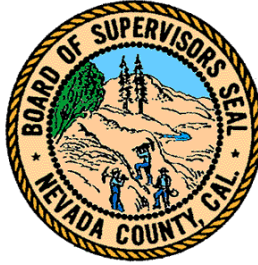


COUNTY OF NEVADA

STATE OF CALIFORNIA

Nate Beason, 1st District
Ed Scofield, 2nd District
Dan Miller, 3rd District (Chair)
Wm. "Hank" Weston, 4th District (Vice-Chair)
Richard Anderson, 5th District



BOARD OF SUPERVISORS

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bdofsupervisors@co.nevada.ca.us

Julie Patterson Hunter, Clerk of the Board
Richard A. Haffey, County Executive Officer
Alison Barratt-Green, County Counsel

AGENDA

Date	Time	Location
Tuesday, October 11, 2016	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.

Video Conferencing at 9:20 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.

SCHEDULED ITEMS: 9:01 A.M.

- 1. [SR 16-0857](#) Resolution proclaiming the month of October 2016 as "United Way of Nevada County Campaign Kick-Off Month" in Nevada County. (Ms. Megan Timpany, Executive Director, United Way of Nevada County)
- 2. [SR 16-0868](#) Certificates of Recognition for Library Card Design Contest 2016 Winners (Ms. Laura Pappani, County Librarian):

Age 10 and Under:	Adam Lee, Lake of the Pines
Age 11 to 17:	Lauren Darzynkiewicz, Truckee
Adult:	Eileen Adele Hale, Grass Valley
Librarian's Choice:	Tyson LaPierre, Grass Valley

PUBLIC COMMENT: 9:20 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.

Public Health Director: Jill Blake

- 3. [SR 16-0856](#) Resolution approving the Participating Provider Agreement and Memoranda of Understanding between the County of Nevada and Anthem Blue Cross pertaining to the Public Health Department receiving reimbursement at the established rate(s) for covered services provided to Anthem Blue Cross members and for coordination of services, with the Agreement term commencing from the date of execution by both parties and remaining in effect until terminated pursuant to this Agreement, and authorizing the Chair of the Board of Supervisors to execute the Agreement and Memoranda of Understanding.

Director of Social Services: Mike Dent

4. [SR 16-0843](#) Resolution approving a renewal contract between the County of Nevada and Prevent Child Abuse California (PCA CA) pertaining to the provision of two (2) AmeriCorps members to provide services related to child welfare improvement activities, in the maximum amount of \$31,740, for the period September 16, 2016 through September 15, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.
5. [SR 16-0837](#) Resolution approving Amendment 1 to Standard Agreement 16F-5544 between the County of Nevada and the State Department of Community Services and Development (CSD) for 2016 Community Services Block Grant (CSBG) Targeted Initiative Funding (Res. 16-373), increasing the maximum amount from \$17,000 to \$32,078 , extending the expiration date from December 31, 2016 to May 31, 2017, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Health and Human Services Agency-Housing Division's budget for Fiscal Year 2016/17. (4/5 affirmative vote required.)

District Attorney: Clifford Newell

6. [SR 16-0816](#) Resolution accepting Automobile Insurance Fraud Grant funding in the amount of \$25,421 from the California Department of Insurance to investigate and prosecute automobile insurance fraud and economic car theft cases, for use during the period July 1, 2016 through June 30, 2017, and authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing these grant funds.
7. [SR 16-0817](#) Resolution accepting Workers' Compensation Insurance Fraud Grant funds in the amount of \$75,049 from the California Department of Insurance to investigate and prosecute workers' compensation insurance fraud, for use during the period July 1, 2016 through June 30, 2017, and authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing these grant funds.

Director of Public Works: Steven Castleberry

8. [SR 16-0852](#) Resolution approving Amendment 1 to contract between the County of Nevada and Quincy Engineering, Inc. for the Combie Road Corridor Improvement Project No. 440814 (Res. 15-047), increasing the maximum contract amount by \$72,500 to an amount not to exceed \$651,990, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Road CIP budget. (4/5 affirmative vote required.) (Dist. 2)

9. [SR 16-0851](#) Resolution awarding and approving a contract between the County of Nevada and Mark Thomas & Company, Inc. for professional engineering services for the La Barr Meadows Road Corridor Safety Improvement Feasibility Analysis, Project No. 440817, in an amount not to exceed \$39,937, for the period October 11, 2016 through December 31, 2017, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Road CIP budget. (4/5 affirmative vote required.) (Dist. 3)
10. [SR 16-0860](#) Resolution approving Amendment 4 to the Agreement between the County of Nevada and Paratransit Services for the provision of specialized paratransit services in Western Nevada County (Res. 13-168), increasing the fixed vehicle service hourly rate to \$36.40 and the fixed monthly rate to \$58,569, for the period starting January 1, 2017 through December 31, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Transit)
11. [SR 16-0849](#) Resolution accepting the award of Fiscal Year 2015/16 Proposition 1B, California Transit Security Grant Program-California Transit Assistance Fund (CTSGP-CTAF) funding, Grant No. 6861-2 (Res. 15-533), in the amount of \$72,167, for multi-phased bus stop improvements and equipment to improve and enhance transit system safety and security. (Transit)

Human Resources Director: Charlie Wilson

12. [SR 16-0861](#) Resolution amending Authorized Personnel Staffing Resolution 16-240, adopted June 21, 2016, with the total number of FTE remaining unchanged at 785.75, effective October 11, 2016.

Chief Information Officer: Stephen Monaghan

13. [SR 16-0862](#) Resolution approving a contract between the County of Nevada and CivicPLUS, Inc. for design and hosting of the County's public website, in the amount of \$35,925 the first year and \$5,310 per year thereafter, with the term of the contract ending five years following cutover from the County's current website and renewable annually thereafter, authorizing the Chair of the Board to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Information Systems budget. (4/5 affirmative vote required.)
14. [SR 16-0846](#) Resolution awarding and approving a contract between the County of Nevada and Treehenge Construction, Inc., for the Laura Wilcox Tenant Improvement Project located at 208 Sutton Way, Grass Valley (Res. 16-426), in the amount of \$178,000 plus a contingency of \$17,800, for a total contract amount of \$195,800, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Capital Facilities budget. (4/5 affirmative vote required.) (Facilities)

15. [SR 16-0848](#) Resolution awarding and approving a contract between the County of Nevada and Bill Litchfield Construction, Inc., for the Public Defender/Probation Co-Location Project located at 109 1/2 N. Pine Street, Nevada City (Res. 16-427), in the amount of \$228,678.41 plus a contingency of \$22,867.84, for a total contract amount of \$251,546.25, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Capital Facilities budget. (4/5 affirmative vote required.) (Facilities)

Clerk of the Board: Julie Patterson Hunter

16. [SR 16-0872](#) Resolution proclaiming October 16, 2016 as the 21st Annual Truckee River Day in Nevada County.
17. [SR 16-0836](#) Approval of the Nevada County Resource Conservation District's amended Conflict of Interest Code.
18. [SR 16-0864](#) Acknowledge Supervisor Scofield's acceptance of Ms. Loris Silvera's resignation as District II representative on the Nevada County Historical Landmarks Commission.
19. [SR 16-0841](#) Appointment of Ms. Stephanie Kreiter as a District V representative to the Mental Health Advisory Board, for an unexpired 3-year term ending June 30, 2018.
20. [SR 16-0859](#) Acceptance of Board of Supervisors Summary Minutes for September 13 and 27, 2016.

DEPARTMENT HEAD MATTERS:

Director of Public Works: Steven Castleberry

21. [SR 16-0847](#) Resolution adopting the Combie Road Improvement Project Initial Study/Mitigated Negative Declaration, approving the proposed Combie Road Improvement Project, and directing the Director of the Nevada County Department of Public Works to file a Notice of Determination with the Nevada County Clerk-Recorder and the California State Clearinghouse within five days from the date of this action. (Dist. II)

Clerk of the Board: Julie Patterson Hunter

22. [SR 16-0840](#) Election of one Supervisor and one alternate to the California State Association of Counties (CSAC) Board of Directors for the 2016/17 Association Year, beginning November 29, 2016.

SCHEDULED ITEM: 10:00 A.M.

23. [SR 16-0842](#) Public hearing to consider approval of proposed increases in the Nevada County Consolidated Fire District 2016/17 Capital Facilities and Mitigation Fees. The proposed fee increase is based on the Nevada County Consolidated Fire District Capital Improvement Plan and Mitigation Fee Expenditure Plan for Fiscal Year 2016/17 and Nevada County Consolidated Fire District Ordinance No. 16-01.

Resolution adopting Development Impact Mitigation Fees (AB 1600) for the Nevada County Consolidated Fire District pursuant to Nevada County Land Use and Development Code Section L-IX.2.3, effective and operative December 10, 2016, and directing the Clerk of the Board to forward a certified copy of this Resolution to Nevada County Consolidated Fire District.

***CLOSED SESSION:**

- [SR 16-0873](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss two matters in which there is significant exposure to litigation against the County.

SCHEDULED ITEM: 11:00 A.M.

24. [SR 16-0844](#) Presentation by Mr. Rem Scherzinger, General Manager, Nevada Irrigation District (NID), regarding the Centennial Reservoir Project.

***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.

Recess for lunch:

AFTERNOON SESSION**SCHEDULED ITEM: 1:30 P.M.****25a.** [SR 16-0854](#) Public hearing to consider the following matters:

The Planning Commission's recommendation to the Board of Supervisors to approve a proposed Zoning District Map amendment for property located at 11773 Slow Poke Lane, Grass Valley (APN 09-320-25), rezoning the subject property from Light Industrial with a Site Performance combining district (M1-SP) to Light Industrial (M1) (Z16-001), and repealing Ordinance 1101 which implemented the SP zoning on the site. The Planning Commission reviewed the proposed project on July 28, 2016, recommended approval of the Rezone on a 5-0 vote, and adopted a Mitigated Negative Declaration for the project (EIS15-019) on a 4-1 vote. (Dist. III)

(Introduce/Waive further reading/Adopt) An Ordinance repealing Ordinance 1101 and amending Zoning District Map 052b to rezone 2.98 acres located at 11773 Slow Poke Lane (APN 09-320-25), from Light Industrial with the Site Performance Combining District (M1-SP) to Light Industrial (M1) (Z16-001) (Raymond W. Byers, Trustee).

25b. [SR 16-0874](#) Consideration of the appeal filed by James Powell and Carol Fuller Powell from the decision of the Nevada County Planning Commission approving a Development Permit (DP15-005), Map Amendment (AM14-001), Management Plans (MGT15-020 and MGT16-001), and Petition for Exception to road standards (MI15-020) for the subject property.

Resolution denying the appeal filed by James Powell and Carol Fuller Powell ("Appellants") regarding the Planning Commission's July 28, 2016 approval of the Byers Warehouse Project ("Project") consisting of the adoption of a Mitigated Negative Declaration (EIS16-019) and approval of a Subdivision Map Amendment (AM14-001), Development Permit (DP15-006), Biological Management Plan (MGT15-020), Floodplain Management Plan (MGT16-001), and Petition for Exceptions to Road Standards (MI15-020) for the Byers Warehouse Project on property located at 11773 Slow Poke Lane, Grass Valley (APN 09-320-25), and sustaining the Planning Commission's said actions on the Project.

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 6, 2016.

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)