construction and demolition debris, and household hazardous waste, and operation of Transfer Station for Western Nevada County.

**SCHEDULED ITEM: 11:00 A.M.**

29. [SR 15-0916](#) Nevada County 4-H All Stars 2015 Annual Activities Report. (Ms. Cindy McIntosh and Ms. Jane Dettner, 4H All Stars Advisors)

**\*CLOSED SESSIONS:**

[SR 15-0918](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Erickson, et al. v. County of Nevada.  
(Nevada County Superior Court, Case No. CU13-079389)

[SR 15-0917](#) Pursuant to Government Code Section 54957, a closed session is requested for consultation with the Sheriff, or his designee, and Steven Monaghan, Chief Information Officer, concerning matters posing a threat to the security of public buildings.

**\*ANNOUNCEMENTS:**

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



**ADJOURNMENT:**

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

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

Posted October 8, 2015.

Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Joseph Center, Truckee Library and the Grass Valley Library.

**PERSONS DESIRING TO ADDRESS THE BOARD****CONTROL OF MEETING:**

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

**PUBLIC COMMENT:**

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda during the time the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item to no less than 3 minutes for each individual. Comments by the public must be relevant to the item on the agenda being considered by the Board.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items.

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

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

**PUBLIC HEARINGS:**

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board may limit any person's input to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed, and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and to reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. After the public hearing is closed, if the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

**ORDER AND DECORUM:**

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium after giving name and city of residence. Speakers shall direct their comments to the Board, not the audience; 2) Comment on the specific matter before the Board with reasons for the position taken; 3) A time limit of at least three minutes per speaker will be provided for all oral comments. Time limits may be increased at the Chair of the Board's discretion; 4) The chair may, at his or her discretion allow five (5) minutes for those who are serving as a spokesperson for a group or organization; 5) A speaker may not yield time to another speaker; 6) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information; 7) In the interest of civil discourse, the same rules specified in the Board Order and Decorum (adopted every year by Resolution) and Robert's Rules of Order (General Henry M. Robert) shall apply for this section as well, and are hereby incorporated by reference. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack; and 8) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be increased at the Chair of the Board's discretion.

**ORDINANCES:**

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

An urgency ordinance may be passed immediately upon introduction.

Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.

Adoption of the ordinance is made by majority vote.

The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

**INFORMATIONAL CORRESPONDENCE:**

The Board may direct any item of informational correspondence to a department head for appropriate action.

**REFERENCES:**

Nevada County Resolution 13-050 (Public comment)

Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)

Nevada County Land Use Code Sec. L-II 5.12 (Appeals)