

COUNTY OF NEVADA

STATE OF CALIFORNIA

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

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, December 11, 2018	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Dan Miller, 3rd District
Hank Weston, 4th District
Richard Anderson, 5th District

STANDING ORDERS:

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

Posting of the Colors by the Sheriff's Honor Guard Detail.

ACTION TAKEN: Colors posted by the Sheriff's Honor Guard Detail.

Pledge of Allegiance led by Chairman Ed Scofield, Supervisor District II.

Corrections and/or deletions to agenda.

ACTION TAKEN: No corrections and/or deletions to the agenda were noted.

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

ACTION TAKEN: No public comment received.

- 1a. [SR 18-1031](#) Certificate of Recognition for Ms. Nancy Weber for twenty years of dedicated service on the Board of Directors of the Nevada Irrigation District (NID) and to the community at large.

Sponsor(s): Heidi Hall, District I

ACTION TAKEN: Supervisor Hall read the Certificate of Recognition for her dedicated service on the Board of Directors of the Nevada Irrigation District (NID) into the record and presented the Certificate to Ms. Nancy Weber.

Ms. Weber provided comments upon the receipt of her Certificate and thanked the Board members for the recognition.

- 1b. [SR 18-1033](#) Certificate of Recognition for Mr. John Drew for sixteen years of dedicated service on the Board of Directors of the Nevada Irrigation District (NID) and to the community at large.

Sponsor(s): Ed Scofield, District II

ACTION TAKEN: Chairman Scofield read the Certificate of Recognition for his dedicated service as a member of the Board of Directors of the Nevada Irrigation District (NID) into the records and presented the Certificate to Mr. John Drew.

Mr. Drew provided comments on the receipt of his Certificate and thanked the Board for the recognition.

2. [SR 18-1058](#) Certificate of Recognition for Supervisor Hank Weston for twelve years of dedicated service as the District IV Nevada County Supervisor, for a total of fifty-two years of public service.

ACTION TAKEN: Ms. Cheri West, Deputy Chief of Staff for Assemblymember Brian Dahle, provided comments and presented a Certificate of Recognition from Assemblymember Dahle and thanked Supervisor Weston for his service.

Supervisor Scofield read the Certificate of Recognition into the record.

Ms. Pat Leach, North San Juan Fire Protection District and Diana Pasquini, Family Resource Center, representing Citizens of North San Juan and San Juan Ridge provided comments of appreciation regarding Supervisor Weston's community service to District IV in particular and to Nevada County.

Supervisor Weston provided comments. He thanked the public for the opportunity to serve District IV and the surrounding County as a whole. He thanked County staff at all levels and his colleagues that have joined him on the dais over the past twelve years.

3. [SR 18-1072](#) Recognition by District IV Supervisor Hank Weston of his representatives on the Airport Commission, Building and Accessibility Standards Board of Appeals, Fish and Wildlife Commission, Nevada County Historical Landmarks Commission, Mental Health Advisory Board of Nevada County, and the Planning Commission.

Sponsor(s): Hank Weston, District IV

ACTION TAKEN: Supervisor Weston thanked his appointed representatives on the Airport Commission, Building and Accessibility Standards Board of Appeals, Fish and Wildlife Commission, Nevada County Historical Landmarks Commission, Mental Health Advisory Board of Nevada County, and the Planning Commission, and presented each with a Certificate of Recognition.

4. [SR 18-1073](#) Certificate of Recognition for Keith Royal for 20 years of dedicated service as Nevada County Sheriff, for a total of 45 years of dedicated public service in law enforcement.

ACTION TAKEN: Chairman Scofield thanked Sheriff Keith Royal for his service and the Sheriff's Honor Guard Detail led the Sheriff to the presentation table. Chairman Scofield read the Certificate of Recognition into the record and introduced Ms. Cheri West, Deputy Chief of Staff for Assemblymember Brian Dahle, who thanked Sheriff Royal for his service on behalf of the Assemblymember.

The Board members provided comments regarding Sheriff Royal's service and thanked him for his leadership over the past 20 years as Nevada County Sheriff.

Sheriff Royal thanked the Board for the recognition. He also thanked the County Executive Officer and County Counsel for their support and collaboration. He further thanked his staff and members of the community for their support.

The Board members presented Sheriff Royal with the Certificate.

CONSENT CALENDAR:

Behavioral Health Director: Phebe Bell

5. [SR 18-1043](#) Resolution approving the renaming of the Mental Health Advisory Board to the Mental Health and Substance Use Advisory Board (MHSUAB), with advisory duties to include a focus on mental health, substance abuse, and co-occurring mental health and substance use issues, and approving amendments to the MHSUAB Bylaws to reflect the name change and to add additional functions related to substance use.
Adopted.
Enactment No: RES 18-565
6. [SR 18-1039](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Sierra Mental Wellness Group for the provision of services for residents in Eastern County for Behavioral Health clients (PESM3368), extending the contract termination Date from December 31, 2018 to June 30, 2019, increasing the maximum contract price from \$18,020 to \$36,040, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 18-566
7. [SR 18-1062](#) Resolution approving a renewal agreement between the County of Nevada and Nevada Joint Union High School District (NJUHSD) pertaining to the County's Behavioral Health Department providing mental health services at NJUHSD Campuses for high school students identified as having a mental health need by the NJUHSD's STARS (Student Assistance Resources and Services) Program, in the maximum amount of \$10,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.
Adopted.
Enactment No: RES 18-567

8. [SR 18-1053](#) Resolution approving a renewal contract between the County of Nevada and the County of Placer pertaining to the Nevada County Behavioral Health Department providing telephone triage services for Placer County's Adult System of Care and Children's System of Care, in the maximum payable amount not to exceed \$652,788, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 18-568

Public Health Director: Jill Blake

9. [SR 18-1083](#) Resolution ratifying the amended Bylaws of the Emergency Medical Care Committee (EMCC).

Adopted.

Enactment No: RES 18-569

10. [SR 18-1040](#) Resolution authorizing Nevada County's Public Health Officer and Public Health Director to sign and submit the Medi-Cal Rendering Provider/Group Affiliation/Disaffiliation Form to the California Department of Health Care Services for Medi-Cal reimbursement.

Adopted.

Enactment No: RES 18-570

11. [SR 18-1070](#) Resolution approving a renewal agreement between the County of Nevada and NorCal AIDS Cycle, awarding the County's Public Health Department \$7,000 to support HIV Counseling, Testing and Referral Program services for County residents, for the period August 15, 2018 through August 15, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 18-571

12. [SR 18-1071](#) Resolution approving Amendment 3 to Subrecipient Agreement Number 9903-5320-71209-17-18 between the County of Nevada and Essential Access Health pertaining to funding comprehensive reproductive health services (Res. 17-173), increasing the maximum contract amount from \$170,000 to \$250,000, extending the term for a seven month period for a revised term of April 1, 2017 through March 31, 2019, and authorizing the County's Public Health Director to execute the Amendment.

Adopted.

Enactment No: RES 18-572

Director of Social Services: Tex Ritter

13. [SR 18-1063](#) Resolution approving the renewal Memorandum of Understanding (MOU) between the Nevada County Probation Department and the Department of Social Services (DSS) related to developing a coordinated services approach between DSS - CalWORKs and the Probation Department for dual clients, up to the maximum amount of \$55,000, for period July 1, 2018 through June 30, 2019, and authorizing the Director of the Department of Social Services and the Chief Probation Officer to sign the MOU.

Adopted.

Enactment No: RES 18-573

Child Support Services Director: Mike Dent

14. [SR 18-1017](#) Resolution approving the renewal Standard Agreement 19F-4029 between the County of Nevada and the State Department of Community Services and Development (CSD) pertaining to awarding Nevada County Community Services Block Grant (CSBG) funds in the amount of \$271,287 to support services to improve the conditions of low-income residents, for the period January 1, 2019 through December 31, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement and the Health and Human Services Agency Director to sign any required documents associated with CSD notifications to allow for receipt of CSBG funds. (Housing)

Adopted.

Enactment No: RES 18-574

Sheriff-Coroner/Public Administrator: Keith Royal

15. [SR 18-1076](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Boating and Waterways for reimbursement of boating safety enforcement costs, in the amount of \$261,331.66, for the period July 1, 2019 through June 30, 2020.

Adopted.

Enactment No: RES 18-575

16. [SR 18-1104](#) Resolution approving a contract between the County of Nevada and ChemImage for a Mail Screener Scanning System and extended warranty for use at the Wayne Brown Correctional Facility, in the maximum contract amount of \$139,955, plus use tax in the amount of \$10,642 paid by the Sheriff's Office, for a total cost of \$150,597, with an extended service agreement period of December 11, 2018 to June 30, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Sheriff's Office budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-576

Clerk-Recorder/Registrar of Voters: Gregory Diaz

17. [SR 18-1097](#) Resolution adopting the certified statement of the Nevada County Clerk-Recorder/Registrar of Voters of the results of the November 6, 2018 Statewide General Election held in the the County of Nevada.

Adopted.

Enactment No: RES 18-577

District Attorney: Clifford Newell

18. [SR 18-1111](#) Resolution approving Amendment 2 to the California Department of Insurance Automobile Insurance Fraud Grant to investigate and prosecute automobile fraud (Res. 17-590), extending the period an additional year from July 1, 2018 to June 30, 2019 to provide time to use the funds.

Adopted.

Enactment No: RES 18-578

Treasurer-Tax Collector: Tina Vernon

19. [SR 18-1075](#) (Waive further reading/Adopt) An Ordinance adding Article 8 to Chapter 5 of the General Code of the County of Nevada establishing a Cannabis Business Tax. (4/5 affirmative vote required)

Waived further reading and adopted.

Enactment No: ORD-2456

Planning Director: Brian Foss

20. [SR 18-1048](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Ascent Environmental, Inc. pertaining to the preparation of an Initial Study (EIS16-003) and subsequent Mitigated Negative Declaration or Environmental Impact Report (EIR) for the Truckee Donner Land Trust Lake Van Norden Dam Spillway Notching Project, extending the contract period to December 31, 2019 to complete the EIR, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist V)
Adopted.
Enactment No: RES 18-579
21. [SR 18-1064](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Economic & Planning Systems, Inc. for preparation of an AB1600 Nexus Study and District Consolidation Feasibility Study (Res. 17-623), extending the contract termination date to December 31, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 18-580
22. [SR 18-1065](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Kimley-Horn and Associates, Inc. pertaining to the preparation of an Environmental Impact Report for the Commercial Cannabis Cultivation Project (Res. 18-328), increasing the amount by \$25,000 for a new contract amount not to exceed \$280,985, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Pulled from consent by Ms. Diana Gamzon, District I resident and Executive Director of Nevada County Cannabis Alliance.)
Adopted.
Enactment No: RES 18-606

Director of Public Works: Trisha Tillotson

23. [SR 18-1034](#) Acceptance of the Annual Report on Transportation Mitigation Fees - Fiscal Year 2017/18.
Approved.

24. [SR 18-1054](#) (Waive further reading/Adopt) Ordinance adding Subsection 59 of Section G-IV 3.A.5 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to Speed Limits on Oak Tree Road between Tyler Foote Crossing Road and Wampum Way, and amending Subsection 19 of Section G-IV 3.A.7 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to Speed Limits on Oak Tree Road from Wampum Way to State Route 49. (Dist. IV)
Waived further reading and adopted.
Enactment No: ORD-2457
25. [SR 18-1080](#) Resolution repealing Resolution 18-540, intending to amend the Special Taxes for the existing Darkhorse Permanent Road Division and the approval to conduct the public hearing and ballot proceeding on January 8, 2019 at 11:00 a.m., and canceling the noticing and ballot mailing for the election. (Dist. II)
Adopted.
Enactment No: RES 18-581
26. [SR 18-1085](#) Resolution repealing Resolution 18-541, intending to annex territory (Retherford Road Area) into the Darkhorse Permanent Road Division and the approval to conduct the public hearing and ballot proceeding regarding the proposed Retherford Road annexation on January 8, 2019 at 11:15 a.m., and canceling the noticing and ballot mailing for the election. (Dist. II)
Adopted.
Enactment No: RES 18-582
27. [SR 18-1035](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Bridgeway Civil Constructors Inc. for the Retrac Way at Wolf Creek Bridge Replacement Project - County Contract No. 224018, with contract costs totaling \$1,593,531.46, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208. (Dist. II)
Adopted.
Enactment No: RES 18-583

28. [SR 18-1069](#) Resolution approving Program Supplement Number F062 - Amendment Modification Summary to Administering Agency-State Agreement Number 03-5917F15, for emergency road repairs on Brunswick Road from Loma Rica to Whispering Pines - Federal Contract No. ER-32L0(472), in the amount of \$11,059.28, and authorizing the Chair of the Board of Supervisors to execute Program Supplement Number F062. (Dist. III)
Adopted.
Enactment No: RES 18-584
29. [SR 18-1082](#) Resolution authorizing submittal of Application No. 18-FP-NEU-1006 to the CAL FIRE California Climate Investment Fire Prevention Grant Program Fiscal Year 2018-2019, pertaining to funding for local projects and activities that address the risk of wildfire and reduce wildfire potential to forested and forest adjacent communities, in the amount of \$868,084 with County matching funds of \$256,955, and authorizing the Director of Public Works to file and execute the Application.
Adopted.
Enactment No: RES 18-585
30. [SR 18-1056](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and Merchants Fleet Management for the acquisition and use of the FleetShare automated motor pool management system (Res. 17-414), extending the term of the contract for an additional three-year period through June 30, 2021, increasing the amount of the contract for a new maximum amount not to exceed \$80,180, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Fleet)
Adopted.
Enactment No: RES 18-586
31. [SR 18-1051](#) Resolution approving Amendment 2 to the Memorandum of Understanding between the County of Nevada and the County of Placer pertaining to use of the Eastern Regional Material Recovery Facility for disposal of solid waste generated in Eastern Nevada County (Res. 97-523), extending the expiration date to December 31, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Sanitation) (Dist. 5)
Adopted.
Enactment No: RES 18-587

32. [SR 18-1057](#) Resolution approving Standard Agreement 64B019-00820 between the County of Nevada and the California Department of Transportation for a Federal Transit Administration Section 5311 (49 U.S.C. Section 5311) grant, to provide financial assistance for the operation of rural transit service in Western Nevada County, in the amount of \$459,615 for Fiscal Year 2018/19, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Transit)

Adopted.

Enactment No: RES 18-588

33. [SR 18-1067](#) Resolution approving plans, specifications, and cost estimate for construction of the Gold Country Stage Bus Stop Improvements located at Sutton Way adjacent to the Glenbrook Center - Contract No. 889816, authorizing the Chair of the Board of Supervisors to sign the documents, and granting the Public Works Director authorization to incorporate any final changes into the bid documents before advertising for bids, with the bid opening date to be set by the Director of Public Works. (Transit)

Adopted.

Enactment No: RES 18-589

Director of Human Resources: Steven Rose

34. [SR 18-1116](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Aaronson, Dickerson, Cohn and Lazon for specialized legal services (PESM3698), increasing the contract amount from \$24,900 to \$40,000, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Human Resources Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-590

35. [SR 18-1094](#) Resolution adopting the revised Nevada County Personnel Code, effective December 11, 2018.

Adopted.

Enactment No: RES 18-591

Chief Probation Officer: Michael Ertola

36. [SR 18-1090](#) Resolution approving an Agreement between the Nevada County Probation Department and the City of Grass Valley pertaining to AB109 related police officer services for post release probation supervision for certain offenders released from State prison, in an amount not to exceed \$45,000, for the period July 1, 2018 to June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 18-592

Chief Information Officer: Stephen Monaghan

37. [SR 18-1102](#) Resolution authorizing the purchase of a Symmetra battery backup, Dell server, Tegile data storage device, and Cybernetics backup tape unit as capital assets, and the purchase of network switches, directing the Auditor-Controller to release \$102,522 from the Information Systems Infrastructure Assignment of the General Fund and to amend the Fiscal Year 2018/19 Information Systems budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-593

38. [SR 18-1113](#) Resolution approving Amendment 10 to the contract between the County of Nevada and EPIC Aviation, LLC, for aviation fuel services and support at the Nevada County Airport (Res. 06-071), extending the term of the contract through February 28, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

Adopted.

Enactment No: RES 18-594

39. [SR 18-1112](#) Resolution authorizing the Airport Manager to submit an application for a California Department of Transportation Division of Aeronautics AIP Matching Grant in the amount of \$6,516 to supplement a Federal Aviation Administration Grant for the design of Taxiway A, Ramps 1, 2, and 5, and Pavement Preservation and Rehabilitation at the Nevada County Airport, and authorizing the Chief Information Officer to execute the application. (Airport)

Adopted.

Enactment No: RES 18-595

40. [SR 18-1047](#) Resolution continuing the declaration of a local emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)

Adopted.

Enactment No: RES 18-596

41. [SR 18-1091](#) Resolution authorizing the Nevada County Office of Emergency Services to submit five applications to the California Department of Forestry and Fire Protection, Fire Prevention Grant Program, to fund Fire Prevention Projects in the County of Nevada, for a total amount of \$3,615,786, for the period December 19, 2018 through March 2022, and authorizing the Director of Emergency Services to execute the applications. (Emergency Services)
Adopted.
Enactment No: RES 18-597
42. [SR 18-1107](#) Resolution approving and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Capital Facilities budget in the amount of \$30,588 for the purchase of property located at 12984 Combie Road, Auburn, California (APN 11-181-03-000). (4/5 affirmative vote required) (Facilities)
Adopted.
Enactment No: RES 18-598
43. [SR 18-1061](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Pro-Line Cleaning Services, Inc., for janitorial services at various County facilities (Res. 18-319), increasing the contract amount by \$65,000 for a maximum contract price of \$130,000, extending the contract termination date to June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
Adopted.
Enactment No: RES 18-599
44. [SR 18-1060](#) Resolution approving Amendment 1 to the contract between the County of Nevada and The Boland Group, Inc., dba Out of Sight Cleaning for janitorial services at various County facilities (Res. 18-320), increasing the contract amount by \$65,000 for a maximum contract price of \$130,000, extending the contract termination date to June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
Adopted.
Enactment No: RES 18-600

45. [SR 18-1046](#) Resolution approving an agreement between the County of Nevada and National Express, LLC, dba Durham School Services, L.P., for use of County property located at the Eric Rood Administrative Center Campus, 950 Maidu Avenue, Nevada City, to provide public transportation to the community for the annual Victorian Christmas and Night of Giving events held in Nevada City, for the period December 12, 2018 through December 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Facilities)
Adopted.
Enactment No: RES 18-601
46. [SR 18-1109](#) Resolution directing the Nevada County Purchasing Agent to issue a Request for Qualifications for architectural engineering services. (Facilities)
Adopted.
Enactment No: RES 18-602
47. [SR 18-1108](#) Resolution declaring certain County property as surplus, and authorizing the Purchasing Agent to sell, or otherwise dispose of those certain items of surplus personal property listed on Exhibit A, "Assets to be Sold on Online Auction." (4/5 affirmative vote required) (Purchasing)
Adopted.
Enactment No: RES 18-603

County Counsel: Alison Barratt-Green

48. [SR 18-1055](#) (Waive further reading/Adopt) An Ordinance amending Appendix I of Section A-II 22.3 of Article 22 of Chapter II of the Nevada County Administrative Code regarding the County's Conflict of Interest Code.
Waived further reading and adopted.
Enactment No: ORD-2458
49. [SR 18-1117](#) Resolution authorizing participation in the Northern California Wildfires Coordinated Proceedings, approving a Professional Services Agreement between the County of Nevada and Baron & Budd, P.C., et al, for legal services related to the October 2017 wildfires, and authorizing County Counsel to execute the Agreement and related documents.
Adopted.
Enactment No: RES 18-604

County Executive Officer: Alison Lehman

50. [SR 18-1068](#) Resolution rejecting all bids for Request for Proposals for conflict indigent legal defense services (Res. 18-382).

Adopted.

Enactment No: RES 18-605

Individual Board Member Item:

51. [SR 18-1059](#) (Waive further reading/Adopt) An Ordinance amending Section G-VII 1.27 of Article 1 of Chapter VII of the Nevada County General Code pertaining to discharging a firearm. (4/5 affirmative vote required)

Waived further reading and adopted.

Enactment No: ORD-2459

Clerk of the Board: Julie Patterson Hunter

52. [SR 18-1099](#) Acceptance of resignation from Mr. Norman A. Sauer, Jr. as the Board of Supervisors appointed representative on the Area 4 Agency on Aging Advisory Council, effective November 26, 2018.

Accepted.

53. [SR 18-1100](#) Confirm and ratify the appointment of Ms. Nancy Baglietto, as a low-income sector representative to the Adult and Family Services Commission.

Appointed.

54. [SR 18-1101](#) Acknowledgement of Supervisor Scofield's appointment of Ms. Sheila Stein as District II representative effective December 3, 2018, and approve the appointment of Ms. Teresa Dietrich to the Realtor position, both to the Sewage Disposal Technical Advisory Group.

Acknowledged.

ACTION TAKEN: Chairman Scofield introduced the consent calendar. Agenda Item #22 pulled from consent by Ms. Diana Gamzon.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to approve the consent calendar less Agenda Item #22. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

Planning Director: Brian Foss

22. [SR 18-1065](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Kimley-Horn and Associates, Inc. pertaining to the preparation of an Environmental Impact Report for the Commercial Cannabis Cultivation Project (Res. 18-328), increasing the amount by \$25,000 for a new contract amount not to exceed \$280,985, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Pulled from consent by Ms. Diana Gamzon, District I resident and Executive Director of Nevada County Cannabis Alliance.)
Enactment No: RES 18-606

ACTION TAKEN: Ms. Diana Gamzon, District I resident and Executive Director of Nevada County Cannabis Alliance, provided comments on behalf of the Alliance and its members.

The following members of the public provided comments: Mr. John Foley, District II resident; Mr. Wade Laughter, District I resident.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Miller, to adopt Resolution 18-606. On a roll call vote the motion passed unanimously.

Chairman Scofield recessed as the Board of Supervisors and convened as the Board of Directors of the Nevada County Sanitation District No. 1.

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

Call the meeting to order:

ACTION TAKEN: Chairman Scofield called the meeting to order. All Directors present.

Consent:Director of Public Works: Trisha Tillotson

55a. [SR 18-1077](#) Resolution approving Amendment 1 to the contract between the 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), extending the contract termination date to December 31, 2019, and authorizing the Chair of the Board of Directors to execute the Amendment. (Sanitation) (Dist. I) (Pulled from consent by Supervisor Hall)

Adopted.

Enactment No: SD18-012

55b. [SR 18-1079](#) Resolution approving Amendment 1 to the contract between the Nevada County Sanitation District No.1 and Inland Environmental Resources (IER) Environmental Systems, Inc. for a trial use period with an option to purchase, to install and evaluate a Gener-Ox Sulfide Oxidation Unit for odor control use in Lake Wildwood, Zone 1, increasing the maximum contract amount to \$106,301.38, extending the contract termination date to December 31, 2018, authorizing the Chair of the Board of Directors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Sanitation District No. 1 Lake Wildwood, Zone 1 budget. (4/5 affirmative vote required) (Sanitation) (Dist. IV)

Adopted.

Enactment No: SD18-011

55c. [SR 18-1121](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for September 11, 2018.

Accepted.

ACTION TAKEN: Chairman Scofield introduced the consent calendar. Agenda Item #55a pulled from consent by Supervisor Hall.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Director Weston, seconded by Director Anderson, to approve the consent calendar less item #55a. On a roll call vote, the motion passed unanimously.

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ITEMS PULLED FROM THE CONSENT CALENDAR:

Director of Public Works: Trisha Tillotson

- 55a.** [SR 18-1077](#) Resolution approving Amendment 1 to the contract between the 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), extending the contract termination date to December 31, 2019, and authorizing the Chair of the Board of Directors to execute the Amendment. (Sanitation) (Dist. I) (Pulled from consent by Supervisor Hall)
Enactment No: SD18-012

ACTION TAKEN: Supervisor Hall pulled the item from consent and asked for clarification for residents of the area.

Ms. Trisha Tillotson, Director of Public Works, provided a brief overview of the Project, and provided clarification regarding the review process and the status of the Environmental Impact Report.

Supervisor Hall encouraged staff to communicate with residents of Cascade Shores.

MOTION: Motion made by Director Hall, seconded by Director Weston, to approve Sanitation Resolution SD18-012. On a roll call vote, the motion passed unanimously.

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Public comment:

ACTION TAKEN: No public comment received.

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Adjournment:

ACTION TAKEN: Chairman Scofield adjourned the meeting.

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Chairman Scofield adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.

INDIVIDUAL BOARD MEMBER ITEM:

56. [SR 18-0968](#) Presentation on the status of Emergency Medical Services (EMS) in Nevada County (Ms. Victoria Pinette, Executive Director, Sierra-Sacramento Valley EMS)

Sponsor(s): Hank Weston, District IV

Presentation provided.

ACTION TAKEN: Supervisor Weston introduced the agenda item and Ms. Victoria Pinette, Executive Director, Sierra-Sacramento Valley Emergency Medical Services Agency (SSVEMS) provided a PowerPoint presentation regarding the role of the Agency and the status of Emergency Medical Services (EMS) in Nevada County.

Ms. Pinette thanked Supervisor Weston for his twelve years of service on SSVEMS.

Board questioning ensued, and the Board members thank Ms. Pinette for her presentation.

***CLOSED SESSIONS:**

[SR 18-1092](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiator for the County is Trisha Tillotson, Public Works Director. The negotiator for the property owner is Fritz Gonsalves, of the Fritz and Yolanda Gonsalves Family Trust. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for a portion of property located at 10069 Combie Road, Grass Valley, California, 95949, Assessor's Parcel Number: 57-260-04.

[SR 18-1118](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiator for the County is Mike Dent, Director of Child Support Services and Collections. The negotiator for the property owner is Leo R. Granucci of the Leo R. Granucci, Revocable1997 Trust. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for property located at 936 Old Tunnel Road, Grass Valley, California, 95945, Assessor's Parcel Number: 35-400-54-000.

ACTION TAKEN: Ms. Alison Barratt-Green, County Counsel, read the title of the closed sessions into the record and the Board entered into closed session.

Following the closed sessions, Ms. Barratt-Green reported that nothing occurred in either closed session that is required to be reported out by law.

SCHEDULED ITEM: 11:00 A.M.

Director of Public Works: Trisha Tillotson

60. [SR 18-1115](#) Public hearing to consider formation of and proposed annual parcel charges for ongoing road maintenance for the Higgins Woodridge Permanent Road Division, and to consider adoption of a resolution forming the proposed Permanent Road Division and authorizing and levying a parcel charge within the boundaries of the proposed Higgins Woodridge Permanent Road Division, in compliance with Proposition 218. The Board of Supervisors shall consider all objections and protests, if any, to the proposed parcel charge and will tabulate the vote on the proposed parcel charge. A majority protest will exist if, upon the conclusion of the hearing, assessment ballots submitted in opposition to the proposed parcel charge exceed assessment ballots submitted in favor of such proposed parcel charge. Only one ballot shall be counted for each parcel, even if there are co-owners. In addition to the ballots in favor of or in opposition to the proposed assessment, the Board of Supervisors will also consider any other protests to the proposed assessment at the public hearing. (Dist. II)

Resolution approving creation of the Higgins Woodridge Permanent Road Division (PRD), and authorizing collection of parcel charges for road maintenance services within the boundaries of the Higgins Woodridge PRD.

Adopted.

Enactment No: RES 18-607

ACTION TAKEN: Chairman Scofield introduced the agenda item and Ms. Trisha Tillotson, Director of Public Works, reviewed the staff report regarding the request for the formation of, and the proposed annual parcel charges for, the ongoing road maintenance for the Higgins Woodridge Permanent Road Division (PRD). She reviewed the required steps.

Chairman Scofield opened the public hearing for public comment. There being no public comment he closed the public comment portion of the public hearing.

Board questioning ensued.

Ms. Julie Patterson Hunter, Clerk of the Board, reported that one ballot had been received. Ms. Patterson-Hunter opened the one ballot, reporting that it was a 'Yes' vote, approving the creation of the Higgins Woodridge PRD, and the collection of parcel charges for road maintenance services within the boundaries of the PRD.

MOTION: Motion made by Supervisor Weston, seconded by Supervisor Anderson, to adopt Resolution 18-607. On a roll call vote the motion passed unanimously.

DEPARTMENT HEAD MATTERS:

Child Support Services Director: Mike Dent

57. [SR 18-1036](#) Resolution approving and adopting the 10-year Strategic Plan to address homelessness in Nevada County. (Housing)

Adopted.

Enactment No: RES 18-608

ACTION TAKEN: Mr. Mike Dent, Child Support Services Director, introduced Mr. Scott Thurmond of Thurmond Consulting LLC. Mr. Dent and Mr. Thurmond provided a PowerPoint presentation regarding No Place Like Home Program goals, strategies and funding included in the 10-Year Strategic Plan to address homelessness in Nevada County.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to adopt Resolution 18-608. On a roll call vote the motion passed unanimously.

58. [SR 18-1105](#) Resolution approving a contract between the County of Nevada and Foothill House of Hospitality dba Hospitality House related to completion of No Place Like Home (NPLH) eligible development activities selected through the County's request for proposal process, and declaring support of Hospitality House as a Development Sponsor in furtherance of identified NPLH Eligible Housing and Supportive Service Programs, in the maximum amount of \$50,000, for the period October 1, 2018, through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
(Housing)

Adopted.

Enactment No: RES 18-609

ACTION TAKEN: Chairman Scofield introduced the agenda item and Mr. Mike Dent, Child Support Services Director, introduced Ms. Nancy Baglietto, Executive Director of Hospitality House. Ms. Baglietto reported that Hospitality House has entered into a proposal to purchase property located at 936 Old Tunnel Road located in the City of Grass Valley, with plans to increase the services they are able to provide to Nevada County's homeless population, upon receipt of No Place Like Home funding.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Weston, to adopt Resolution 18-609. On a roll call vote the motion passed unanimously.

SCHEDULED ITEM: 11:15 A.M.**Chief Information Officer: Stephen Monaghan**

61. [SR 18-1119](#) Public hearing to consider approving the proposed project and a spending plan for \$23,500 of Title III Forest Reserve Funds (HR 1424) for the Fiscal Year 2017 (FY 2019 payment year) and a spending plan for \$23,500 for the Fiscal Year 2018 (FY 2020 payment year). Qualified proposed projects are as follows:

Eligible Category 1: Firewise Community Activities

Proposed Project: Fire Safe Council-Firewise Communities Expansion

Eligible Category 2: Search, Rescue & Emergency Services

Proposed Project: None

Eligible Category 3 Community Wildfire Protection Plans

Proposed Project: None

Resolution approving the Forest Reserve Title III spending plan in the amount of \$23,500 for Fiscal Year 2019/19 and \$23,500 for Fiscal Year 2019/20, designating the Firewise Communities Program as the sole spending plan, and directing staff to prepare the appropriate contract with the Fire Safe Council of Nevada County.

Adopted.

Enactment No: RES 18-610

ACTION TAKEN: Chairman Scofield introduced the public hearing and Mr. Steven Monaghan, Chief Information Officer, reviewed the staff report regarding the proposed project and spending plan for \$23,500 of Title III Forest Reserve Funds (HR 1424) for the Fiscal Year 2017 and a spending plan for \$23,500 for the Fiscal Year 2018.

Chairman Scofield opened the public hearing for public comment. There being no public comment, Chairman Scofield closed the public comment period.

MOTION: Motion made by Supervisor Weston, seconded by Supervisor Hall, to adopt Resolution 18-610. On a roll call vote the motion passed unanimously.

County Executive Officer: Alison Lehman

59. [SR 18-1103](#) Resolution approving an agreement between the County of Nevada and the Regional Housing Authority to provide a deferred loan to the Penn Valley Lone Oak Senior Apartment Project, in the amount of \$398,000, and authorizing the County Executive Officer to sign a letter of commitment.

Adopted.

Enactment No: RES 18-611

ACTION TAKEN: Chairman Scofield introduced the agenda item and Mr. Martin Polt, Deputy County Executive Officer/Chief Fiscal Officer, and Mr. Gus Becerra, Executive Director, Regional Housing Authority, provided a PowerPoint presentation regarding the proposed agreement for a deferred loan to the Penn Valley Lone Oak Senior Apartment Project, located in Penn Valley, just south of Penn Valley Drive, in the amount of \$398,000. Mr. Polt completed the presentation and requested the Board approve the associated Resolution.

Mr. Becerra and Mr. Polt responded to Board questioning.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Weston, to adopt Resolution 18-611. On a roll call vote the motion passed unanimously.

INDIVIDUAL BOARD MEMBER ITEM:

62. [SR 18-1089](#) Resolution amending Resolution 17-144, removing the provision that the Penn Valley Area Municipal Advisory Council shall be a pilot program for two years until July 1, 2019, and establishing the Penn Valley Area Municipal Advisory Council as a permanent Municipal Advisory Council of the County of Nevada. (Dist. IV)

Sponsor(s): Hank Weston, District IV

Adopted.

Enactment No: RES 18-612

ACTION TAKEN: Supervisor Weston reviewed the staff report regarding the continuation of the Penn Valley Area Municipal Advisory Council (MAC) as a permanent Municipal Advisory Council of the County of Nevada.

Board discussion ensued.

Chairman Scofield shared his concerns regarding the amount of staff time that is required to service the MAC. Mr. Jeffrey Thorsby, Senior Administrative Analyst, responded regarding the time requirement. He explained that most of the time incurred took place during the initial implementation of the MAC and has lessened over time. This effort can be used to replicate any future MACs if a Supervisor wishes to implement one in their District. He currently spends approximately 4-5 hours on the MAC each month. Mr. Thorsby clarified that a Secretary was hired, although shortly afterwards she ended the contract.

Board discussion continued.

Chairman Scofield provided an opportunity for public comment.

Mr. Mike Mastrodonato, District IV resident, MAC member and Chair, provided comments in support of the District IV Penn Valley Area Municipal Advisory Council (MAC) and requested the Board confirm it as a permanent Council.

There being no further public comment, Chairman Scofield closed the opportunity for public comment.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to adopt Resolution 18-612. On a roll call vote the motion passed unanimously.

Recess for lunch: 12:01 P.M.

AFTERNOON SESSION**SCHEDULED ITEM: 1:30 P.M.****Sheriff-Coroner/Public Administrator: Keith Royal**

63. [SR 18-1093](#) Public Community Forum, pursuant to The Truth Act (Government Code Sections 7283-7283.2 and 7282.5), to provide information to the public about Immigration and Customs Enforcement (ICE) access to individuals, and to receive and consider public comment.

ACTION TAKEN: Sheriff Keith Royal and Captain Jeff Pettit, reviewed the staff report regarding the Sheriff's process relating to the Immigration and Custom Enforcement (ICE) interviews with incarcerated individuals.

Captain Pettit provided an overview of Nevada County's response to requests received from ICE. ice receives notification regarding inmates through the fingerprinting system. He stressed that individuals have the ability to decide whether or not they are willing to speak with ICE, and the Sheriff's personnel provides that information to ICE. Upon release, Nevada County does not transfer or transport individuals into the custody of ICE. Only in the case of an individual who has been convicted of a serious or violent felony, ICE is notified of their release date and the individual and/or their attorney is advised of that notification.

Board questioning ensued.

Captain Pettit reported that in 2017 there were 31 requests from ICE; 9 individuals were picked up by ICE upon their release. He stressed that the Sheriff's office does not hold individuals for pick up by ICE. He added that regarding requests for interview, in 2017 there were seven requests for interviews received from ICE, only one individual agreed to an interview with their attorney present. He noted that in 2018 the numbers are drastically lower.

Board questioning ensued.

Chairman Scofield opened the Forum for public comment.

Ms. Itera O'Connell, District III resident, provided comments.

There being no further public comment, Chairman Scofield closed public comment and thanked the Sheriff's office for the report.

DEPARTMENT HEAD MATTER:**Planning Director: Brian Foss**

64. [SR 18-1098](#) Discussion and Board direction regarding the AB1600 Parks and Recreation Facilities Fee Nexus Study.

Adopted.

ACTION TAKEN: Mr. Brian Foss, Planning Director, and Mr. Jeffrey Thorsby, Senior Administrative Analyst, provided a PowerPoint presentation regarding the Board's request to update the County's 1997 Parks and Recreation Nexus Study and Fees. Mr. Foss explained that staff was requesting direction from the Board regarding the proposed fees to be collected, if any, and the implementation schedule. Mr. Foss reported that a contract was entered into with Economic and Planning Systems, Inc. (EPS) for preparation of a new Nexus Study. Public meetings were held along with meetings with stakeholders. In addition, Jake Jacobson was contracted to assist with the public outreach. He introduced the EPS team, Mr. Jamie Gomes, Managing Principal, Ms. Ellen Martin, Executive Vice President, and Mr. Mark Polhemus, Associate.

EPS provided a PowerPoint presentation regarding the updated Recreation Development Fee. He provided an overview of the Development Impact Fees and reviewed the current Fees, noting the methodology used by EPS, and he presented the new proposed fee structure. He reported that there are five Recreation Benefit Zones and four Park & Recreation Districts within the County of Nevada. He explained how fees are collected and clarified that Truckee-Donner Recreation and Park District is not part of today's discussion and that they administer and collect their own fees. He noted that there has been a change in the cost of facilities since 1997 but there has not been a change in the fees charged and does not include an administrative component.

Ms. Martin reviewed the proposed adjustments to the current fees. They proposed to add the Oak Tree benefit zone, as a new zone, in the fee update. The current fee funds neighborhood and community parks only and includes funds for land acquisition and Park & Recreation facility development. They are proposing to include Western County Trails and Regional Facilities in the new Development Fees. Ms. Martin reviewed the proposed Recreation Development Fees, noting that parcels located within Lake of the Pines and Lake Wildwood would receive reduced fees based on credits for providing on-site private park and recreation facilities.

Ms. Martin reviewed alternatives to the proposed fee implementation, noting that the Nexus Study establishes the maximum justified fee levels. The Board of Supervisors can elect to implement fees at levels below the maximum. She provided variables for consideration, including reducing the level of service, implementing a regional facility component, scaling the fee by unit square footage, increasing fees by inflation factor only, or implementing a phase-in fee increase.

Ms. Martin completed the presentation and Board questioning ensued.

Ms. Martin clarified that the Nexus Study document includes provisions for annual cost of living index increases based on the Engineering News Record (ENR) that could automatically be reviewed and adjusted each year going forward.

Mr. Foss responded regarding Accessory Dwelling Units, which are not currently subject to the fees because they are not considered "density". This could be something the Board could change going forward. Fees do apply to mobile homes.

Ms. Alison Lehman, County Executive Officer, reported that recommendations on fees will be brought forward as part of the Board Workshop in January 2019.

Board questioning and discussion ensued.

Mr. Foss clarified that the fee refresh was split into two phases: 1) Fee Nexus Study resulting in an update; and 2) creation of a Western County Park and Recreation Consolidated District.

Supervisor Anderson asked if the Accessory Development Unit (ADU) Ordinance would be returned to the Board in the future; this could be a time to address related fees. Mr. Foss responded that the issue would be returning and development fees could be reviewed at that time.

Mr. Thorsby reported on results of the community meetings that were held, and the desire of community members for consolidation of park and recreation districts.

Chairman Scofield asked what direction staff is looking for. Mr. Foss responded that staff would like to know if there are any of the proposals the Board would like them to pursue, or any variation thereof. He referred to the end of the staff report, and reviewed the five options that were presented.

Supervisor Hall was in support of a phase-in and allocating the fees per unit square footage.

Chairman Scofield shared concerns regarding the costs of housing.

Chairman Scofield provided an opportunity for public comment.

The following members of the public provided comments: Ms. Lisa Swarthout, City of Grass Valley Councilmember; Ms. Barbara Bashall, Executive Director, Nevada County Contractor's Association; Mr. Terry Hundemer, Board Member, Bear Yuba Land Trust; Ms. Erica Seward, Bear Yuba Land Trust, Co-Executive Director; Ms. Judy Lance, District 3 resident and Board member of the Gold Country Youth Soccer League; and Mr. Ed Downs, General Manager, Bear River Recreation and Park District.

There being no further public comment, Chairman Scofield closed the public comment period.

Board discussion and direction provided by the Board members:

Supervisor Miller: In support of consolidation; has a hard time increasing fees, but at the same time, consolidation and additional facilities are needed in Nevada County.

Supervisor Anderson: noted that the County's existing recreation fee has lost its buying power. He felt it is critical that there is an attempt to maintain the level of recreational facilities. He was in support of raising the fee; the Board should be able to agree on one of the alternatives that were provided. He was in support of the creation of a recreational master plan down the road.

Supervisor Weston was in agreement with consolidation but he knew it would be a long process and that it is separate from the fee issue, and consolidation would need to go through the LAFCo process and be sent to the voters. Today the Board was looking at development fees, and there was a need for increased and improved facilities. He suggested looking at square footage of units with a cost of living increase; remove regional facilities from the proposal; leave in trails; he suggested an increase in fees of 20% per year over a 5 year period; 3-acre/1000 for level of service, scaled by square footage.

Supervisor Hall was in support of consolidation although it would take a long time. She wanted to move forward on the fees. She supported fees scaled by unit square footage, and a phase-in of the fees, level of service at 3-acres/1,000 Residents for Neighborhood and Community Parks, include regional facilities.

Chairman Scofield concerned regarding additional fees. His priority would be the creation and implementation of a master plan to look at the benefit of a Western Nevada County Park and Recreation District consolidation.

Board questioning ensued.

Mr. Foss asked for consensus of the Board's direction and listed the items he had heard:

1. 3 acres/1.000 residents
2. scaled by unit square footage
3. remove recreational facility
4. trails and administrative fee
5. 3-year, 4 year, and 5-year phase-in of increase (provide all three options) (20% per year and include a cost of living for each year)

Mr. Foss commented that this is Alternative 1B. The Board members agreed on the direction as listed by Mr. Foss.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, directing staff to move forward with Alternative 1B. On a voice vote the motion passed unanimously.

***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.

ACTION TAKEN: Not held.

ADJOURNMENT:

ACTION TAKEN: Chairman Scofield adjourned the meeting at 3:47 P.M.

Signature and Attestation

Edward C. Scofield, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board