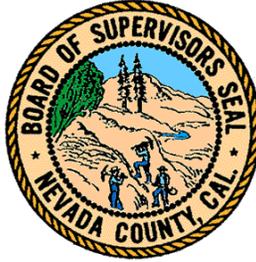


COUNTY OF NEVADA

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)



BOARD OF SUPERVISORS

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

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

AGENDA

Date	Time	Location
Tuesday, October 9, 2018	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.)

1. [SR 18-0909](#) Introduction of Mr. Alonzo "Lon" Henderson, District Ranger, Yuba River Ranger District, and Ms. Liz Berger, Deputy Forest Supervisor, Tahoe National Forest. (Eli Ilano, Forest Supervisor, TNF)
2. [SR 18-0829](#) Resolution proclaiming the month of October 2018 as "United Way of Nevada County Campaign Kick-Off Month" in Nevada County. (Ms. Megan Timpany, Executive Director, United Way of Nevada County)
3. [SR 18-0918](#) Resolution proclaiming October 14, 2018 as the 23rd "Annual Truckee River Day" in Nevada County.

Sponsor(s): Richard Anderson, District V

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

4. [SR 18-0870](#) Resolution approving Amendment 3 to the Operational Agreement between the County of Nevada and Sierra Nevada Memorial-Miners Hospital for the provision of crisis stabilization services (Res. 15-067), amending Exhibit "B" Financial Arrangement, as will be reviewed annually and adjusted as required to reflect actual project costs and revenues of the immediate prior year, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Public Health Director: Jill Blake

5. [SR 18-0865](#) Resolution approving a renewal contract between the County of Nevada and Wendy Van Wagner, dba In the Kitchen, for Nutrition Education Consultant services for the County's Nutrition Education and Obesity Prevention Program, in the maximum amount of \$26,960, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
6. [SR 18-0864](#) Resolution approving a renewal contract between the County of Nevada and Shaun Havard dba Shaun Havard Consulting for Health Education Community Liaison Consultant services for the County's Nutrition Education and Obesity Prevention Program and the County Medical Services Program - Prediabetes Prevention Program, in the maximum amount of \$50,210, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
7. [SR 18-0863](#) Resolution approving a renewal contract between the County of Nevada and Lynne Lacroix dba Cody Consulting for the provision of consultant services related to the County's Nutrition Education and Obesity Prevention Program and the County Medical Services Program - Prediabetes Prevention Program, in the maximum amount of \$77,570, for the period October 1, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Director of Social Services: Tex Ritter

8. [SR 18-0908](#) Resolution approving an Amendment to the Training Services Agreement EW-2018-24 between the County of Nevada and The Regents of the University of California, UC Davis Extension (Res. 18-266), increasing the total number of training units from 25 to 35 to be provided to the County during Fiscal Year 2018/19, increasing the maximum amount of the County's share of cost from \$95,625 to \$133,875, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Child Support Services Director: Mike Dent

9. [SR 18-0904](#) Resolution approving the Housing Preservation Grant Agreement between the County of Nevada and the U.S. Department of Agriculture, Rural Development, to improve the living conditions of low- and very low-income residents of the County in need of repairs or rehabilitation to their housing, in the maximum amount of \$68,928.25, for the period September 30, 2018 through September 30, 2019, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

10. [SR 18-0792](#) Resolution approving Standard Agreement 17-CDBG-12025 between the County of Nevada and the State Department of Housing and Community Development (HCD) for Community Development Block Grant funds for the rehabilitation and expansion of the Odyssey House, a transitional residential treatment facility for severely mentally ill adults, in the maximum amount of \$3,196,396, effective upon HCD approval through July 31, 2023, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Sheriff-Coroner/Public Administrator: Keith Royal

11. [SR 18-0889](#) Resolution approving a contract between the County of Nevada and Alta Consulting Services, Inc. to provide consulting services for security upgrades at the Wayne Brown Correctional Facility, in the maximum amount of \$63,325, for the period November 1, 2018 through November 1, 2020, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

12. [SR 18-0902](#) Resolution making Appointments In Lieu of the General Election to be held on November 6, 2018 for Special District Boards.
13. [SR 18-0913](#) Resolution authorizing payment of \$51,113.34 to ESSVR, LLC (“ESSVR”), formerly known as Data Information Management Systems, Inc., for expenditures pertaining to voter data base registration licensed software, support and maintenance services provided during the period October 1, 2017 through June 30, 2018, approving a renewal Agreement for Licensed Software, Services, and Maintenance between the County of Nevada and ESSVR, in an amount not to exceed \$70,195.65, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Planning Director: Brian Foss

14. [SR 18-0907](#) Resolution approving Amendment 2 to the grant agreement between the County of Nevada and the City of Nevada City pertaining to Recreation Mitigation funding for the Pioneer Park Picnic Area Improvement Project (Res. 16-205), extending the contract for an additional six months beyond the expiration date of October 12, 2018 to complete the Project, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. I)

Director of Public Works: Trisha Tillotson

15. [SR 18-0875](#) Review of the Nevada County Active Transportation Plan.

16. [SR 18-0923](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Cascade Software Systems, Inc. for software maintenance, installation, training, and custom programming (Res. 18-373), revising the contract to require commercial automobile insurance with an endorsement naming the County as an additional insured, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
17. [SR 18-0892](#) Resolution approving Program Supplement Number F062 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(472), in the amount of \$5,407.32 for emergency repairs on Brunswick Road from Loma Rica to Whispering Pines, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. III)
18. [SR 18-0894](#) Resolution approving Program Supplement Number F064 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(431), in the amount of \$679,429.50 for emergency repairs on Brunswick Road from the Greenhorn/Bennett intersection to 1000 feet south, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. III)
19. [SR 18-0893](#) Resolution approving Program Supplement Number F063 to Administering Agency-State Agreement Number 03-5917F15 - Federal Contract No. ER-32L0(477), in the amount of \$17,042.84 for emergency repairs on Pleasant Valley Road, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. IV)
20. [SR 18-0906](#) Resolution approving Amendment 2 to the contract between the County of Nevada and HF&H Consultants LLC for Eastern Nevada County Municipal Solid Waste Contract Consulting and Negotiation Services, increasing the maximum contract amount to a not-to-exceed amount of \$76,805, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required) (Sanitation)
21. [SR 18-0873](#) Resolution accepting the Department of Resource Recycling and Recovery (CalRecycle) Household Hazardous Waste grant funding in the amount of \$50,000 (Res. 17-118), with the grant term ending on September 30, 2021, and authorizing the Director of the Department of Public Works to execute additional documents as necessary. (Sanitation)
22. [SR 18-0872](#) Resolution approving a contract between the County of Nevada and the California Product Stewardship Council for education and outreach activities to promote use of refillable 1 lb. propane cylinders in the County, in an amount not to exceed \$50,000, for the period October 1, 2018 through September 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 budget. (4/5 affirmative vote required) (Sanitation)

Chief Information Officer: Stephen Monaghan

- 23a. [SR 18-0915](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
- 23b. [SR 18-0930](#) Resolution approving the plans and specifications for the Airport Hangar Repair. (4/5 affirmative vote required) (Airport)
24. [SR 18-0876](#) Resolution approving the Notice of Acceptance and Final Completion of the contract between the County of Nevada and SunPower Corporation, Systems for the Nevada County Energy Conservation Project, with contract costs totaling \$10,365,691, authorizing the Chair of the Board of Supervisors to execute the Certificates of Final System Completion for the Solar Energy Systems located at the Lake of the Pines Wastewater Treatment Plant and the Highway 49 Ranch Property, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
25. [SR 18-0877](#) Resolution approving Amendment 1 to Agreement 5 “Solar Operations and Maintenance” between the County of Nevada and SunPower Corporation, Systems (Res. 16-178), pertaining to the identification of newly installed equipment, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
26. [SR 18-0878](#) Resolution approving Amendment 1 to Agreement 3 “Solar System Performance Guarantee” between the County of Nevada and SunPower Corporation, Systems (Res. 16-180), reflecting a change in equipment that will affect the energy output originally anticipated at the Lake of the Pines Wastewater Treatment Plant and the Carl F. Bryan II Juvenile Hall, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
27. [SR 18-0879](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Climatec LLC "Non-Solar Installation Agreement" to provide an Energy Conservation and Solar Energy Generation Program and to implement energy conservation measures at various County facilities (Res. 16-175), with contract costs totaling \$2,361,991, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
28. [SR 18-0914](#) Resolution approving a contract between the County of Nevada and Disability Access Consultants for the Nevada County Facilities ADA Self Evaluation and Transition Plan (Res. 18-196), in the maximum amount of \$60,000, for the period October 9, 2018 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

Individual Board Member Item:

29. [SR 18-0941](#) Request to send a letter of support to the California Highway Patrol for grant funding to provide additional resources in the Grass Valley area for public affairs, increased enforcement and education along Highway 49 and other Nevada County roadways.

Sponsor(s): Ed Scofield, District II

Clerk of the Board: Julie Patterson Hunter

30. [SR 18-0920](#) Appointment of Ms. Anne Rarick to the Mental Health Advisory Board as a District V representative, for an unexpired 3-year term ending June 30, 2020.
31. [SR 18-0910](#) Acceptance of Board of Supervisors Summary Minutes for September 11 and 25, 2018.

DEPARTMENT HEAD MATTERS:*Agricultural Commissioner: Chris de Nijs**

32. [SR 18-0911](#) Report from Mr. Jeff Jenkins, Chair of the Nevada County Fish and Wildlife Commission, regarding recent accomplishments of the Commission as well as concerns facing fish and wildlife resources in Nevada County.

***CLOSED SESSIONS:**

[SR 18-0933](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.

[SR 18-0934](#) Pursuant to Government Code Section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter.

***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.

Recess for lunch:

AFTERNOON SESSION: 1:30 P.M.**SCHEDULED ITEM: Brian Foss, Planning Director**

33. [SR 18-0919](#) Public hearing continued from the October 27, 2015 Board of Supervisors meeting regarding Project No. GP12-002; Z12-002; EIR12-002 for the following actions:
- a. Approve a Resolution approving the site specific General Plan Land Use Map Amendment (GP12-002) to re-designate “Tier 1” Sites 3 (APN: 035-412-015) and Site 5 (APN: 035-412-018) to Urban High Density, including utilizing the Certified Final Environmental Impact Report for this project (EIR12-002/SCH NO. 2009072070/Board Resolution 15-503); and
 - b. Introduce, waive further reading and adopt an Ordinance approving Zoning Map Amendments (Z12-002) to amend Zoning District Map No. 052c to change the existing zoning of “Tier 1” Sites 3 (APN: 035-412-015) and 5 (APN: 035-412-018) to High Density Residential (R3) including adding the Regional Housing Need (RH) Combining District to increase the density of those properties to provide zoning for 189-units of multifamily housing utilizing the Certified Final Environmental Impact Report for this project (EIR12-002/SCH NO. 2009072070/Board Resolution 15-503).
- 33a. [SR 18-0926](#) Resolution amending the Nevada County General Plan Land Use Map Designations for two properties (Assessor's Parcel Numbers 035-412-015 and 035-415-018), which is in addition to the Board-adopted Resolution 15-504, adopted on October 27, 2015, to increase the County's Urban High Density Land Use designation, effectively implementing the Housing Element Rezone Program Implementation Project. (Nevada County 2014-2019 Housing Element Program HD-8.1.1); (GP12-002)
- 33b. [SR 18-0927](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map No. 52c as an addition to Board-adopted Ordinance 2401, adopted on October 27, 2015, to perform site specific rezoning of Assessor's Parcel Numbers 035-412-015 and 035-412-018 to add the Regional Housing Need (RH) Combining District and increase the County's High Density Residential (R3) Zoning in connection with the Housing Element Rezone Program Implementation Project (Z12-002).

ADJOURNMENT:

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

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

Posted October 4, 2018.

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 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)