

# 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)

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Julie Patterson Hunter, Clerk of the Board  
Alison Lehman, County Executive Officer  
Alison Barratt-Green, County Counsel



## BOARD OF SUPERVISORS

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## AGENDA

Date	Time	Location
Tuesday, April 23, 2019	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

This meeting is broadcast live on NCTV Channel 17 in the Western County and on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>

**Video Conferencing at 9:01 a.m. for Public Comment located at the District V Board of Supervisors Conference Room Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California**

*The Board of Supervisors welcomes you to its regular meetings that are scheduled the second and fourth Tuesdays of every month. Your interest is encouraged and appreciated.*

*ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please approach the rostrum and, after receiving recognition from the Chair, give your name and comments or questions as all meetings are recorded. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. Time limitations are explained on the last page of the agenda.*

*The meeting room is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.*

*The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at <http://www.mynevadacounty.com/nc/bos/cob>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents.*

*Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.*

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

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

**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.)*

**Clerk of the Board: Julie Patterson Hunter**

1. [SR 19-0285](#) Resolution proclaiming April 29, 2019 as Nevada County Historical Landmarks Commission Day, in recognition of the Commission's 50th Anniversary.

**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**

2. [SR 19-0265](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Tahoe Truckee Unified School District for the provision of Wellness Program services in the Eastern County region as a component of the County's Mental Health Services Act Prevention and Early Intervention Plan (Res. 18-450), increasing the maximum contract amount from \$55,000 to \$67,400 to reflect the incorporation of Suicide Prevention services, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
3. [SR 19-0283](#) Resolution accepting grant funds in the amount of \$244,060, for the renewal Substance Abuse and Mental Health Services Administration Center for Mental Health Services Community Mental Health Services Block Grant Program, for Fiscal Year 2018/19.

Public Health Director: Jill Blake

4. [SR 19-0299](#) Resolution approving the renewal Subrecipient Agreement 9903-5320-71209-19-20 between the County of Nevada and Essential Access Health (Essential Access), awarding the County's Public Health Department funding up to a maximum amount of \$100,000 for reproductive health and family planning services, for the period April 1, 2019 through March 31, 2020, and authorizing the Director of Public Health to execute the Agreement.

Director of Social Services: Tex Ritter

5. [SR 19-0266](#) Resolution proclaiming May 2019 as Older Americans Month in Nevada County.

Agricultural Commissioner: Chris de Nijs

6. [SR 19-0286](#) Resolution approving a capital asset and authorizing the purchase of a John Deere Utility Vehicle, in the amount of \$31,457, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Agricultural Commissioner's budget. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

7. [SR 19-0281](#) Resolution approving projects for inclusion in the Nevada County Transportation Commission's 2019/20 Overall Work Program.
8. [SR 19-0280](#) Resolution authorizing the Nevada County Department of Public Works to request Regional Surface Transportation Program (RSTP) fund allocations from the Nevada County Transportation Commission, for a total Fiscal Year 2019/20 RSTP funding request in the amount of \$2,085,107.
9. [SR 19-0275](#) Resolution rejecting all bids for the 2019 Road Rehabilitation Project - Contract No. 450003 (Res. 19-081). (Dists. I, III and IV)
10. [SR 19-0276](#) Resolution approving bidding documents and re-advertising for bids for the 2019 Road Rehabilitation Project - Contract No. 450003, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with the applicable regulations with the bid opening date to be set by the Director of Public Works. (Dists. I, III, IV)
11. [SR 19-0278](#) Resolution awarding a contract between the County of Nevada and Apply-A-Line, LLC. for the 2019 Nevada County Annual Striping Program - Contract No. 426636 (Res. 19-033), in the amount of \$294,309.36, plus a ten percent contingency, for a grand total of \$323,740, and authorizing the Chair of the Board of Supervisors to execute the contract.

12. [SR 19-0253](#) Resolution approving Amendment 1 to the Agreement between the County of Nevada and Holt of California for the repair of heavy equipment for Nevada County Fleet Services (PESM3622), increasing the maximum amount to a new amount not to exceed \$67,000, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Fleet Maintenance budget. (4/5 affirmative vote required)
13. [SR 19-0262](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Robinson Enterprises, Inc. for leachate transport services at the McCourtney Road Closed Landfill/Transfer Station (Res. 17-322), increasing the maximum contract amount from \$350,000 to an amount not to exceed \$450,000, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Solid Waste Western budget. (4/5 affirmative vote required) (Sanitation)
14. [SR 19-0279](#) Resolution authorizing the Chair of the Board of Supervisors to execute Federal Fiscal Year 2019 Certifications and Assurances for Federal Transit Administration Assistance Programs. (Transit Services)
15. [SR 19-0282](#) Resolution approving submittal of the Fiscal Year 2018/19 Low Carbon Transit Operations Program applications in the amount of \$152,313 for continuation of a fare incentive project to offer improved mobility options on Gold Country Stage (\$40,000) and for implementation of a low-income fare subsidy program (\$112,313), returning to the Board of Supervisors upon approval of the grant for acceptance, with the Department of Public Works-Transit Services Division the Lead Sponsor and the Nevada County Transportation Commission a Contributing Sponsor, and authorizing the Director of Public Works to execute the applications. (Transit Services)

Director of Human Resources : Steven Rose

16. [SR 19-0289](#) Resolution amending Authorized Personnel Staffing Resolution 18-240, effective April 23, 2019, with the total number of FTE changing from 798.35 to 797.85.
17. [SR 19-0291](#) Resolution amending Authorized Personnel Salary Resolution 18-241, allocating positions to various salary ranges, effective April 23, 2019.

Chief Information Officer: Stephen Monaghan

18. [SR 19-0264](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)

19. [SR 19-0298](#) Resolution authorizing the Nevada County Airport Manager to submit an application for a California Department of Transportation (Caltrans) loan in the amount of \$45,000, for the capital asset purchase of an AVGAS refueling truck from the Truckee-Tahoe Airport, authorizing the Nevada County Airport Manager to accept and execute the Caltrans loan agreement, approving the purchase of the capital asset, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Airport budget. (4/5 affirmative vote required) (Airport)
20. [SR 19-0284](#) Resolution approving Amendment 1 to the contract between the County of Nevada and James White Construction for snow removal and sanding services at Nevada County facilities in Truckee (PESM3699), increasing the contract amount from \$25,000 to a maximum contract price of \$60,000 due to increased snow levels in the Truckee area, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
21. [SR 19-0297](#) Resolution approving a contract between the County of Nevada and M. Arthur Gensler Jr. & Associates, Inc. for architectural design services at the Nevada County Madelyn Helling Library for the Madelyn Helling Library Remodel Project, in the amount of \$50,750, for the period April 23, 2019 through June 30, 2020, authorizing the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Facilities Management budget. (4/5 affirmative vote required) (Facilities)
22. [SR 19-0263](#) Resolution approving a License Agreement between the County of Nevada, the Gold Country Kiwanis, and the Fire Safe Council of Nevada County pertaining to the non-exclusive use of the Nevada County Eric Rood Administrative Center to host the Sixteenth Annual Children's Safety and Health Carnival - Community Wildfire Preparedness Day on Saturday May 4, 2019, and authorizing the Director of Emergency Services to execute the Agreement. (Emergency Services)
23. [SR 19-0292](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the Nevada County Office of Emergency Services and the South Yuba River Citizens League for the provision of four Satellite Communication Devices to ensure public safety along the Yuba River (Res. 18-354), revising the MOU to purchase an additional two Satellite Communication Devices, and authorizing the Director of the Office of Emergency Services to execute the MOU. (Emergency Services)

County Librarian: Yolande Wilburn

24. [SR 19-0273](#) Resolution accepting a grant from the California State Library for \$6,800 in funding to support the Lunch at the Library Program at the Nevada County Community Library, for use during the period May 1, 2019 through August 30, 2019, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required)

25. [SR 19-0274](#) Resolution authorizing a Software as a Service Agreement between the County of Nevada and Innovative Interfaces Incorporated for the implementation of and five-year subscription to the Polaris Hosted Integrated Library System, in an amount not to exceed \$327,462, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Library budget. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

26. [SR 19-0267](#) Acknowledge Supervisor Hoek's acceptance of resignation from Ms. Fran Cole as District IV representative to the Nevada County Historical Landmarks Commission.
27. [SR 19-0277](#) Approve the appointments of Mr. Robert Graham as a Cattle Industry representative and Ms. Aleta Barrett as a Farming Industry representative, both for unexpired 4-year terms ending March 31, 2022, approve the appointment of Mr. Seth Rosmarin as an Other Agricultural Interests representative, for a 4-year term ending March 31, 2023, and approve the redesignation of Ms. Laura Barhydt as a Cattle Industry representative, all to the Agricultural Advisory Commission.
28. [SR 19-0301](#) Resolution making findings, accepting the appeal filed by Jens Larson, et al, from the decision of the Zoning Administrator's approval of a combined application for a Conditional Use Permit, and a Petition for Exceptions to Driveway Standards (PLN17-0074; CUP17-0016; MIS18-0012; and EIS17-0023) for the construction of an unmanned 110-foot-tall monopine telecommunication tower and equipment facility with a 1,500-square-foot lease area located at 13803 Wild Life Lane, Grass Valley (APN 012-720-045), and scheduling the appeal for public hearing on May 28, 2019 at 10:30 a.m. (Dist. I)

**\*DEPARTMENT HEAD MATTER:**

**Public Health Director: Jill Blake**

29. [SR 19-0308](#) Measles Outbreak informational presentation.

**\*CLOSED SESSIONS:**

[SR 19-0302](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:  
Sullivan, a minor, et al. v. Lake Wildwood Association, et al., Nevada County Superior Court, Case No. CU18-083052.

[SR 19-0312](#) 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: PG&E Corporation and Pacific Gas and Electric Company, Debtors., United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 19-30088.



**SCHEDULED ITEM: 10:00 A.M.****Agricultural Commissioner: Chris de Nijs**

30. [SR 19-0304](#) Public hearing, pursuant to Government Code Section 65858, to review and approve the written report outlining the measures taken to alleviate the conditions which led to the adoption of County Ordinance No. 2464 and to consider the adoption of an extension of the April 09, 2019 Urgency Ordinance (County Ord. No. 2464), extending the temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County of Nevada for a period of 10-months and 15-days from date of the expiration of the original 45-day moratorium.

(Introduce/Waive Further Reading/Adopt) An Interim Ordinance extending the temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County of Nevada for an additional ten months and fifteen days period. (4/5 affirmative vote required)

**SCHEDULED ITEM: 10:30 A.M.****Planning Director: Brian Foss**

31. [SR 19-0288](#) Public hearing to consider the appeal filed by Jennifer D' Andrade of the Nevada County Planning Commission's March 1, 2019, Notice of Conditional Approval for a Conditional Use Permit (CUP18-0009), an Amendment to an Approved Map (AAM18-0002), a Seasonal and Ephemeral Stream Management Plan (MGT18-0019), and the adoption of a Mitigated Negative Declaration (EIS18-0012). The project is to allow up to twenty (20) special events per year with up to 125 guests, including event attendees, vendors and employees, at a 15.05-acre parcel that is developed with a single-family residence and accessory structures. All event activities would be outdoors only. The project includes improvements for a 350-square-foot restroom facility, a new septic system, driveway improvements, the installation of a 10,000-gallon water tank for fire suppression, a pathway, curtain drain, an additional driveway off Cattle Drive, a fifty-nine (59) space parking area and landscaping, and two additional ADA-compliant parking spaces. The Amendment to the Approved Tentative Parcel Map (PM16-002) allows the additional building envelope, to include the 59-space parking area. 17860 Cattle Drive, Rough and Ready (APN 051-110-004). (Dist. IV)

Resolution denying the appeal filed by Jennifer D'Andrade regarding the Planning Commission's February 28, 2019 approval of the Conditional Use Permit (CUP18-0009), the Amendment to the Tentative Parcel Map (AAM18-0002), and the Seasonal and Ephemeral Stream Management Plan (MGT18-0019); and adoption of the Mitigated Negative Declaration (EIS18-0012), to allow outdoor special events on the property located at 17860 Cattle Drive, Grass Valley, in the unincorporated area of Nevada County (APN 051-110-004).

**\*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: April 18, 2019.*

*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)