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

Julie Patterson Hunter, Clerk of the Board Richard A. Haffey, 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, January 26, 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 9:05 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 ITEM: 9:01 A.M.

1. SR 16-0122 California State Association of Counties (CSAC) presentation: Circle of Service Award (Mr. David Liebler, Deputy Director of Public Affairs & Member Services and Ms. DeAnn Baker, Legislative Director, CSAC).

PUBLIC COMMENT: 9:05 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.

Health and Human Services Agency Director: Michael Heggarty

2. SR 16-0095 Resolution authorizing the Director of Health and Human Services Agency to submit a Letter of Interest to the Department of Health Care Services to initiate participation in a Rate Range Intergovernmental Transfer to secure additional funds for unreimbursed costs for Medi-Cal delivered services for Fiscal Year 2014-2015.

Behavioral Health Director: Rebecca Slade

3. SR 16-0092 Resolution authorizing execution of a renewal contract with Foothill House of Hospitality, dba Hospitality House for the provision of Homeless Outreach Services as a component of Nevada County's Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Plan, in the maximum amount of \$51,593, for the period January 1, 2016 through June 30, 2016.

Director of Social Services: Mike Dent

- 4. SR 16-0107 Resolution authorizing execution of contract with Foothill House of Hospitality, dba Hospitality House pertaining to awarding Community Services Block Grant (CSBG) funding (Res. 13-191) for homeless shelter services within Nevada County as part of Hospitality House's Community Shelter Project, in the maximum amount of \$10,000, for the period February 1, 2016 through April 30, 2016.
- 5. SR 16-0108 Resolution authorizing execution of contract with Domestic Violence and Sexual Assault Coalition (DVSAC) pertaining to awarding Community Services Block Grant (CSBG) funding (Res. 13-191) for the provision of emergency services to victims of abuse as part of DVSAC's Removing Roadblocks to Progress Project, in the maximum amount of \$12,000, for the period July 1, 2015 through April 30, 2016.
- 6. SR 16-0109 Resolution authorizing execution of contract with Interfaith Food Ministry (IFM) of Nevada County pertaining to awarding Community Services Block Grant (CSBG) funding (Res. 13-191) related to increasing the quantity and quality of high protein-rich food products available to food-insecure individuals as part of IFM's Hunger to Health Project, in the maximum amount of \$13,000, for the period February 1, 2016 through April 30, 2016.
- 7. SR 16-0089 Resolution authorizing execution of Amendment 1 to contract with Nevada-Sierra Regional In-Home Supportive Services (IHSS) Public Authority related to IHSS Provider Enrollment and Timesheet Processing (Res. 15-310), revising the Scope of Services to include Contractor responsibilities related to the implementation of the Final Rule on the application of Fair Labor Standards (FLSA) to Domestic Services, increasing the maximum contract price from \$74,372 to \$143,371, and revising the Schedule of Charges and Payments to reflect the increase in maximum amount, for the period July 1, 2015 through June 30, 2016.

Child Support Services Director: Tex Ritter

8. SR 16-0003 Resolution authorizing execution of the Sub-recipient Agreement with Domestic Violence and Sexual Assault Coalition (DVSAC) pertaining to providing Community Development Block Grant (CDBG) funding (Res. 15-408) for DVSAC's Battered and Abused Spouses Program, in the maximum amount of \$107,912, for the period December 30, 2015 through September 30, 2016. (Housing)

Sheriff-Coroner/Public Administrator: Keith Royal

- 9. SR 16-0076 Resolution authorizing execution of a renewal contract with California Forensic Medical Group, Inc. for the provision of medical and dental services at the Adult and Juvenile Correctional Facilities in Nevada County, in the maximum amount of \$8,936,282, for the period January 1, 2016 through June 30, 2019.
- 10. SR 16-0086 Resolution authorizing execution of an amendment to contract with A & P Helicopters, Inc. pertaining to helicopter rental and pilot services (PESJ2915), revising the maximum amount from \$25,000 to \$55,000 for Fiscal Year 2015/16, and directing the Auditor-Controller to amend the Sheriff's Office Fiscal Year 2015/16 budget and to release a portion of fund balance in Fund 1450. (4/5 affirmative vote required.)

Director of Public Works: Steven Castleberry

- 11. SR 16-0105 Resolution approving plans, specifications and cost estimate for the Road Safety Signage Audit, Sign Installation Project Contract No. 225028, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Clerk of the Board and the Purchasing Division to advertise for bids in accordance with the applicable regulations with the bid opening date set for February 18, 2016 at 3:00 p.m.
- 12. SR 16-0110 Resolution awarding and authorizing execution of contract with HDR Engineering, Inc. to provide preliminary design services for improvements at the McCourtney Road Transfer Station (Res. 15-454), in an amount not to exceed \$49,930, for the period January 26, 2016 through December 31, 2016, and directing the Auditor-Controller to amend the Solid Waste Western Fiscal Year 2015/16 budget. (Sanitation) (4/5 affirmative vote required.)

Human Resources Director: Charlie Wilson

- Resolution authorizing execution of an Amendment to the Unemployment Compensation Services Model Agreement with Insurance Administrator TALX Corporation (Res. 09-150) pertaining to the administration of unemployment insurance claims, with an administrative fee remaining in the amount of \$.76 per employee/per year, for the period May 1, 2015 through December 31, 2015.
- **14.** SR 16-0096 Resolution amending Authorized Personnel Staffing Resolution 15-242, adopted June 16, 2015, revising staffing patterns for various County departments, with the number of FTE totaling 780.20, effective January 26, 2016.

Chief Information Officer: Stephen Monaghan

- Resolution authorizing execution of a Sublease Agreement with Alliance for Workforce Development, Inc. pertaining to approximately 1,673 square feet of Brighton Greens Resource Center office space located at 988 McCourtney Road, Grass Valley, with rent in the amount of \$1.15 per square foot or \$1,924 per month and an additional expense of 8% of operational costs associated with the building per month, with rent increasing according to County rent and cost increases, for the period commencing February 1, 2016 and ending June 30, 2021. (Facilities)
- 16. SR 16-0088 Resolution authorizing the Chair of the Board of Supervisors to execute an application to the Internal Revenue Service (IRS) for allocation of New Clean Renewable Energy Bond (CREB) Volume Cap in the amount of \$10,863,053 to finance a project of solar energy generation at various Nevada County facilities.

County Librarian: Laura Pappani

17. SR 16-0121 Resolution accepting \$106,638.07 from The Mildred P. Anderson Trust to the County of Nevada for the Grass Valley Library, authorizing the County Librarian to sign the Distributee's Receipt acknowledging receipt of the First and Final Accounting for The Mildred P. Anderson Trust, for the period February 16, 2015 to December 31, 2015, and to sign and acknowledge receipt for all subsequent accountings of an amount less than \$10,000.

County Executive Officer: Richard Haffey

18. SR 16-0021 Resolution adopting a new Debt Management Policy for the County of Nevada.

Clerk of the Board: Julie Patterson Hunter

19.	SR 16-0114	(Waive Further Reading/Adopt) An Ordinance amending Subsection D of Section
		A-II 38.5 of Article 38 of Chapter II of the Nevada County Administrative Code
		regarding composition of the First 5 Nevada County Children and Families First
		Commission.

Sponsors: Hank Weston, District 4

- **20.** SR 16-0115 Acknowledgement of 2016 Chair assignments to various Nevada County Board of Supervisors Committees, Commissions, etc.
- 21. SR 16-0116 Appointments of Mr. Tim Giuliani and Mr. Norman Sauer, Jr. as Board of Supervisors appointed representatives to the Area 4 Agency on Aging Advisory Council, Mr. Sauer for an unexpired term ending June 30, 2017, and Mr. Giuliani for a term expiring June 30, 2019.

22.	SR 16-0119	Acknowledge Supervisor Richard Anderson's appointment of Mr. Charles Faber as
		the District V representative to the Building & Accessibilities Standards Board of
		Appeals, for a four-year term expiring July 1, 2020.

23. SR 16-0118 Reappointments of Ms. Mali Dyck, Citizen-at-Large; Mr. Gary Brown, Citizen-at-Large; Mr. Douglas Brannon, Local Business Representative; and Mr. Thomas Jacobs, Citizen Knowledgeable of Hazardous Waste Disposal Practices, to the Nevada County Solid and Hazardous Waste Commission, for two-year terms expiring January 31, 2018.

DEPARTMENT HEAD MATTERS:

Behavioral Health Director: Rebecca Slade

24. SR 16-0111 Resolution approving the Nevada County Mental Health Services Act (MHSA)

Annual Update to the Three Year Program and Expenditure Plan for Fiscal Year 2015/16 and Annual Progress Report for Fiscal Year 2013/14, with estimated Program expenditures under the County's MHSA in the amount of \$5,481,500 for Fiscal Year 2014/15, \$5,106,500 for Fiscal Year 2015/16, and \$5,165,000 for Fiscal Year 2016/17, and authorizing the Nevada County Behavioral Health Director to sign and certify the MHSA County Compliance Certification, and the Auditor-Controller, or designee, to sign and certify the MHSA County Fiscal Accountability Certification.

Director of Public Works: Steven Castleberry

25. SR 16-0091 Report on Assembly Bill (AB) 1826, Mandatory Commercial Organics Recycling. (Sanitation)

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

Call the meeting to order:

26. 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 16-0117 Resolution directing the Auditor-Controller to amend the Fiscal Year 2015/16 budget for the Nevada County Sanitation District No. 1, Penn Valley (Zone 6) Capital Improvement Project fund. (4/5 affirmative vote required.)

26b. SR 16-0123 Acceptance of Nevada County Sanitation District No. 1 minutes for December 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.

INDIVIDUAL BOARD MEMBER ITEM:

27. SR 16-0081 Request for Letter of Support for the Friends of the Truckee Library efforts to expand the Truckee Library facility.

Sponsors: Richard Anderson, District 5

*CLOSED SESSIONS:

SR 16-0124	Pursuant to Government Code Section 54956.9(d)(4), County Counsel is
	requesting a closed session to determine whether litigation should be initiated by
	the County in one matter.

- Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss significant exposure to litigation (one potential case).
- SR 16-0126 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. The designated labor negotiation representative for Nevada County is: Mr. Charlie Wilson, Human Resources Director. The labor negotiations concern the following bargaining units: Local 39 General Employees Unit, Local 39 Professional Employees Unit, and Management Employees' Association representing the Management Employees' Unit.

DEPARTMENT HEAD MATTERS CONTINUED:

Human Resources Director: Charlie Wilson

28.	SR 16-0097	Resolution approving and authorizing the County Executive Officer to execute
		Addendum 1 to the Memorandum of Understanding (MOU) between the County
		of Nevada and Management Employees' Association (MEA) covering all
		employees in the Management Employees' Bargaining Unit (Res. 14-219),
		amending certain provisions in the MOU, for the period July 1, 2014 through June
		30, 2017.

- 29. SR 16-0098 Resolution approving and authorizing the County Executive Officer to execute Addendum 1 to the Memorandum of Understanding (MOU) between the County of Nevada and the Stationary Engineers, Local 39 General Unit, covering all employees in the General Employee Bargaining Unit (Res. 15-234), amending certain provisions in the MOU, for the period July 1, 2015 through June 30, 2018.
- 30. SR 16-0099 Resolution approving and authorizing execution of Addendum 1 to the Memorandum of Understanding (MOU) between the County of Nevada and the Stationary Engineers, Local 39 Professional Unit, covering all employees in the Professional Employee Bargaining Unit (Res. 15-235), amending certain provisions in the MOU, for the period July 1, 2015 through June 30, 2018.

SCHEDULED ITEM: 11:00 A.M. Human Resources Director: Charlie Wilson

(Video Conferencing for Service Awards at the Truckee Joseph Center, Hobart Mills Conference Room, 10075 Levon Ave., 2nd Floor, Suite 205, Truckee CA.)

31. SR 16-0090 Presentation of Service Awards to 83 County Employees.

*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:

<u>AFTERNOON SESSION</u>

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

32. SR 16-0046 Public hearing to consider GP15-002, Z15-003, GP15-003, ORD15-002, and EIS15-012 for the following potential actions:

Approve a Resolution adopting the Negative Declaration (EIS15-012) for the approval of the proposed General Plan and Zoning Ordinance map and text amendments to update the County's Business Park (BP) land use locations and site development standards as described below;

Approve a Resolution for the proposed General Plan map amendments (GP15-002) to change the land use designation of one or more parcels in eight of the current locations designated BP, and reconfigure the land use designation of a ninth location pursuant to the resultant parcel configuration approved in Lot Line Adjustment File No. LA15-003;

Adopt the Ordinance for the proposed rezoning and Zoning District Map amendments (Z15-003) of parcels consistent with the General Plan map amendments described above;

Approve a Resolution for the proposed General Plan text amendments (GP15-003) to the BP land use description and maximum impervious coverage limits to promote opportunities for new investment and sustainable job creation of BP zoned properties; and

Adopt the proposed Zoning Ordinance text amendments (ORD15-002) to remove the requirement for Comprehensive Master Plans of the entire BP site for BP zoned parcels located within approved Area Plans; cleanup existing Code language regarding outdoor manufacturing and material storage, and permitting of mini-storage facilities; add schools as a permissible use within the BP Zone District; and amend current site development standards for building setbacks and maximum impervious coverage.

32a. <u>SR 16-0047</u>	Resolution adopting a Negative Declaration (EIS15-012) in conjunction with the approval of a Resolution for General Plan Land Use Map designation amendments (GP15-002), a corresponding Ordinance amending Zoning District Map Numbers 16a, 27, 40a, 47a, 52b, 53, 54, and 63 (Z15-003) for various parcel numbers; and General Plan text amendments (GP15-003) and Zoning Ordinance text amendments (ORD15-002) to update the Business Park Zone District with regard to; Comprehensive Master Planning for parcels in approved Area Plans, cleanup language regarding outdoor manufacturing and material storage, and permit requirements for mini-storage facilities, add schools as a permissible use, and amend current BP Site Development Standards for building setbacks and maximum impervious coverage.
32b. SR 16-0048	Resolution amending the Nevada County General Plan land use map designations

- **32b.** SR 16-0048 Resolution amending the Nevada County General Plan land use map designations for specific sites to realign functionally compatible uses with their surroundings while maintaining strong environmental and neighborhood character and compatibility protections (GP15-002).
- 32c. SR 16-0049 (Introduce/Waive Further Reading/Adopt) An Ordinance amending Section L-II 1.3.D Chapter II, Article 1 of the Land Use and Development Code of the County of Nevada, to perform site specific rezoning of multiple sites currently zoned Business Park (BP) to various other zoning districts (Z15-003) and establish "SP" Site Performance development standards for affected parcels on Zoning District Map 40a.
- **32d.** SR 16-0050 Resolution amending the Nevada County General Plan Business Park land use definition and Business Park maximum impervious coverage to accelerate implementation of the General Plan by promoting new opportunities for Business Park investment and sustainable job creation (GP15-003).
- 32e. SR 16-0051 (Introduce/Waive Further Reading/Adopt) An Ordinance amending Sections L-II 2.5.C.1, L-II 2.5.B.1, and Tables L-II 2.5.D and 2.5.E of Article 2 of the Land Use and Development Code of the County of Nevada to update the Business Park Land Use Site Development Standards.

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.

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)