

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

Heidi Hall, 1st District (Vice-Chair)  
Ed Scofield, 2nd District  
Dan Miller, 3rd District  
Susan Hoek, 4th District  
Richard Anderson, 5th District (Chair)

\*\*\*\*\*

Julie Patterson Hunter, Clerk of the Board  
Alison Lehman, County Executive Officer  
Alison Barratt-Green, County Counsel



## BOARD OF SUPERVISORS

950 Maidu Avenue  
Nevada City, CA 95959-8617  
(530) 265-1480  
Fax: (530) 265-9836  
bdofsupervisors@co.nevada.ca.us

## AGENDA

Date	Time	Location
Tuesday, February 12, 2019	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 <https://nevco.legistar.com/Calendar.aspx>

**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.)*

**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.*

**Behavioral Health Director: Phebe Bell**

1.     [SR 19-0134](#)     Resolution approving Amendment A01 to Standard Agreement 17-94081 between the County and the Department of Health Care Services for the purpose of identifying and providing Drug Medi-Cal Organized Delivery System services for substance use disorder treatment in Nevada County (Res. 18-202), modifying the terms and conditions, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
  
2.     [SR 19-0144](#)     Resolution approving the renewal Continuum of Care Program Grant Agreement CA1262L9T151703 between the County of Nevada and the U.S. Department of Housing and Urban Development (HUD), pertaining to awarding the County's Behavioral Health Department funds in the amount of \$24,950 to help program participants obtain and remain in permanent housing, with the Agreement commencing as of the date of execution by HUD, for the performance period June 1, 2018 through May 31, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

3. [SR 19-0139](#) Resolution accepting grant funding from the Federal Substance Abuse and Mental Health Services Administration in the amount of \$400,000 for the provision of services for homeless individuals in Nevada County with substance use disorders or co-occurring disorders, for the period November 30, 2018 through November 29, 2019, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Behavioral Health budget. (4/5 affirmative vote required)

Public Health Director: Jill Blake

4. [SR 19-0140](#) Resolution authorizing the Nevada County Public Health Director to sign and submit the Department of Health Care Services' Family PACT Provider Application to the State of California Health and Human Services Agency, for Nevada County to participate in the Family Planning, Access, Care and Treatment (PACT) Program.

Director of Social Services: Tex Ritter

5. [SR 19-0141](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Sierra Nevada Children's Services for services related to administration of the Emergency Child Care Bridge Program for Foster Children (Res. 18-151), increasing the maximum contract amount to \$137,549, for the period April 1, 2018 through June 30, 2019, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Department of Social Services budget. (4/5 affirmative vote required)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

6. [SR 19-0105](#) Resolution approving Amendment 3 to the Warranty, Support and License Agreement between the County of Nevada and HART InterCivic, Inc. pertaining to the Clerk-Recorder/Registrar of Voters voting system (Res. 07-247), increasing the total amount of the Agreement by \$43,135.50, extending the term of the Agreement to June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
7. [SR 19-0101](#) Resolution accepting the State of California, Secretary of State's grant award known as "HAVA" (Help America Vote Act) administered by the U.S. Elections Administration Commission, for the improvement of Nevada County's efforts to address cyber security and infrastructure related to VoteCal, in the amount of \$25,000, for the period January 2, 2019 through June 30, 2021, and authorizing the Nevada County Clerk-Recorder/Registrar of Voters to execute Standard Agreement 18G27129.
8. [SR 19-0106](#) Resolution accepting the State of California, Secretary of State's, grant award known as "Voting System Replacement" to reimburse the County of Nevada for voting system replacement activities, in the maximum amount of \$449,500, for the period February 1, 2019 through June 30, 2021, and authorizing the Nevada County Clerk-Recorder/Registrar of Voters to execute Standard Agreement 18G30129.

District Attorney: Clifford Newell

9. [SR 19-0102](#) Resolution approving a Grant Award Agreement between the County of Nevada and the California Department of Insurance, Workers' Compensation Insurance Fraud Program, accepting additional grant funds in the amount of \$2,414, for a total award amount of \$88,579, for use during the period of July 1, 2018 to June 30, 2019, and authorizing the Nevada County District Attorney to execute the Agreement.
10. [SR 19-0107](#) Resolution accepting the California Office of Emergency Services Grant Award VW18320290 for the Nevada County Victim/Witness Assistance Program, with State Victim Witness Assistance funds in the amount of \$24,528 and Federal Victims of Crime Act funds in the amount of \$223,394, for a total amount of \$247,922, for the period of October 1, 2018 to September 30, 2019.

Planning Director: Brian Foss

11. [SR 19-0115](#) Resolution approving an agreement between the County of Nevada and Helix Environmental Planning, Inc. to provide on-call cannabis permit processing and site plan review, in the maximum contract amount of \$75,000, for the period February 12, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (4/5 affirmative vote required)
12. [SR 19-0116](#) Resolution approving an Agreement between the County of Nevada and ICF Jones and Stokes, Inc. to provide on-call cannabis permit processing and site plan review, in the maximum contract amount of \$75,000, for the period February 12, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

13. [SR 19-0112](#) Resolution approving Environmental Clearance for the 2019 Road Rehabilitation Project, and authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office.
14. [SR 19-0072](#) Resolution approving bidding documents for the Combie Road Corridor Improvement Project - County Contract No. 440814, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with the applicable regulations, with the bid opening date to be set by the Director of the Department of Public Works. (Dist. II)
15. [SR 19-0135](#) Resolution of Intent to annex territory (Retherford Road area) into the Darkhorse Permanent Road Division, hold a public hearing on April 9, 2019 at 11:00 a.m. regarding the proposed annexation, and conduct a ballot proceeding to impose a special tax for the purpose of providing road maintenance services. (Dist. II)

Chief Information Officer: Stephen Monaghan

16. [SR 19-0120](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
17. [SR 19-0126](#) Resolution authorizing acceptance of the California Department of Transportation, Division of Aeronautics, Matching Airport Improvement Program grant in the amount of \$6,516, to supplement a Federal Aviation Administration grant for the design of Taxiway A, Ramps 1, 2, and 5, Pavement Preservation and Rehabilitation at the Nevada County Airport, and authorizing the Chair of the Board of Supervisors to execute the grant acceptance documents. (Airport)
18. [SR 19-0119](#) Resolution approving a contract between the County of Nevada and D.G. Granade, Inc., for construction of the Nevada County Operations Center located at 12350 La Barr Meadows Road, Grass Valley, in the amount of \$13,988,000 plus a contingency of \$1,398,800 for a maximum contract amount of \$15,386,800, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Capital Projects budget. (4/5 affirmative vote required) (Facilities)
19. [SR 19-0136](#) Resolution declaring certain County property as surplus and authorizing the Purchasing Agent to sell, or otherwise dispose of, those certain items of surplus personal property listed on Exhibit A as "Assets to be Sold or Recycled." (4/5 affirmative vote required) (Purchasing)

County Librarian: Yolande Wilburn

20. [SR 19-0110](#) Resolution accepting grant funds from the California State Library, in the amount of \$7,100 in Federal Library Services and Technology Act funds for a copycat grant to create a 3D Design Coaching Program, for use during the period January 1, 2019 through September 30, 2019, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required)
21. [SR 19-0111](#) Resolution accepting grant funds from the California State Library, in the amount of \$8,375 in Federal Library Services and Technology Act funds for a copycat grant to create Learning2Go early literacy kits, for use during the period January 1, 2019 through September 30, 2019, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required)
22. [SR 19-0124](#) Resolution authorizing acceptance of an additional California Library Literacy Services award to assist with operational costs of the Library's ReadUp! Literacy Program, in the amount of \$1,998 for use during Fiscal Year 2018/19.
23. [SR 19-0123](#) Resolution authorizing acceptance of the California Library Literacy Services, Family Literacy Award, in the amount of \$35,000, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required)

County Counsel: Alison Barratt-Green

24. [SR 19-0070](#) Resolution approving Amendment 1 to contract PESM3669 between the County of Nevada and Angelo, Kilday & Kilduff for legal services, increasing the maximum contract amount by \$75,000, for a new maximum contract price of \$100,000 to expand the scope of services, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
25. [SR 19-0100](#) Resolution approving a contract between the County of Nevada and Porter Scott, A Professional Corporation, for legal services related to the case entitled Howie vs. Nevada County, California, et al., in the maximum contract amount of \$0, and authorizing the Chair of the Board of Supervisors to execute the contract.

County Executive Officer: Alison Lehman

26. [SR 19-0148](#) Resolution adopting the 2019 Board Objectives and Legislative Priorities for Nevada County as discussed at the Board's January Workshop, and directing the County Executive Officer to use the Objectives and Priorities for the development of the 2019/20 Fiscal Year budget and the management of County operations, programs and services.
27. [SR 19-0150](#) Resolution adopting the 2019/20 Vision, Mission, and Value Statements, and Core Services definition for Nevada County, as discussed at the Board's January Workshop, directing the County Executive Officer to use the County Vision, Mission, and Value Statements for the development of the 2019/20 Fiscal Year budget and the management of County operations, programs and services, and repealing Resolution 18-063.
28. [SR 19-0149](#) Approving the Order and Decorum of Board Business for 2019, as discussed at the Board's January Workshop.
29. [SR 19-0147](#) Approval of the 2019/2020 proposed Budget Schedule and Policies, as discussed at the Board's January Workshop.
30. [SR 19-0152](#) Acceptance of the Countywide Audit for Fiscal Year 2017-2018 prepared by the firm of CliftonLarsonAllen, LLP.
31. [SR 19-0154](#) Request for approval to send a Letter requesting reimbursement from the State for costs to administer the 2019 Special Election for State Senate District 1.

Clerk of the Board: Julie Patterson Hunter

32. [SR 19-0138](#) Resolution appointing Board of Supervisors Successors in a Declared Emergency.
33. [SR 19-0127](#) Acceptance of resignation from Mr. Richard Johansen, Truck Farming Industry representative, from the Agricultural Advisory Commission.
34. [SR 19-0128](#) Acceptance of resignation from Ms. Susan George, from her position as member on the Municipal Advisory Council (Penn Valley).



35. [SR 19-0129](#) Acceptance of resignation from Mr. Alvin Urke, as Contractor representative on the Sewage Disposal Technical Advisory Group.
36. [SR 19-0130](#) Acknowledge Supervisor Susan Hoek's appointment of Mr. Richard Johansen as District IV representative to the Planning Commission, effective January 22, 2019.
37. [SR 19-0151](#) Acceptance of Board of Supervisors Summary Minutes for January 22, 23, and 24, 2019.

**\*DEPARTMENT HEAD MATTERS:**

**Director of Public Works: Trisha Tillotson**

38. [SR 19-0114](#) Review of the County of Nevada Community Development Agency, Department of Public Works, Capital Improvement Plan 2019 Annual Update for Fiscal Years 2018/19 through 2022/23.

**Chief Information Officer: Stephen Monaghan**

39. [SR 19-0132](#) Presentation of the Nevada County Energy Plan Public Review in draft form by the Sierra Business Council (SBC), including goals, strategies, and implementation of the Nevada County Energy Plan. (Mr. Paul Ahrns, Program Director, SBC)

Resolution accepting the Nevada County Energy Action Plan 2019, including support for participation in the Institute for Local Government's Beacon Program to promote energy sustainability and adopt specific implementation measures to achieve the County's Energy Goals.

**\*CLOSED SESSIONS:**

- [SR 19-0125](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation cases:

Howie v. Nevada County, et al., U.S. Dist. Ct., E.D. Cal., Case No.  
2:18-cv-03146-JAM-KJN

County of Nevada v. PG&E Corporation, et al., Nev. Co. Sup. Ct., Case No.  
CU19-083418

[SR 19-0156](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are: Mali Dyck, Assistant County Executive Officer, Steven Rose, Human Resources Director, and Donna Williamson, Labor Attorney. The labor negotiations concern the Deputy Sheriff's Association bargaining unit and the unrepresented Department Head employee group.

**\*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 February 7, 2019.*

*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 when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. 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.

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

**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 Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board 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 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. If, after the public hearing is closed and 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. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) 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. 6) In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. 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. 7) 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 modified at the Chair of the Board's discretion.

**ORDINANCES:**

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) 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.
- 4) Adoption of the ordinance is made by majority vote.
- 5) 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 17-084 (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)