

COUNTY OF NEVADA

STATE OF CALIFORNIA

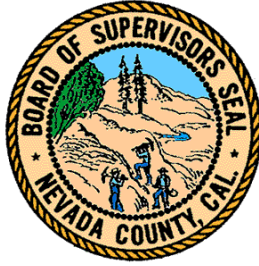
Nate Beason, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District (Chair)

Wm. "Hank" Weston, 4th District (Vice-Chair)

Richard Anderson, 5th District



BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board

Richard A. Haffey, County Executive Officer

Alison Barratt-Green, County Counsel

AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, February 9, 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.

Behavioral Health Director: Rebecca Slade

1. [SR 16-0152](#) Resolution authorizing execution of Amendment 1 to contract with CF Merced Behavioral, LLC dba Merced Behavioral Center for the provision of skilled nursing services, plus long-term, 24-hour special treatment program services for chronic mentally ill clients (PESJ2493), increasing the contract maximum from \$20,000 to \$70,000 due to an unanticipated increase in services, for the period July 1, 2015 through June 30, 2016.
2. [SR 16-0154](#) Resolution authorizing execution of Amendment 1 to contract with Community Recovery Resources (CoRR) for the provision of substance abuse treatment services for Adult Drug Court participants (Res. 15-368), increasing the contract maximum amount from \$63,251 to \$139,251 due to an unanticipated increase in services, for the period July 1, 2015 through June 30, 2016.

Public Health Director: Jill Blake

3. [SR 16-0153](#) Resolution authorizing execution of Amendment A03 to Agreement 13-20063 with the California Department of Public Health, Office of AIDS (CDPH/OA) for funding HIV Care Program (HCP) and Minority AIDS Initiative (MAI) Services to ensure the comprehensive, ongoing health and support to individuals with HIV/AIDS in the community (Res. 13-303), increasing the maximum amount from \$104,694 to \$116,174, for the period July 1, 2013 through March 31, 2016.
4. [SR 16-0159](#) Resolution authorizing execution of a renewal contract with the California Department of Public Health (CDPH) Tuberculosis Control Branch (TBCB), accepting a Real-time Allotment in the maximum payable amount of \$11,356 to support TB prevention and control activities, for the period July 1, 2015 through June 30, 2016.
5. [SR 16-0150](#) Resolution authorizing execution of the Renewal Agreement Funding Application (AFA) for Agreement 201529 with the California Department of Public Health for Maternal, Child and Adolescent Health (MCAH) Program funding, in the maximum amount payable of \$163,723, for Fiscal Year 2015/16.

Director of Social Services: Mike Dent

6. [SR 16-0157](#) Resolution authorizing execution of contract with Environmental Alternatives, Inc. pertaining to the Foster Parent Recruitment, Retention, and Support (FPRRS) Program, in the maximum amount of \$100,000, for the period February 1, 2016 through June 30, 2016.

Sheriff-Coroner/Public Administrator: Keith Royal

7. [SR 16-0086](#) Resolution authorizing execution of an amendment to contract with A & P Helicopters, Inc. pertaining to helicopter rental and pilot services (PESJ2915), revising the maximum cost to the County from \$25,000 to \$55,000 for Fiscal Year 2015/16, and directing the Auditor-Controller to amend the Sheriff's Fiscal Year 2015/16 budget and to release a portion of the fund balance in Fund 1450. (4/5 affirmative vote required.)

Director of Public Works: Steven Castleberry

8. [SR 16-0155](#) Resolution approving the 2016 Nevada County Department of Public Works Road Maintenance and Capital Improvement Five Year Plan, and authorizing the Director of Public Works to proceed with implementation of the Plan.

9. [SR 16-0112](#) Resolution awarding and authorizing execution of contract with HDR Construction Control Corporation to provide on-call construction management and inspection services for various projects (Res. 15-391), in an amount not to exceed \$750,000, for the period February 9, 2016 through June 30, 2021.
10. [SR 16-0113](#) Resolution awarding and authorizing execution of contract with Vali Cooper & Associates, Inc. to provide on-call construction management and inspection services for various projects (Res. 15-391), in an amount not to exceed \$750,000, for the period February 9, 2016 through June 30, 2021.
11. [SR 16-0127](#) Resolution approving the Notice of Acceptance and Completion of contract with Baldwin Contracting Company Inc., dba Knife River Construction for the Western Nevada County 2015 Overlay Project - County Contract No. 400023 (Res. 15-337), with contract costs totaling \$1,130,847.10, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Dists. I, II, and III)
12. [SR 16-0156](#) Resolution authorizing the purchase of three new vehicles (capital assets) for Nevada County Fleet, in the amount of \$65,895, and authorizing and directing the Auditor-Controller to amend the Public Works Department/Fleet Management Division's budget for Fiscal Year 2015/16. (4/5 affirmative vote required.)
13. [SR 16-0151](#) Resolution authorizing submittal of Applications, Grant ID 6761-0002 to the California Governor's Office of Emergency Services (Cal OES), Proposition 1B, California Transit Security Grant Program, California Transit Assistance Fund (CTSGP-CTAF) for funds in the amount of \$72,167, for a multi-phased bus stop improvement and equipment project to improve and enhance transit system safety and security, for Fiscal Year 2014/15. (Transit Services)
14. [SR 16-0120](#) Resolution accepting grant funding in the amount of \$17,786 through the California Department of Resources Recycling and Recovery (CalRecycle) City/County Payment Program, and directing the Auditor-Controller to amend the Solid Waste Western Fiscal Year 2015/16 budget. (Sanitation) (4/5 affirmative vote required.)

Chief Information Officer: Stephen Monaghan

15. [SR 16-0160](#) Resolution authorizing execution of Amendment 2 to contract with James White Construction for snow removal and sanding services at Nevada County facilities located in Truckee, CA (PESJ3012), increasing the maximum contract price from \$25,000 to \$55,000 due to increased snow levels in the Truckee area, and authorizing the Auditor-Controller to amend the Fiscal Year 2015/16 Facilities Management budget. (Facilities) (Dist. V) (4/5 affirmative vote required.)
16. [SR 16-0167](#) Resolution awarding and authorizing execution of contract with Robert M. Wallis dba Wallis Design Studio for architectural design services for the Bost House Renovation Project located at 10075 Bost Avenue, Grass Valley (Res. 15-542), in the maximum contract price of \$28,800, and directing the Auditor-Controller to amend the Fiscal Year 2015/16 Capital Facilities budget. (Facilities) (4/5 affirmative vote required.)
17. [SR 16-0010](#) Resolution directing the Purchasing Agent to issue a Request for Qualifications for professional architectural design services for the Bear River Mill Corporation Yard, located at 12350 La Barr Meadows Road, Grass Valley. (Facilities)

County Counsel: Alison Barratt-Green

18. [SR 16-0176](#) Resolution authorizing execution of Amendment 3 to contract between the County of Nevada and Porter Scott, A Professional Corporation (Res. 15-062), increasing the contract amount by \$75,000, for a maximum contract price of \$225,000.

County Executive Officer: Richard Haffey

19. [SR 16-0163](#) Resolution adopting the 2016 Board Objectives and Legislative Priorities for Nevada County as discussed at the Board's January Workshop, and directing the County Executive Officer to use the Objectives and Priorities for the development of the 2016/17 Fiscal Year Budget and the management of County operations, programs and services.
20. [SR 16-0164](#) Resolution adopting the 2016/17 Vision, Mission, Value Statements and Core Services definition for Nevada County, as discussed at the Board's January Workshop, and directing the County Executive Officer to use the County Vision, Mission and Value Statements for the development of the 2016/17 Fiscal Year budget and the management of County operations, programs and services, and repealing Resolution 15-064.
21. [SR 16-0165](#) Approval of the Order and Decorum of Board Business for 2016 as discussed at the Board's January Workshop.

22. [SR 16-0166](#) Approval of the 2016/17 proposed Budget Schedule and Policies as discussed at the Board's January Workshop, and request for direction.

Clerk of the Board: Julie Patterson Hunter

23. [SR 16-0169](#) Acceptance of resignation from Ms. Lesa Osterholm as Equine Industry representative on the Agricultural Advisory Commission.
24. [SR 16-0170](#) Acceptance of resignation from Mr. Morgan Goodwin as Town of Truckee representative on the Nevada County Solid and Hazardous Waste Commission.
25. [SR 16-0172](#) Acceptance of Board of Supervisors minutes for January 12, 2016.

DEPARTMENT HEAD MATTERS:

County Counsel: Alison Barratt-Green

26. [SR 16-0174](#) (Introduce/Waive Further Reading) An Ordinance dissolving Community Facilities District No. 1990-1 (Wildwood Estates) County of Nevada, California, repealing County of Nevada Ordinance Nos. 1727 and 1753, repealing Article 2 of Chapter V of the Nevada County Administrative Code, and extinguishing all associated liens. (Dist. IV)
27. [SR 16-0175](#) (Introduce/Waive Further Reading) An Ordinance dissolving County of Nevada Community Facilities District No. 06-1 (Wildwood Ridge II) and extinguishing all associated liens. (Dist. IV)

INDIVIDUAL BOARD MEMBER ITEMS:

28. [SR 16-0161](#) Request to send a letter in support of an application by the Bear Yuba Land Trust and South Yuba River State Parks for funding the South Yuba River Healthy Forest and Watershed Protection Planning Project.
Sponsors: Nate Beason, District 1, Hank Weston, District 4
29. [SR 16-0158](#) Request to send a letter to the Director of the California Department of Aging requesting timely payments of Older Americans Act funding to Area 4 Agency on Aging.
Sponsors: Nate Beason, District 1
30. [SR 16-0162](#) Request to send a letter to Governor Brown requesting he urge the California Public Utilities Commission (CPUC) to implement his emergency proclamation on Tree Mortality and move quickly to extend biomass facility contracts across the State and promote new long-term contracts.
Sponsors: Nate Beason, District 1

***CLOSED SESSIONS:**

[SR 16-0177](#) 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 two matters.

[SR 16-0178](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives. The designated labor negotiation representatives for Nevada County are: Alison Lehman, Assistant County Executive Officer, Charlie Wilson, Director of Human Resources, and Donna Williamson, Labor Attorney. The labor negotiations concern the following bargaining units: Deputy Sheriff's Association.

***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**SCHEDULED ITEM: 1:30 P.M. Alison Barratt-Green, County Counsel**

Supervisor Hank Weston, District IV, will be attending the meeting by telephone conference from the County of Del Norte, Multi-Purpose Room, 981 H Street, Suite 130, Crescent City, CA 95531. The Multi-Purpose Room is open to members of the public.

31. [SR 16-0189](#) Consider Resolutions related to the County-initiated ballot measure regarding restrictions on Marijuana Cultivation.
- 31a. [SR 16-0187](#) Resolutions clarifying the intent of the Board of Supervisors with respect to the County-initiated ballot measure Regarding Restrictions on Marijuana Cultivation, providing direction regarding the submission of written arguments for and against the ballot measure, and providing direction regarding preparation of a fiscal impact statement.
- 31b. [SR 16-0188](#) Resolution amending Resolution 16-038 regarding the ballot question for the ballot measure Regarding Restrictions on Marijuana Cultivation scheduled for the June 7, 2016, General Election.

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 February 4, 2016.

Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Joseph Center, Truckee Library, Grass Valley Library and County of Del Norte, Multi-Purpose Room, 981 H Street, Suite 130, Crescent City, CA 95531.

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)