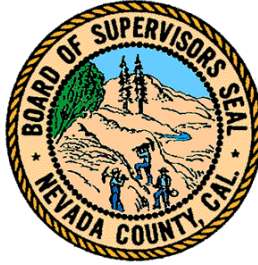


COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District
Ed Scofield, 2nd District (Vice-Chair)
Dan Miller, 3rd District
Wm. "Hank" Weston, 4th District (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

Date	Time	Location
Tuesday, May 9, 2017	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 17-0277](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Shaun Havard dba Shaun Havard Consulting pertaining to Health Education Community Liaison Consultant services for the County's Nutrition Education and Obesity Prevention (NEOP) Program (Res. 16-470), adding services related to the County Medical Services Program (CMSP) Prediabetes Prevention Program, and increasing the maximum contract price from \$29,120 to \$49,870, for the period October 1, 2016 through September 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
2. [SR 17-0278](#) Resolution approving Amendment 1 to the 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 and Tobacco Use Prevention Program (Res. 16-472), adding services related to the County Medical Services Program (CMSP) Prediabetes Prevention Program, and increasing the maximum contract price from \$71,699 to \$83,674, for the period October 1, 2016 through September 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Community Development Agency Director: Sean Powers

3. [SR 17-0287](#) Resolution authorizing a contract between the County of Nevada and Indian Head Enterprises for services related to the nuisance abatement clean-up at property located at 13341 Red Tail Hawk Road, Nevada City, in an amount not to exceed \$41,430.40 which includes a ten percent contingency, for the period May 15, 2017 through June 15, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract. (Code Compliance) (Dist. IV)

Building Director: Craig Griesbach

4. [SR 17-0302](#) (Waive further reading/Adopt) An Ordinance amending Article 5 of Chapter V of the Land Use and Development Code of the County of Nevada, adopting Fire Standards and Local Amendments thereto associated to the 2016 California Fire Code; and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

Planning Director: Brian Foss

5. [SR 17-0280](#) Resolution approving Amendment 3 to the Grant Agreement between the County of Nevada and Oak Tree Park and Recreation District pertaining to the Oak Tree Community Park Pavilion Project (Res. 13-199), extending the expiration date to May 12, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. IV)

Director of Public Works: Trisha Tillotson

6. [SR 17-0288](#) Request for approval to submit a Letter of Support for Nevada County Fire Safe Council's application for a California Fire Safe Council Grant.
7. [SR 17-0281](#) Resolution authorizing Environmental Clearance for routine culvert and drainage maintenance on Nevada County roadways, and authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office.
8. [SR 17-0282](#) Resolution authorizing Environmental Clearance for emergency repair of Brunswick Road due to excessive rains in January 2017, and authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office. (Dist. III)

9. [SR 17-0285](#) Resolution awarding and approving a contract between the County of Nevada and Tim Paxin's Pacific Excavation, Inc. pertaining to the Emergency Vehicle Preemption Safety System Project 2017, County Contract No. 440815 (Res. 17-105), in the amount of \$63,902 plus a 10 percent contingency of \$6,390, for a grand total of \$70,292, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works Engineering Division budget. (Dist. II) (4/5 affirmative vote required)
10. [SR 17-0289](#) Resolution awarding and approving a contract between the County of Nevada and Q&D Construction, Inc. for the 2017 Western County Bridge Project - County Contract No. 224031 (Res. 17-116), in the amount of \$2,555,075 plus a 10 percent contingency of \$255,507.50, for a grand total not to exceed \$2,810,582.50, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works Capital Improvement budget. (Dists. II and IV) (4/5 affirmative vote required)
11. [SR 17-0265](#) Resolution approving Standard Agreement 64BO17-00392 between the County of Nevada and the California Department of Transportation for a Federal Transit Administration Section 5311 (49 U.S.C. Section 5311) Grant to support operating assistance projects for non-urbanized public transportation systems, in the amount of \$440,467, for the period July 1, 2015 through December 31, 2017, and reauthorizing the Chairman of the Board of Supervisors to execute the Agreement. (Transit Services)

Human Resources Director: Charlie Wilson

12. [SR 17-0272](#) Resolution approving a renewal agreement between the County of Nevada and California State Association of Counties-Excess Insurance Authority (CSAC-EIA) as amended per Resolution 14-297, to participate in the CSAC-EIA Disability Program for the provision of Short-Term Disability (STD) and Long-Term Disability (LTD) insurance for certain employees through Reliastar ING (ING), with rates set for STD at \$.208/\$10 of covered earnings and rates set for LTD at \$.473/\$100 of covered earnings, for the period July 1, 2017 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Chief Information Officer: Stephen Monaghan

13. [SR 17-0274](#) Resolution recognizing the continuing proclamation of a Local Emergency in Nevada County due to Extreme Tree Mortality. (Emergency Services)
14. [SR 17-0275](#) Resolution continuing the proclamations of Local Emergencies in Nevada County due to extreme and cumulative precipitation, atmospheric rivers and storms in January and February 2017 resulting in flooding, subsidence and other damage to public and private infrastructure and facilities. (Emergency Services)

15. [SR 17-0293](#) Resolution authorizing an Interconnection Agreement between the County of Nevada and Pacific, Gas and Electric (PG&E) Company for Non-Export Generating Facilities and a Local Government Application for an Arrangement to Take Service on Rate Schedule RES-BCT with Interconnected Eligible Renewable Generation of Not More Than 5 Megawatts, and authorizing the Chief Information Officer to execute those agreements and any future agreements with PG&E pertaining to implementing the Ranch Property solar system component of the Nevada County Energy Efficiency and Generation Project. (Facilities)

Clerk of the Board: Julie Patterson Hunter

16. [SR 17-0305](#) Resolution proclaiming May 2017 as "Motorcycle Awareness Month" in Nevada County, and urging both motorcycle riders and automobile drivers to follow the rules of the road so that all citizens remain safe. (American Brotherhood Aimed Toward Education (ABATE) of California)
17. [SR 17-0283](#) Acceptance of resignation from Ms. Mary Tucker as a Senior and Health Services Planning member from the Adult & Family Services Commission.
18. [SR 17-0295](#) Appointment of Ms. Ann Kelley as District V representative to the Mental Health Advisory Board, for an unexpired three-year term ending June 30, 2018.
19. [SR 17-0297](#) Acceptance of Board of Supervisors Summary Minutes for April 25, 2017.

DEPARTMENT HEAD MATTER:

County Executive Officer: Richard Haffey

20. [SR 17-0290](#) Resolution approving adoption of the Public Agencies Post-Employment Benefits Trust Program administered by Public Agency Retirement Services (PARS) for the provision of setting aside funds for the purpose of funding Nevada County's CalPERS pension obligation, effective May 9, 2017, appointing the County Executive Officer, or his/her designee, as the County's Plan Administrator, and authorizing the County's Plan Administrator to execute the PARS legal and administrative documents on behalf of the County and to take whatever additional actions are necessary to maintain and administer the County's Program.

INDIVIDUAL BOARD MEMBER ITEM:

21. [SR 17-0292](#) Request for Letter of Support of the "Internet For All Now Act" (Assembly Bill (AB) 1665 - Garcia).

Sponsors: Heidi Hall, District 1

***CLOSED SESSIONS:**

[SR 17-0311](#) 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 regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. 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 County bargaining units: Probation Peace Officers' Association and Management Employees' Association.

[SR 17-0240](#) 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.

SCHEDULED ITEM: 10:30 A.M. Sean Powers, Community Development Agency Director

22. [SR 17-0296](#) Resolution recommending the appointments of members to serve on the Community Advisory Group (CAG) for the purpose of gathering community input on long-term County cannabis cultivation regulations.

***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: May 4, 2017

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.

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.

SPECIAL MEETINGS:

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

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)