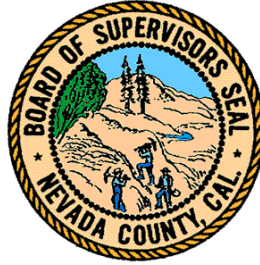


# COUNTY OF NEVADA

## STATE OF CALIFORNIA

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



## BOARD OF SUPERVISORS

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Fax: (530) 265-9836  
bdofsupervisors@co.nevada.ca.us

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

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
<b>Tuesday, October 25, 2016</b>	<b>9:00 AM</b>	<b>Truckee Town Hall - Administrative Center 10183 Truckee Airport Road Truckee, CA 96161</b>

**This special meeting will broadcast live on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County, and will be broadcast on NCTV Channel 17 in the Western County at a later date.**

**The meeting can also be viewed at a later date through the web at  
[http://nevco.granicus.com/ViewPublisher.php?view\\_id=3](http://nevco.granicus.com/ViewPublisher.php?view_id=3).**

*The Board of Supervisors welcomes you to its scheduled special meeting. 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.*

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

Chairman Miller called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Ms. Stacy Caldwell, Tahoe Truckee Community Foundation.

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.*

**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**

1. [SR 16-0850](#) Resolution approving the renewal Agreement Funding Application (AFA) for Agreement 201629 between the County of Nevada and the California Department of Public Health for Maternal, Child and Adolescent Health (MCAH) Program funding, and accepting funds in the maximum payable amount of \$200,625, for Fiscal Year 2016/17.
2. [SR 16-0855](#) Resolution approving the renewal Nevada County Children's Medical Services (CMS) Plan, which includes the Child Health and Disability Prevention Program (CHDP) (\$174,572), Health Care Program for Children in Foster Care (HCPCFC) (\$202,604), and California Children's Services (CCS) (\$406,556), for Fiscal Year 2016/17, and authorizing the Chair of the Board of Supervisors to execute the Plan Certifications.

**Child Support Services Director: Tex Ritter**

3. [SR 16-0870](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Adams Ashby Group to provide Davis-Bacon Act Compliance Officer services (Res. 16-114), extending the contract termination date from September 30, 2016 to October 31, 2017 to coincide with the awarding of the construction contracts for the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects, for the unchanged maximum amount of \$42,720, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Housing)

4. [SR 16-0884](#) Resolution approving Amendment 2 to Standard Agreement 13-CDBG-8931 between the County of Nevada and the State Department of Housing and Community Development (Res. 14-041), extending the date for expending Program funds and submitting Fund Disbursement Requests from December 30, 2016 to December 31, 2017 to coincide with the awarding of the construction contracts for the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects, for the Agreement term February 4, 2014 through September 30, 2018, with the maximum amount of \$1,953,750 remaining unchanged, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Housing)

Sheriff-Coroner/Public Administrator: Keith Royal

5. [SR 16-0858](#) Resolution authorizing a Memorandum of Understanding (MOU) and Operational Agreement between the Nevada County Sheriff's Office, the Nevada County District Attorney's Office, the Nevada County Probation Department and the Grass Valley Police Department pertaining to operational responsibilities and sharing of asset forfeiture and Realignment monies obtained as a result of the Nevada County Narcotics Task Force mission, for the period July 1, 2016 through June 30, 2017, and directing the Auditor-Controller to distribute funds to the participating agencies. (Pulled from consent by Ms. Diana Gamzon, Director, Nevada County Cannabis Alliance)

District Attorney: Clifford Newell

6. [SR 16-0818](#) Resolution accepting California Governor's Office of Emergency Services (Cal OES) Grant Award XC16010290 to provide crime victim services, in the amount of \$197,979, for the period July 1, 2016 through June 30, 2018, and authorizing the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing the grant funding. (Pulled from consent by Supervisor Weston.)

Environmental Health Director: Amy Irani

7. [SR 16-0897](#) Resolution approving a software purchase and maintenance agreement between the County of Nevada and Accela, Inc. for EnvisionConnect Remote software to implement remote field inspections, for Fiscal Year 2016/17 through Fiscal Year 2019/20, in the maximum contract amount of \$131,412, authorizing the Chair of the Board of Supervisors to execute the agreement, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Environmental Health budget. (4/5 affirmative vote required.)

Director of Public Works: Steven Castleberry

8. [SR 16-0879](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Trees Unlimited, Inc. for tree felling and brush removal services (PESK3120), increasing the maximum amount by \$50,000 to an amount not to exceed \$75,000 to provide sufficient funding for increased tree removal activity in this fiscal year, and authorizing the Chair of the Board to execute the Amendment.
9. [SR 16-0883](#) Resolution approving Final Map 04-004 "Cascade Crossing - Phase-4," authorizing the Chair and the Clerk of the Board of Supervisors to sign the map, directing the County Surveyor to deliver the map to the Nevada County Clerk-Recorder's office for recording, approving the Subdivision Improvement Agreement between the County of Nevada and HBT of Saddle Ridge, LLC, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. II) (Pulled from consent by Supervisor Scofield.)
10. [SR 16-0887](#) Resolution approving a Tree Removal Assistance Agreement between the County of Nevada and Pacific Gas and Electric (PG&E), providing in-lieu funding from PG&E of \$100 per franchise tree, for tree removal in the public right of way for dead or diseased trees, for a total maximum payment of \$60,300 to offset impacts, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Road Maintenance budget. (4/5 affirmative vote required.)
11. [SR 16-0877](#) Resolution approving Environmental Clearance for the 2017 Nevada County HSIP Thermoplastic Safety Project, proposing to provide thermoplastic striping and pavement illumination markers on approximately 31 miles of rural western Nevada County roadways, and authorizing the Director of the Nevada County Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office.
12. [SR 16-0878](#) Resolution approving Environmental Clearance for the Nevada County HSIP High Friction Surface Treatment (HFST) Safety Project to provide HFST on various curves with high 'run-off the road' vehicle accidents at locations throughout rural western Nevada County roadways, and authorizing the Director of the Nevada County Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office.
13. [SR 16-0882](#) Authorizing the Director of Public Works to execute on behalf of Nevada County all right of way certifications required by Caltrans and the Federal government certifying that right of way has been acquired in accordance to the regulations for Federally funded projects.

Chief Information Officer: Stephen Monaghan

14. [SR 16-0869](#) Resolution recognizing the continuing proclamation of a local emergency in Nevada County due to extreme Tree Mortality, and directing a certified copy of this Resolution be forwarded to the Governor of California with a request he proclaim the County of Nevada to be in a state of emergency. (Emergency Services)
15. [SR 16-0891](#) Resolution approving a Third Amendment to the Lease Agreement between the County of Nevada and 224 Main Street Partners, LLC, for Nevada County Public Defender office space located at 224 Main Street, Nevada City (Res. 01-519), at a rental rate of \$4,900 per month, extending the term of the Lease from October 31, 2016 to February 28, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
16. [SR 16-0890](#) Resolution approving and awarding a contract between the County of Nevada and Jacobs Custom Homes, Inc., for the Madelyn Helling Library Amphitheater Project located at 980 Helling Way, Nevada City (Res. 16-459), in the amount of \$36,940 plus a contingency of \$3,694, for a total contract amount of \$40,634, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Library and Capital Facilities Management budgets. (Facilities) (4/5 affirmative vote required.)
17. [SR 16-0889](#) Resolution approving and awarding a contract between the County of Nevada and Deschaine Enterprises, Inc., for the Laura Wilcox Memorial Building Accessibility Project located at 208 Sutton Way, Grass Valley (Res. 16-460), in the amount of \$44,968 plus a contingency of \$4,496.80, for a total contract amount of \$49,464.80, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

Clerk of the Board: Julie Patterson Hunter

18. [SR 16-0911](#) Acceptance of the Board of Supervisors Summary Minutes for October 11, 2016.

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

Chairman Miller called the meeting to order. All Directors present.

19. 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.*

- a. [SR 16-0888](#) Resolution approving the Notice of Acquisition of one Equivalent Dwelling Unit (EDU) of Sewer Capacity for Assessor's Parcel Number (APN) 50-020-80 in Lake Wildwood, Zone 1, and directing the Clerk of the Board of Directors of the Nevada County Sanitation District No. 1 to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office. (Dist. IV) (Sanitation)

- b. [SR 16-0915](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for September 13, 2016.

Public comment.

ACTION TAKEN: No public comment received.

Adjournment.INDIVIDUAL BOARD MEMBER ITEMS:

20. [SR 16-0893](#) Recommendation to direct staff to review Nevada County Sphere of Influence Policies and to return to the Board of Supervisors in December with recommendation(s) for an updated Policy.

Sponsors: Nate Beason, District 1

DEPARTMENT HEAD MATTERS:Planning Director: Brian Foss

21. [SR 16-0881](#) Report and presentation of the Truckee North Tahoe Regional Housing Study. (Ms. Stacy Caldwell, CEO, Tahoe Truckee Community Foundation) (Dist. V)

Director of Public Works: Steven Castleberry

22. [SR 16-0845](#) Review of the Nevada County Bicycle Master Plan "Draft Amendment." (Mr. Mike Woodman, Transportation Planner, Nevada County Transportation Commission (NCTC))

\*CLOSED SESSION:

[SR 16-0916](#) 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.

Recess for lunch: Meeting recessed at 11:20 A.M.

Weather permitting, Board members will proceed to a Field Study to Sagehen Creek Field Station, 11616 Sagehen Road, Truckee CA 96160.

Due to poor weather, the visit to Sagehen Creek has been cancelled. Mr. Jeffrey Brown, Director, UC Berkeley - Central Sierra Field Research Stations, provided his PowerPoint presentation in the Truckee Town Hall Council Chambers beginning at 1:00 p.m.

**AFTERNOON SESSION: 1:30 P.M.****SCHEDULED ITEMS: 1:30 P.M.**

23. [SR 16-0892](#) Presentation of a Certificate of Appreciation to Chad David Hitchcock, Boy Scouts Troop 267, for completion of his Eagle Scout Project for the Truckee Joseph Center Pathway Project. (Mr. Tom Coburn, Facilities Program Manager)

**Planning Director: Brian Foss**

24. [SR 16-0886](#) Public hearing to consider the Nevada County Planning Commission's August 25, 2016, 4-0 (1 absent) recommendation to approve the Soda Springs Area Plan (Project), which includes the following actions:
- 1) Adopt a Negative Declaration for the Soda Springs Area Plan (EIS14-004);
  - 2) Approve a General Plan Amendment to adopt the Soda Springs Area Plan (GP14-003);
  - 3) Approve a General Plan Land Use Map Amendment to change the base land use designation of 51 parcels within the Soda Springs Rural Center (GP16-004);
  - 4) Approve a Zoning District Map Amendment to rezone parcels consistent with the proposed General Plan land use designation amendments, including adding the Rural Center (RC) and Site Performance (SP) Combining District zoning overlays to specific parcels (Z16-005); and
  - 5) Amending Sec. L-II 4.2.3, Article I, Chapter II of the Nevada County Zoning Ordinance to approve the Soda Springs Area Plan design guidelines and standards (ORD14-002). (Dist. V)
- a. [SR 16-0903](#) Resolution adopting a Negative Declaration (EIS14-004) for the Soda Springs Area Plan which includes General Plan Text Amendments (GP14-003), General Plan Land Use Map Amendments (GP16-004), Zoning District Map Amendments (Z16-005), and a Zoning Ordinance Text Amendment (ORD14-002).
- b. [SR 16-0904](#) Resolution amending the Nevada County General Plan Chapter 1: Land Use Element Supporting Planning Documents and Policy 1.3.13 to adopt the Soda Springs Area Plan (GP14-003).
- c. [SR 16-0905](#) Resolution amending the Nevada County General Plan Land Use map designations for the Soda Springs Area Plan (GP16-004).



- d. [SR 16-0906](#) (Introduce/waive further reading/adopt) An Ordinance amending Section L-II 1.3.D, Article 1, Chapter II, of the Land Use and Development Code of the County of Nevada, to amend Zoning District Maps No. 114 and No. 119 for fifty-one specific parcels within the Soda Springs Rural Center to various other zoning districts, and to add the Rural Center (RC) Combining District to seventy-seven parcels and add the Site Performance (SP) Combining District to one hundred and ninety-four parcels within the Soda Springs Rural Center, and identifying the Specific Flexible Development Standards and Community Character Protections applicable to the Soda Springs Rural Center (Z16-005).
- e. [SR 16-0907](#) (Introduce/waive further reading/adopt) An Ordinance amending Section L-II 4.2.3, Article 1, Chapter II, of the Land Use And Development Code of the County Of Nevada to adopt the Soda Springs Area Plan Flexible Design and Development Standards (Ord14-002).

**\*ANNOUNCEMENTS:**

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

**ADJOURNMENT:**

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

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

Posted October 20, 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)