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

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



BOARD OF SUPERVISORS

950 Maidu Avenue Nevada City, CA 95959-8617 (530) 265-1480 Fax: (530) 265-9836

bdofsupervisors@co.nevada.ca.us

AGENDA

Date Time Location

Tuesday, September 13, 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 9:05 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 mav be obtained onthe Clerk ofthe Board's website 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 ITEM: 9:01 A.M.

1. <u>SR 16-0784</u> Resolution proclaiming September 17, 2016 as South Yuba River Citizens League's 19th Annual Yuba River Cleanup Day in Nevada County.

PUBLIC COMMENT: 9:05 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

- 2. SR 16-0769 Resolution approving a renewal contract between the County of Nevada and St. Helena Hospital for the provision of psychiatric inpatient hospital services for County referred clients, in the maximum amount of \$55,000, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.
- 3. SR 16-0667 Resolution approving a renewal contract between the County of Nevada and the County of Placer for the provision of acute psychiatric inpatient hospitalization and crisis residential treatment services for Nevada County's clients, for a total maximum amount of \$611,280, for the period July 1, 2016 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract. (Pulled from the Agenda by staff.)
- 4. SR 16-0756 Resolution approving a renewal contract between the County of Nevada and Community Recovery Resources (CoRR) for the provision of substance abuse treatment services for Adult Drug Court Participants, in the maximum amount of \$139,251, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.

SR 16-0580 Resolution approving a renewal contract between the County of Nevada and Community Recovery Resources (CoRR) for the provision of Perinatal Outpatient Drug Free Treatment (ODF) and Intensive Outpatient Treatment (IOT) Services, Comprehensive Residential Treatment Program Services, and Substance Abuse Prevention and Treatment Services, in the maximum amount of \$589,950, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.

Public Health Director: Jill Blake

Resolution approving the renewal Grant Agreement between the County of Nevada and NorCal AIDS Cycle (NCAC) awarding Nevada County Public Health \$9,000 as a recipient of NCAC's annual AIDS Bicycle Ride to support HIV Counseling, Testing and Referral Services, for the period August 18, 2016 through August 18, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Social Services: Mike Dent

Resolution approving a renewal Agreement between the County of Nevada and the Regents of The University of California, UC Davis Extension, for the provision of training services for the Nevada County Child Protective Services Department, in the maximum amount of \$30,000, for the period August 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Sheriff-Coroner/Public Administrator: Keith Royal

8. SR 16-0765 Resolution accepting the 2016 Edward Byrne Memorial Justice Assistance Grant 2016-DJ-BX-0028 in the amount of \$15,020 from the Department of Justice, Bureau of Justice Assistance, for the purchase of car camera equipment for the Nevada County Sheriff's Office, authorizing the County Executive Officer to sign the award document, and directing the Auditor-Controller to amend the Sheriff's Office Fiscal Year 2016/17 budget. (4/5 affirmative vote required.)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

9. SR 16-0802 Resolution making Appointments in Lieu of the November 8, 2016 Presidential General Election for Special District Boards.

Community Development Agency Director: Sean Powers

10. SR 16-0809 Annual report to the Board of Supervisors for the DarkHorse Development Fee for Electrical Service Availability. (Dist II)

Agricultural Commissioner: Chris Flores

- Resolution approving renewal Agreement 16-0502-SF between the County of Nevada and the California Department of Food and Agriculture (CDFA) pertaining to reimbursement to Nevada County for Pierce's Disease and Glassy-Winged Sharpshooter (GWSS) Program Services, in an amount not to exceed \$15,458, for the period July 1, 2016, through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
- Resolution approving renewal Agreement 16-0095 between the County of Nevada and the California Department of Food and Agriculture (CDFA) to provide reimbursement for County Pest Detection/Emergency Projects Trapping Services, in an amount not to exceed \$18,255, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Public Works: Steven Castleberry

- Resolution approving Summary Vacation (abandonment) of a 10-foot Public Utility
 Easement (PUE) over the Common Sideline of Lots 14 and 15 of the Hidden Meadow
 Ranch, Unit No. 2 Subdivision, as shown on the map recorded in Book 6 of
 Subdivisions at Page 31, Assessor's Parcel Numbers (APNs) 57-180-02 and
 57-180-03, and directing the Clerk of the Board of Supervisors to record the
 Resolution of Summary Vacation. (Dist. II)
- 14. SR 16-0793 Resolution approving Program Supplement Number F058 to Administering Agency-State Agreement for Federal Aid Projects Number 03-5917F15, in the amount of \$172,400 for the preliminary engineering phase of the Roadway Safety Signing Audit and Sign Upgrade Project, and authorizing the Chair of the Board of Supervisors to execute the original two documents.
- 15. SR 16-0808 Resolution approving plans, specifications, and cost estimate for the McCourtney Road Landfill Leachate Pump Improvements Project, located at 15741 Wolf Mountain Road, Grass Valley, and instructing the Clerk of the Board and Purchasing Division to advertise for bids with the bid opening date to be set by the Director of Public Works. (Sanitation)
- 16. SR 16-0777 Resolution approving the application for Fiscal Years 2010/11 and 2014/15
 Proposition 1B, Public Transportation Modernization, Improvement, and Service
 Enhancement Account (PTMISEA) funding in the amount of \$609,881 for a capital
 project to improve Transit Services facilities and Gold Country Stage bus stops, and
 authorizing the Chair of the Board of Supervisors to appoint the Director of Public

Works, Transit Services Manager, and Principal Civil Engineer to execute the application(s) and other financial and special reporting documents on behalf of the County of Nevada. (Transit)

Chief Information Officer: Stephen Monaghan

17.	SR 16-0800	Resolution authorizing acceptance of Federal Aviation Administration AIP Grant 3-06-0095-018-2016 in the amount of \$969,300 to construct Phase 1 of the new perimeter fence and gate system at the Nevada County Airport (Res. 16-027), for the period October 1, 2016 through September 30, 2018, and authorizing the Chair of the Board of Supervisors to execute all grant acceptance documents. (Airport)
18.	<u>SR 16-0810</u>	Resolution approving an Agreement between the County of Nevada and Granicus, Inc. pertaining to annual maintenance and support of Legislative Management, Meeting Efficiency, Citizens Participation, and Media Manager Modules, in an amount not to exceed \$27,000, for the period July 1, 2016 through June 30, 2017, and

Resolution authorizing the purchase of Cyber Security Solutions for anti-malware 19. SR 16-0773 protection, system event logging, and priviledged access management (Alien Vault USM All-in-One Appliance \$21,605, and Alien Vault USM Standard Sensor Appliance \$15,770), and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Information Systems Budget. (4/5 affirmative vote required.)

authorizing the Chair of the Board of Supervisors to execute the Agreement.

- 20. Resolution approving a renewal contract between the County of Nevada and the Fire SR 16-0794 Safe Council of Nevada County to provide fire prevention and education activities in Nevada County, in the maximum amount of \$30,000, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair Board of Supervisors to execute the contract. (Emergency Services)
- 21. Resolution accepting the Hazard Mitigation Grant Program (HMGP) from the SR 16-0799 California Governor's Office of Emergency Services funded through the Federal Emergency Management Agency (FEMA) to update the 2012 Nevada County Multi-Jurisdictional Local Hazard Mitigation Plan and to establish a Nevada County Local Hazard Mitigation Planning Committee, in the amount of \$100,000 for use during the period September 13, 2016 through July 21, 2018. (Emergency Services)
- 22. SR 16-0791 Resolution approving the Notice of Acceptance and Completion of the contract with DMCE Concrete & Engineering, Inc. for the Grass Valley Veterans Memorial Building Sidewalk Improvements Project (Res. 16-211), with contract costs totaling \$73,208, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
- 23. SR 16-0790 Resolution approving Amendment 1 to Contract BMS16076 between the County of Nevada and Robert M. Wallis, dba Wallis Design Studio, for architectural design services for the Bost House Renovation Project, increasing the maximum contract

		price by \$10,000 to \$38,800, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
24.	SR 16-0805	Resolution approving a contract between the County of Nevada and Ferguson Family Enterprises, Inc., dba Gray Electric Company, for the Electric Vehicle Charging Stations Project located at 950 Maidu Avenue, Nevada City, in the amount of \$49,500 plus a contingency of \$4,950, for a total contract amount of \$54,450, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)
25.	<u>SR 16-0766</u>	Resolution approving construction documents for the Madelyn Helling Library Amphitheater Project located at 980 Helling Way, Nevada City, and authorizing the Purchasing Agent to solicit bids for this Project. (Facilities)
26.	<u>SR 16-0792</u>	Resolution approving construction documents for the Laura Wilcox Memorial Building Accessibility Project located at 208 Sutton Way, Grass Valley, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)
27.	SR 16-0787	Resolution declaring certain County property as surplus and authorizing the Purchasing Agent to sell, or otherwise dispose of, those certain items of surplus personal property listed on Exhibit A, "Assets to be Sold at Auction: September 2016." (4/5 affirmative vote required.) (Purchasing)

County Counsel: Alison Barratt-Green

28. SR 16-0806 Resolution rescinding and making appointments of administrative hearing officers to conduct administrative hearings pursuant to Article 5 of the Nevada County General Code.

County Executive Officer: Richard Haffey

29. Resolution amending various Nevada County budgets through the Fourth Consolidated Budget Amendment for Fiscal Year 2015/16. (4/5 affirmative vote required.)

Clerk of the Board: Julie Patterson Hunter

- **30.** SR 16-0783 Resolution proclaiming the week of September 17-23, 2016 as Constitution Week in Nevada County. (Daughters of the American Revolution)
- 31. SR 16-0647 Request to authorize payment of District I Supervisor-Elect Heidi Hall travel and training expenses to attend the California Association of Counties (CSAC) New Supervisors Institute, November 28, 2016 through November 29, 2016 and CSAC Annual Conference November 29, 2016 through December 2, 2016.
- 32. SR 16-0770 Appointments of Mr. Mark Henry as the Viticulture Industry (grape industry) representative for an unexpired term ending November 1, 2020, and Mr. Matthew Shapero as an Agricultural Interests representative for an unexpired term ending January 1, 2018.
- 33. SR 16-0815 Appointment of Mr. David Middleton as a member-at-large to the Building and Accessibilities Standards Board of Appeals, for a four-year unexpired term ending July 1, 2020.
- 34. SR 16-0771 Approve appointment of Ms. Justine Riley to the Child Care and Development Planning Council as a Child Care Provider representative member, for an unexpired term ending June 30, 2018.
- 35. SR 16-0776 Acceptance of Board of Supervisors Summary Minutes for August 9, 2016.

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

Call the meeting to order:

36. Consent:

These items are expected to be routine and noncontroversial. The Board of Directors of the Nevada County Sanitation District No. 1 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.

Director of Public Works: Steven Castleberry

Resolution approving Amendment 1 to the contract between the County of Nevada and HydroScience Engineers, Inc. for engineering services during construction for the Connection of the Penn Valley Sewer System to the Lake Wildwood Wastewater Treatment Plant Improvement Project (Res. SD15-005), increasing the maximum contract price by \$204,330, for a total contract price of \$807,761, extending the contract termination date to April 30, 2018, and authorizing the Chair of the Board of Directors to execute the Amendment. (Sanitation) (Dist. IV)

36b.	SR 16-0814	Resolution approving a contract between the County of Nevada and Coastland Civil
		Engineering for project management and inspection services for the Connection of the
		Penn Valley Sewer System to the Lake Wildwood Wastewater Treatment Plant
		Improvement Project, in the maximum contract price of \$620,070, for the period
		September 13, 2016 through December 31, 2017, and authorizing the Chair of the
		Board of Directors to execute the contract. (Sanitation) (Dist. IV)

Clerk of the Board: Julie Patterson Hunter

36c.	SR 16-0812	Appointment of Mr. David Rosseau to the Nevada County Sanitation District No. 1
		Advisory Committee as the representative for the owners of Lake of the Pines
		Property, Zone 2, for an unexpired two-year term ending June 30, 2018.

36d. SR 16-0670 Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for June 28, and July 19, 2016.

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.)

Adjournment.

DEPARTMENT HEAD MATTERS:

Director of Social Services: Mike Dent

37.	SR 16-0768	Resolution authorizing the Chair of the Board of Supervisors to execute an amended
		and restated Joint Powers Agreement (JPA) between the County of Nevada and
		County of Sierra creating the Nevada-Sierra Connecting Point Public Authority.

38. SR 16-0772 (Introduce/Waive further reading) An Ordinance amending Article 41 of Chapter II of the Nevada County Administrative Code regarding In Home Supportive Services.

Child Support Services Director: Tex Ritter

39.	SR 16-0796	Resolution accepting the North San Juan Fire Flow Feasibility Study prepared by
		Sauers Engineering, Inc., approved under Community Development Block Grant
		(CDBG) Agreement No. 13-CDBG-8931 between the County of Nevada and the State
		Department of Housing and Community Development (HCD) CDBG Program (Res.
		14-041). (Housing)

Clerk of the Board: Julie Patterson Hunter

40. SR 16-0781

Resolution making findings, accepting the appeal filed by Mr. James Powell and Ms. Carol Fuller Powell, from the decision of the Nevada County Planning Commission approving a Zoning Map Amendment (Z16-001), Development Permit (DP15-006), Map Amendment (AM14-001), Management Plans (MGT15-020 and MGT16-001), Petition for Exception (MI15-020) and Mitigated Negative Declaration (EIS15-019) for Byers Leafguard and Solar to allow the construction of a warehouse, water storage tank and parking at 11773 Slow Poke Lane, Grass Valley, and scheduling a public hearing. (Dist. III)

SCHEDULED ITEM: 10:30 A.M.

SR 16-0674

Presentation on the programs and services provided in Nevada County by the Alliance for Workforce Development, Inc. as part of the Northern Rural Training and Employment Consortium. (Ms. Kristine Farrell, Program Manager)

DEPARTMENT HEAD MATTERS: (Continued)

Chief Information Officer: Stephen Monaghan

42. SR 16-0798

Resolution to proclaim the existence of a local emergency in Nevada County due to extreme Tree Mortality, and directing a certified copy of this resolution be forwarded to the Governor of California with a request he proclaim the County of Nevada to be in a state of emergency. (Emergency Services)

*CLOSED SESSION:

SR 16-0819

Pursuant to Government Code § 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Soga v. County of Nevada, et al., United States District Court, Eastern District, No. 2:14-cv-01084-KJM-KJN.

*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. Posted September 8, 2016.

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)