

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
Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

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AGENDA

Date	Time	Location
Tuesday, January 14, 2020	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 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.

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

Call the meeting to order.

Pledge of Allegiance.

Moment of Silence in memory of the nineteenth anniversary of the January 10, 2001 tragic incident at the Behavioral Health Department, HEW Building and Lyons Restaurant. In memory of Laura Wilcox, Michael Markle, and Pearlie Mae Feldman.

Corrections and/or deletions to agenda.

SCHEDULED ITEMS: 9:01 A.M.**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.

(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.)

1. [SR 20-0003](#) Selection of Chair and Vice Chair for 2020.
2. [SR 20-0004](#) Recognition of Chairman Richard Anderson.

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

3. [SR 20-0137](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Gateway Mountain Center for the provision of specialty mental health services primarily targeted for emotionally disturbed youth (Res. 19-470), amending Exhibit "A" Schedule of Services to include additional reporting and training requirements pertaining to mandated reporting of child and dependent adult abuse/neglect, incident/complaint and investigation reporting requirements and procedures, and background check procedures on employees and others having contact with youth under the agreement, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

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

4. [SR 20-0136](#) Resolution approving the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the HOME Investment Partnerships Program in the amount of \$1,000,000, authorizing the Chair of the Board of Supervisors to execute the application, designating the Director of the Nevada County Health and Human Services Agency or designee to act in all matters pertaining to the application, and if approved, authorizing the Chair of the Board of Supervisors or designee to execute the agreement and any related documents necessary to participate in the HCD Program. (Housing)

Building Director: Craig Griesbach

5. [SR 20-0015](#) (Waive further reading/Adopt) An Ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and Local Amendments thereto; and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, and topographical conditions.

Director of Public Works: Trisha Tillotson

6. [SR 20-0207](#) (Waive further reading/Adopt) An Ordinance amending Sections L-II 3.19.1, L-II 3.19.2, L-II 4.2.7, and L-II 4.3.18 of Chapter II; Sections L-VII 1 and L-VII 2 of Chapter VII; Sections L-XVI 1.2, L-XVI 2.9, L-XVI 3.2, L-XVI 3.4, L-XVI 4.2, L-XVI 4.3, L-XVI 4.4, and L-XVI 5.3 of Chapter XVI; and Sections L-XVII 1.3, L-XVII 3.4, L-XVII 3.5, and L-XVII 3.12 of Chapter XVII of the Land Use and Development Code, pertaining to Zoning Regulations, Street Addressing, Fire Safety Regulations, and Road Standards, Respectively. (All Dists.)
7. [SR 20-0208](#) Resolution approving Summary Vacation (Abandonment) of the 10-foot public utility easement centered on the property boundary between Lots 984 and 985 of the "Lake Wildwood - Unit No. 2" Subdivision, as shown in Book 3 of Subdivisions at Page 39, Assessor's Parcel Numbers 033-100-010 & -011. (Dist. IV)

Director of Human Resources : Steven Rose

8. [SR 20-0135](#) Resolution amending Authorized Personnel Salary Resolution 19-259, revising the salary schedule for Member, Board of Supervisors, and Chairperson, Board of Supervisors, effective January 14, 2020.

Chief Information Officer: Stephen Monaghan

9. [SR 20-0140](#) Resolution approving the Notice of Acceptance and Completion of the 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 (Res. 19-186), with contract costs totaling \$320,749, and directing the Clerk of the Board to record the Notice in accordance with Civil Code Section 9208. (Facilities)

County Counsel: Katharine L. Elliott

10. [SR 20-0010](#) Resolution approving Amendment 2 to Contract BFS19068 between the County of Nevada and Angelo, Kilday & Kilduff pertaining to legal services (Res. 19-068), increasing the contract price by \$125,000 for a maximum amount of \$225,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Clerk of the Board: Julie Patterson Hunter

11. [SR 20-0005](#) Review and adoption of the Board of Supervisors meeting schedule for 2020.
12. [SR 20-0009](#) Reappointments of Ms. Dee Murphy as the Chair of the Board of Supervisors representative, and Ms. Helen Cavanaugh and Mr. Jeffrey Guyton as Trustees to the Board of Trustees of the Law Library, all for one-year terms ending January 31, 2021.
13. [SR 20-0142](#) Acknowledgement of Supervisor Anderson's acceptance of the letter of resignation from Mr. Hardy Bullock as District V representative on the Planning Commission.
14. [SR 20-0008](#) Acceptance of Board of Supervisors Summary Minutes for December 17, 2019.

***INDIVIDUAL BOARD MEMBER ITEM: Dan Miller, Supervisor, District III**

15. [SR 20-0209](#) Request to send a Letter of Concern to California Insurance Commissioner Ricardo Lara regarding the availability and affordability of Commercial Insurance in Wildland Urban Interface Areas.

***DEPARTMENT HEAD MATTERS:**

Health and Human Services Agency Director: Ryan Gruver

16. [SR 20-0141](#) Resolution approving and accepting a one-time funding award from the State of California Department of Health Care Services to initiate a pilot of the Whole Person Care Program to address homelessness in the County of Nevada, in the maximum payable amount of \$445,868.49, for the period March 31, 2020 through June 30, 2025.

Clerk of the Board: Julie Patterson Hunter

17. [SR 20-0210](#) (Introduce/Waive further reading) An Ordinance amending Section A-II 2.4 Of Article 2 of Chapter II, Title 1 of the Nevada County Administrative Code entitled Time and Place of Meetings of Board of Supervisors to set forth the provisions that shall constitute a Regular Meeting of the Board of Supervisors.

***CLOSED SESSIONS:**

- [SR 20-0011](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
In Re: National Prescription Opiate Litigation, United States Judicial Panel on Multidistrict Litigation,
Case No. CAE/2: 18-cv-01152.
- [SR 20-0211](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation cases:
County of Nevada v. PG&E Corporation, et al.,
Nev. Co. Sup. Ct., Case No. CU19-083418; and
In Re: PG&E Corporation and Pacific Gas and Electric Company, Debtors,
U. S. Bankruptcy Ct., No. Dist. of Ca., San Francisco Div., Case No. 19-30088.
- [SR 20-0221](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.

***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 Joseph Center.
Posted January 9, 2020.*

Notice was also posted at the District V Board of Supervisors Conference Room, 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)