

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

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AGENDA

Date	Time	Location
Tuesday, May 14, 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 19-0342](#) Resolution approving the Memorandum of Understanding (MOU) between the County of Nevada and Health Management Associates, Inc. for the Medication Assisted Treatment in County Criminal Justice Systems Learning Collaborative, accepting funds in the maximum amount of \$110,000, for the period April 1, 2019 through January 31, 2020, authorizing the Chair of the Board of Supervisor to execute the MOU, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Behavioral Health Department budget. (4/5 affirmative vote required)

Public Health Director: Jill Blake

2. [SR 19-0317](#) Resolution approving Amendment A02 to Standard Agreement 16-10303 between the County of Nevada and the California Department of Public Health, Office of AIDS, for services related to the Housing Opportunities for Persons with AIDS Program, increasing the maximum amount from \$85,229 to \$101,353, for the period July 1, 2016 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
3. [SR 19-0325](#) Resolution approving the use of Alcohol Education Program Funds to support the implementation and provision of the Athlete Committed Program throughout Nevada County High Schools, in the amount of \$30,000, for the period July 1, 2018 through June 30, 2020.

Child Support Services, Collections, and Housing Director: Mike Dent

4. [SR 19-0326](#) Resolution approving Standard Agreement 19F-4431 between the County of Nevada and the State Department of Community Services and Development for 2019 Community Services Block Grant Targeted Initiative funding, in the maximum amount of \$30,000, for the period June 1, 2019 through May 31, 2020, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Health and Human Services Agency - Housing Division budget. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

5. [SR 19-0314](#) Resolution approving Exchange Program Agreement No. X19-5917(105) for the Federal Apportionment Exchange Program and State Match Program, with Nevada County funds in the amount of \$286,695 available for exchange and \$100,000 in available State Matching funds, for a total of \$386,695, and authorizing the Chair of the Board of Supervisors to execute the Agreement on behalf of the County of Nevada.
6. [SR 19-0315](#) Resolution approving Program Supplement No. F065 to Administering Agency-State Agreement No. 03-5917F15 in the amount of \$300,000, for the Rough and Ready Highway/Ridge Road and Rough and Ready Highway/Adams Avenue Intersection, County Project No. 450001, Federal Contract No. HSIP 5917(104), and authorizing the Chair of the Board of Supervisors to execute the Program Supplement. (Dist. III)
7. [SR 19-0321](#) Resolution approving acceptance of a Relinquished Right of Way adjacent to State Route 49 PM 9.9 through PM 11.0 per Caltrans Relinquishment Map 035933-X, upon recordation of the California Transportation Commission's Resolution of Relinquishment in the Nevada County Recorder's Office, and agreeing to waive the ninety (90) day "Intention to Relinquish" requirement contained in Section 73 of the Streets and Highway Code. (Dist. II)
8. [SR 19-0320](#) Resolution approving Summary Vacation (Abandonment) of a portion of the public utility easement centered on the property boundary between Lots 54 and 55 of Book 3 of the Re-Subdivision of the Alta Sierra Ranches as shown in book 3 of Subdivisions at Page 31, Assessor's Parcel Numbers 026-390-013 and -014, and directing the Clerk of the Board to record the Resolution of Summary Vacation. (Dist. II)
9. [SR 19-0322](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and Tyler J. McSweeney, dba Geared Up Drive Train, for the repair of vehicles for Nevada County Fleet Services (PESM3596), increasing the contract to a new maximum amount not to exceed \$42,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Fleet)

10. [SR 19-0335](#) Resolution approving revised language to Amendment 1 to the agreement between the County of Nevada and Holt of California for repair of heavy equipment (PESM3622), rescinding Resolution 19-154, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Fleet)
11. [SR 19-0338](#) Resolution approving a Loan Agreement between the County of Nevada and the Nevada County Sanitation District No. 1, directing the Auditor-Controller to make the loan from the General Fund to the Cascade Operations and Maintenance Fund 4743 in the amount of \$143,000, for the cost of additional geotechnical borings for the proposed Cascade Shores Leach Field Project. (4/5 affirmative vote required) (Dist. I)

Chief Information Officer: Stephen Monaghan

12. [SR 19-0316](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
13. [SR 19-0345](#) Resolution approving Contract Change Order No. 1, approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Perimeter Security Group, LLC. for Phase II construction of a new perimeter fence and gate system at the Nevada County Airport (Res. 17-421), directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208, authorizing the Chair of the Board of Supervisors to execute the Change Order reducing the contract price to \$974,289.63, and authorizing the Airport Manager to execute Federal and State grant reimbursement documents related to the Phase II perimeter fence project. (Airport)
14. [SR 19-0343](#) Resolution approving a contract between the County of Nevada and Com-Strat LLC dba Communication Strategies pertaining to telecommunication system consulting services, in the amount of \$31,949.50, for the period May 14, 2019 through October 31, 2020, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Information Systems budget. (4/5 affirmative vote required)
15. [SR 19-0344](#) Resolution authorizing the capital asset purchase of an email archive system in the amount of \$27,197.95, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Information Systems budget. (4/5 affirmative vote required)
16. [SR 19-0328](#) Resolution approving a multi-year renewal Agreement between the County of Nevada and Granicus LLC, dba Granicus for annual maintenance and support of Legislative Management, Meeting Efficiency, and Citizen's Participation and Media Manager modules, in an amount not to exceed \$71,210.47, for period April 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

17. [SR 19-0334](#) Resolution approving Amendment 1 to the contract between the County of Nevada and FRST Corp for development and delivery of a Timber Harvest Plan and Timber Conversion Plan for the Nevada County Operations Center located on La Barr Meadows Road (PESM3631), increasing the contract amount by \$2,050 for a maximum contract price of \$27,050, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Capital Facilities Project budget. (4/5 affirmative vote required) (Facilities)
18. [SR 19-0327](#) Resolution approving a contract between the County of Nevada and Bill Litchfield Construction, Inc., for the Nevada County Sheriff Property Unit Lab Construction Project located at 15076 Highway 49, Nevada City, in the amount of \$300,989 plus a contingency of \$30,099 for a total contract amount of \$331,088, 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 Facilities budget. (4/5 affirmative vote required) (Facilities)
19. [SR 19-0258](#) Resolution approving a list of design service professionals to work on specific projects as they arise, for the period May 14, 2019 through June 30, 2022, and authorizing the Purchasing Agent to solicit bids from the list and to execute and encumber contracts up to a maximum contract amount of \$50,000. (Facilities)
20. [SR 19-0352](#) Resolution approving a contract between the County of Nevada and ADKO Engineering for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
21. [SR 19-0353](#) Resolution approving a contract between the County of Nevada and Bennett Engineering for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
22. [SR 19-0354](#) Resolution approving a contract between the County of Nevada and The Engineering Enterprise for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019, through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
23. [SR 19-0355](#) Resolution approving a contract between the County of Nevada and Glass Architects for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

24. [SR 19-0356](#) Resolution approving a contract between the County of Nevada and LDA Partners, Inc., for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
25. [SR 19-0357](#) Resolution approving a contract between the County of Nevada and Lumos & Associates, Inc., for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
26. [SR 19-0358](#) Resolution approving a contract between the County of Nevada and NORR Associates, Inc., for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
27. [SR 19-0359](#) Resolution approving a contract between the County of Nevada and RFE Engineering, Inc., for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)
28. [SR 19-0360](#) Resolution approving a contract between the County of Nevada and Wallis Design Studio Architects, Inc., for architectural engineering services, in the maximum amount of \$50,000, for the period May 14, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

Clerk of the Board: Julie Patterson Hunter

29. [SR 19-0331](#) Acknowledge acceptance of resignation from Mr. Jim Dierberger as the District III representative on the Historical Landmarks Commission.
30. [SR 19-0330](#) Ratify reappointment of Ms. Dena Valin-Malakian as a Low-Income Sector representative, and appointment of Ms. Jennifer Morrill as a Low-Income Sector representative, both to the Adult and Family Services Commission for terms expiring April 30, 2021.
31. [SR 19-0313](#) Approve the Order and Decorum for Boards, Commissions, and Committees.
32. [SR 19-0270](#) Acceptance of Board of Supervisors Summary Minutes for April 9, and April 23, 2019.

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.

Director of Public Works: Trisha Tillotson

- 33a.** [SR 19-0339](#) Resolution approving a Loan Agreement between the County of Nevada and the Nevada County Sanitation District No. 1, directing the Auditor-Controller to make the loan from the General Fund to the Cascade Operations and Maintenance Fund 4734 in the amount of \$143,000 for the cost of additional geotechnical borings for the proposed Cascade Shores Leach Field Project. (4/5 affirmative vote required) (Sanitation) (Dist. 1)
- 33b.** [SR 19-0324](#) Resolution approving Amendment 2 to the contract between Nevada County Sanitation District No. 1 and Coastland Civil Engineering, Inc. for design and project management services for the Cascade Shores Community Leach Field Project (Res. SD17-018), increasing the contract to a maximum amount not to exceed \$854,530, and authorizing the Chair of the Board of Directors to execute the Amendment. (Sanitation)

Clerk of the Board: Julie Patterson Hunter

- 33c.** [SR 19-0366](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for December 11, 2018.

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:***DEPARTMENT HEAD MATTERS:**Clerk of the Board: Julie Patterson Hunter

- 34.** [SR 19-0341](#) Resolution endorsing and certifying the Nevada County Historical Landmarks Commission's designation of the Rough and Ready Cemetery, located at 14472 Stagecoach Way, Rough and Ready, CA 95975 (APN 052-270-003), as Nevada County Historical Landmark NEV 19-01. (Dist. IV)

Agricultural Commissioner: Chris de Nijs

35. [SR 19-0337](#) (Introduce/Waive Further Reading/Adopt) An Urgency Ordinance adding Article 2 to Chapter XIV of the Nevada County Land Use and Development Code regarding Beekeeping. (4/5 affirmative vote required)

SCHEDULED ITEM: 10:00 A.M.**Planning Director: Brian Foss**

36. [SR 19-0400](#) Public hearing continued from May 7, 2019 to consider (1) adoption of the Final Environmental Impact Report, Mitigation Monitoring Program and Findings and Statement of Overriding Considerations (EIR18-0001, SCH No. 2018082023), and (2) adoption of an Urgency Ordinance adding Section L-II 3.30 to Chapter II of the Land Use and Development Code and related amendments to Land Use Tables for the Nevada County Commercial Cannabis Cultivation Ordinance (NCCO). The proposed NCCO would replace and repeal the existing cannabis regulations in Article 5 of the Nevada County General Code.
- 36a. [SR 19-0377](#) Resolution of the County of Nevada certifying the adequacy of the Final Environmental Impact Report for the Nevada County Commercial Cannabis Cultivation Ordinance Project (EIR18-0001, SCH#2018082023) in accordance with the California Environmental Quality Act and making certain Mitigation Measures and Alternatives to the Project, adopting a Mitigation Monitoring and Reporting Program and adopting a Statement of Overriding Considerations, in connection with approval of the Project contemplated by the Final Environmental Impact Report.
- 36b. [SR 19-0399](#) (Introduce/Waive Further Reading/Adopt) An Urgency Ordinance adding Section L-II 3.30 To Article 3 Of Chapter II and amending Tables L-II 2.2.1.B, L-II 2.2.2.B, L-II 2.3.D, L-II 2.4.D, L-II 2.5.D, and L-II 2.6.F of Article 2 of Chapter II of the Nevada County Land Use and Development Code regarding Cannabis Cultivation. (4/5 affirmative vote required)

***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 May 9, 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)