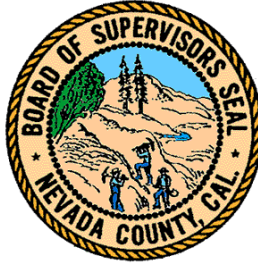


COUNTY OF NEVADA

STATE OF CALIFORNIA

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



BOARD OF SUPERVISORS

950 Maidu Avenue
Nevada City, CA 95959-8617
(530) 265-1480
Fax: (530) 265-9836
bdofsupervisors@co.nevada.ca.us

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

AGENDA

Date	Time	Location
Tuesday, May 10, 2016	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 http://nevco.granicus.com/ViewPublisher.php?view_id=3.

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

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

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

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

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

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

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

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

PUBLIC COMMENT: 9:01 A.M.

Members of the public shall be allowed to address the board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board.

(Video-Conferencing for the public comment portion of the meeting is also available in Truckee at the District V Board of Supervisors Conference Room, east (left) side of the Sheriff's Substation at 10879A Donner Pass Road.)

CONSENT CALENDAR:

These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member, staff member or interested party may request that an item be removed from the consent calendar for discussion.

Public Health Director: Jill Blake

1. [SR 16-0301](#) Resolution approving a renewal contract between the County of Nevada and Lynne Lacroix dba Cody Consulting for the provision of project coordination services related to the County's Nutrition Education and Obesity Prevention Program, in the maximum amount of \$37,200, for the period April 1, 2016 through September 30, 2016, and authorizing the Chair of the Board of Supervisors to execute the contract.

Auditor-Controller: Marcia Salter

2. [SR 16-0311](#) Resolution authorizing the Auditor-Controller to review and approve tax refund claims in accordance with Revenue & Taxation Code Section 5097, et seq, and other statutory roll corrections, amending the roll correction process, and rescinding Resolution 08-312.

Agricultural Commissioner: Chris Flores

3. [SR 16-0347](#) Resolution approving Agreement 16-0172-SA between the County of Nevada and California Department of Food and Agriculture (CDFA) to reimburse the County for costs incurred in the enforcement of certified Farmers Market Inspections, in an amount not to exceed \$7,044, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

4. [SR 16-0322](#) Resolution approving renewal of revenue Agreement 15-0588-SF between the County of Nevada and California Department of Food and Agriculture (CDFA) to fund County European Grapevine Moth (EGVM) trapping activities, in the maximum reimbursement amount of \$9,636, for the period of February 1, 2016 through November 30, 2016, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Environmental Health Director: Amy Irani

5. [SR 16-0350](#) Resolution authorizing the Nevada County Board of Supervisors to accept grant funding for Agreement TEA23-15-0038 with the California Department of Resources Recycling and Recovery (CalRecycle) for the Waste Tire Enforcement Grant (TEA) 23rd Cycle (County Fiscal Year 2016/17), in the amount of \$35,823, for the period June 30, 2016 through September 30, 2017, and authorizing the Chair of the Board of Supervisors or his/her designee to execute all documents necessary to secure release of grant funds for the Waste Tire Enforcement Grant Program.

Director of Public Works: Steven Castleberry

6. [SR 16-0362](#) Resolution to reject bids and authorize re-bidding the Maybert Bridge at Canyon Creek Replacement Project - Contract No. 224017. (Dist. V)
7. [SR 16-0334](#) Resolution awarding contract to Linear Options, Inc., for the 2016 Nevada County Annual Striping Phase 1 and Phase 2 Contract No. 426633, in the amount of \$204,567.55 plus a ten percent contingency for the contract work items, for a grand total of \$225,024.31 and authorizing the Chair of the Board of Supervisors to execute the contract.

Chief Probation Officer: Michael Ertola

8. [SR 16-0354](#) Resolution approving Amendment 2 to contract between the County of Nevada and Telmate, LLC for inmate phone services at Carl F. Bryan II Juvenile Hall (Res. 12-394), extending the contract termination date from April 26, 2016 to December 31, 2016, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Chief Information Officer: Stephen Monaghan

9. [SR 16-0361](#) Resolution approving Amendment 1 to contract between the County of Nevada and C&S Engineers, Inc., to provide for additional services pertaining to a new Perimeter Fence and Gate System at the Nevada County Airport (Res. 16-026), increasing the maximum contract amount from \$69,913 to \$91,270, extending the term of the contract to September 30, 2016, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

10. [SR 16-0358](#) Resolution authorizing the Conveyance and Recordation of a Non-Exclusive Easement within Western Gateway Park property (APN 51-220-16), approving an Easement Agreement between the County of Nevada and the Nevada Cemetery District, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Facilities)

County Counsel: Alison Barratt-Green

11. [SR 16-0375](#) Resolution approving Amendment 4 to contract between the County of Nevada, acting on behalf of Nevada County Community Facilities District No. 1990-1 (Wildwood Estates), and Allen Matkins Leek Gamble Mallory & Natsis LLP, increasing the maximum contract amount by \$14,544.55, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
12. [SR 16-0382](#) Resolution approving a personal services contract between the County of Nevada and Stradling Yocca Carlson & Rauth, P.C. for bond counsel services related to proposed financing for the Nevada County Energy Conservation and Generation Project, in the maximum contract amount of \$60,000, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Clerk of the Board: Julie Patterson Hunter

13. [SR 16-0377](#) Resolution proclaiming May 2016 as Motorcycle Awareness Month in Nevada County.
14. [SR 16-0371](#) Acceptance of resignation from Mr. Clifford Bottenfield as Forest and Related Industry member on the Agricultural Advisory Commission.
15. [SR 16-0368](#) Approval of John Muir Charter Schools' Conflict of Interest Code.
16. [SR 16-0369](#) Approval of Nevada County Office of Education's amended Conflict of Interest Code.
17. [SR 16-0379](#) Acceptance of Board of Supervisors Summary Minutes for April 26, 2016.

DEPARTMENT HEAD MATTERS:

Behavioral Health Director: Rebecca Slade

18. [SR 16-0339](#) Resolution proclaiming May 2016 as Mental Health Awareness Month in Nevada County.

Director of Social Services: Mike Dent

19. [SR 16-0357](#) Approve designation of Mr. Kevin Edwards as the County Veterans' Services Officer (VSO), effective April 25, 2016.
20. [SR 16-0330](#) Presentation on services and performance measures related to the administration of employment services for Nevada County CalWORKs participants through the Employability Barrier Removal Program, unpaid Work Experience (WEX), paid Subsidized Employment Program (SEP), and Expanded Subsidized Employment (ESE) Programs.

Environmental Health Director: Amy Irani

21. [SR 16-0351](#) Resolution approving a draft of the County of Nevada On-Site Sewage Disposal regulation and related documents which comprise the proposed draft Local Area Management Plan (LAMP) and authorizing the Nevada County Department of Environmental Health to submit the draft LAMP to the Central Valley Regional Water Quality Control Board (CVRWQCB).

INDIVIDUAL BOARD MEMBER ITEMS:

22. [SR 16-0355](#) Letter opposing Assembly Bill 2395 - Telecommunications, replacement of public switched network.

Sponsors: Nate Beason, District 1

***CLOSED SESSION:**

[SR 16-0378](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiators for the County are Steve Monaghan and Tom Coburn. Negotiating parties are the County of Nevada, and Nancy Peirce, on behalf of the Western Gateway Park District. Items under negotiation concern the transfer of approximately 80.03 acres of Park Property from the County to the Park District, located at 18560 Penn Valley Drive, Penn Valley, APN 51-220-16.

DEPARTMENT HEAD MATTERS: (Continued)**Chief Information Officer: Stephen Monaghan**

23. [SR 16-0359](#) Resolution authorizing the transfer of Western Gateway Park (APN 51-220-16), approving the Western Gateway Park Transfer Agreement between the County of Nevada and the Western Gateway Park and Recreation District, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (4/5 Affirmative Vote Required) (Dist. IV) (Facilities)
24. [SR 16-0373](#) (Waive Further Reading/Adopt) An Ordinance amending Article 7 of Chapter IV of the Nevada County General Code regarding Hazardous Vegetation Abatement. (Emergency Services)
25. [SR 16-0372](#) Resolution approving and authorizing the Chair of the Board of Supervisors to sign the Community Wildfire Protection Plan (CWPP) Mutual Agreement Page. (Emergency Services)

***ANNOUNCEMENTS:**

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

ADJOURNMENT:

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

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

Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Joseph Center, Truckee Library and the Grass Valley Library.

PERSONS DESIRING TO ADDRESS THE BOARD**CONTROL OF MEETING:**

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

PUBLIC COMMENT:

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda during the time the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item to no less than 3 minutes for each individual. Comments by the public must be relevant to the item on the agenda being considered by the Board.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items.

The Board will allocate at least 15 minutes for receiving public comment during any Board meeting. The chairperson of the Board may limit any individual desiring to address the Board to no less than 3 minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

At special meetings of the Board, there will not be a scheduled public comment period allocated for items not on the agenda. Public comment will only be allowed on matters appearing on the agenda at the time they are discussed by the Board.

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board may limit any person's input to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed, and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and to reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. After the public hearing is closed, if the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium after giving name and city of residence. Speakers shall direct their comments to the Board, not the audience; 2) Comment on the specific matter before the Board with reasons for the position taken; 3) A time limit of at least three minutes per speaker will be provided for all oral comments. Time limits may be increased at the Chair of the Board's discretion; 4) The chair may, at his or her discretion allow five (5) minutes for those who are serving as a spokesperson for a group or organization; 5) A speaker may not yield time to another speaker; 6) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information; 7) In the interest of civil discourse, the same rules specified in the Board Order and Decorum (adopted every year by Resolution) and Robert's Rules of Order (General Henry M. Robert) shall apply for this section as well, and are hereby incorporated by reference. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack; and 8) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be increased at the Chair of the Board's discretion.

ORDINANCES:

By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.

An urgency ordinance may be passed immediately upon introduction.

Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.

Adoption of the ordinance is made by majority vote.

The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

INFORMATIONAL CORRESPONDENCE:

The Board may direct any item of informational correspondence to a department head for appropriate action.

REFERENCES:

Nevada County Resolution 13-050 (Public comment)

Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)

Nevada County Land Use Code Sec. L-II 5.12 (Appeals)