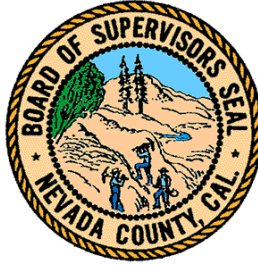


COUNTY OF NEVADA

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)

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, July 10, 2018	9:30 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 9:31 a.m. for Public Comment and at 10:30 a.m. for Public Hearing
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: 9:30 AM**STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

PUBLIC COMMENT: 9:31 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: Phebe Bell

1. [SR 18-0610](#) Resolution approving a renewal contract between the County of Nevada and Joseph Marzano, M.D. for the provision of direct clinical and other psychiatric services for adult clients of the Nevada County Behavioral Health Department, in the maximum amount of \$39,160, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

2. [SR 18-0612](#) Resolution approving a renewal contract between the County of Nevada and Charis Youth Center for the provision of specialized mental health residential treatment services for seriously emotionally disturbed youth and young adults ages 13 to 21, in the maximum amount of \$50,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Public Health Director: Jill Blake

3. [SR 18-0597](#) Resolution approving Amendment A01 to Agreement 16-10852 between the County of Nevada and the California Department of Public Health, Office of AIDS, pertaining to supplemental funding for administration of the HIV Care Program (Res. 17-006), increasing the maximum amount from \$124,000 to \$382,550, extending the contract term for two years for a revised term of November 30, 2016 through September 29, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

4. [SR 18-0605](#) Resolution approving Amendment A03 to Agreement 15-10096 between the County of Nevada and the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program (Res. 15-444), pertaining to shifting funds between budget lines of the State agency approved budgets for Federal Fiscal Years 2017/18 and 2018/19, in the maximum amount of \$2,683,081, for the period October 1, 2015 through September 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Director of Social Services: Tex Ritter

5. [SR 18-0608](#) Resolution approving a renewal agreement between the County of Nevada and The Regents of the University of California, Davis University Extension, for the provision of consultation and program implementation services for the Nevada County Child Protective Services Department, in the maximum amount of \$30,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the agreement.
6. [SR 18-0600](#) Resolution approving a renewal contract between the County of Nevada and Sierra Forever Families for the provision of Resource Family Approval and Adoption Services, in the maximum amount of \$138,750, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
7. [SR 18-0578](#) Resolution approving a renewal Memorandum of Understanding (MOU) between the Nevada County District Attorney's Office (DA) and the Health and Human Services Agency - Department of Social Services (DSS) for the DA to receive revenue from DSS for services related to Welfare Fraud Control, in the maximum amount of \$150,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the MOU.
8. [SR 18-0601](#) Resolution approving a renewal contract between the County of Nevada and Sierra Nevada Memorial Hospital Foundation for the provision of Early Detection Depression Screening and Fall Prevention Services for Nevada County seniors as a component of the County's Prevention and Early Intervention Program, in the maximum amount of \$189,704, for the period July 1, 2018 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract.
9. [SR 18-0604](#) Resolution approving a renewal contract between the County of Nevada and The Salvation Army for the provision of CalFresh outreach and emergency shelter services at the Booth Family Center for referred CalWORKs families, in the maximum amount of \$200,964, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

10. [SR 18-0495](#) Resolution approving a renewal contract between the County of Nevada and Nevada-Sierra Connecting Point Public Authority (In-Home Supportive Services) for the provision of services related to the administration of employment services through their Employment Services Program for Nevada County CalWORKs participants, in the maximum amount of \$1,059,537, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

Sheriff-Coroner/Public Administrator: Keith Royal

11. [SR 18-0591](#) Resolution approving an amendment to the agreement for public safety dispatch services between the County of Nevada, the City of Grass Valley, the Town of Truckee, the City of Nevada City (Res. 12-437), extending the term of agreement for one year, from July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors, the County Executive Officer, and the Nevada County Sheriff to execute the amendment.

Clerk-Recorder/Registrar of Voters: Gregory Diaz

12. [SR 18-0626](#) Resolution adopting the certified statement of the Nevada County Clerk-Recorder/Registrar of Voters of the results of the June 5, 2018 Statewide Direct Primary Election held in the County of Nevada.

Director of Public Works: Trisha Tillotson

13. [SR 18-0628](#) Resolution approving applications to the United States Department of Agriculture (USDA) for Community Facilities financing to help support the costs of the Green Waste Recycling Project, and authorizing the Community Development Agency's Chief Fiscal/Administrative Officer to be a registered user to create and modify USDA applications, and the Director of the Department of Public Works to be a registered user to sign and submit applications to USDA.
14. [SR 18-0629](#) Resolution approving applications to the United States Department of Agriculture (USDA) for Community Facilities financing to help support the cost of the North San Juan Fire Flow Project, and authorizing the Community Development Agency's Chief Fiscal/Administrative Officer to be a registered user to create and modify USDA applications, and the Director of the Department of Public Works to be a registered user to sign and submit applications to USDA. (Dist. IV)
15. [SR 18-0599](#) Resolution approving Environmental Clearance for the 2018 Road Rehabilitation Project, and authorizing the Nevada County Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office.
16. [SR 18-0573](#) Resolution approving and awarding a contract between the County of Nevada and Blackburn Consulting for on-call materials testing and inspection services for various projects (Res. 18-054), in an amount not to exceed \$40,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

17. [SR 18-0574](#) Resolution approving and awarding a contract between the County of Nevada and Geocon Consultants, Inc. for on-call materials testing and inspection services for various projects (Res. 18-054), in an amount not to exceed \$40,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
18. [SR 18-0575](#) Resolution approving and awarding a contract between the County of Nevada and Holdrege & Kull Consulting Engineers and Geologists, Inc. for on-call materials testing and inspection services for various projects (Res. 18-054), in an amount not to exceed \$40,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
19. [SR 18-0576](#) Resolution approving and awarding a contract between the County of Nevada and Construction Materials Engineers, Inc. for on-call materials testing and inspection services for various projects (Res. 18-054), in an amount not to exceed \$40,000, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
20. [SR 18-0596](#) Resolution rejecting all bids received for the Hobart Mills Snow Removal Contract, opened on May 23, 2018. (Dist. V)
21. [SR 18-0598](#) Resolution approving an agreement between the Town of Truckee and the County of Nevada for snow removal services in the Glenshire/Hirschdale area of Eastern County, in the maximum amount of \$50,000, for the period of one year with four automatic renewals, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Dist. V)
22. [SR 18-0569](#) Resolution requesting the Nevada County Transportation Commission allocate \$1,956,707 from Local Transportation funds and \$726,990 from State Transit Assistance funds for operation of the Gold Country Stage Transit Services and Paratransit Services, and allocate \$154,235 from Community Transit Services funds for operational support of paratransit services provided by Paratransit Services for Fiscal Year 2018/19. (Transit Services)

Chief Information Officer: Stephen Monaghan

23. [SR 18-0623](#) Resolution continuing the declaration of a local emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Emergency Services)
24. [SR 18-0606](#) Resolution authorizing the Nevada County Office of Emergency Services to enter into a Memorandum of Understanding (MOU) with the South Yuba River Citizens League to provide four satellite communication devices for ensuring public safety and reporting emergency events in the South Yuba River corridor, for the period July 10, 2018 through July 10, 2019, and authorizing the Director of Emergency Services to execute the MOU. (Emergency Services)

25. [SR 18-0614](#) Resolution approving Amendment 2 to the Agreement between the County of Nevada and Climatec, LLC entitled Non-Solar Installation Agreement to provide an energy conservation and a Solar Energy Generation Program, and to implement energy conservation measures at various County facilities (Res. 16-176), modifying the scope of work and reducing the contract price by \$23,606 to a total contract price of \$2,361,991, effective July 10, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
26. [SR 18-0616](#) Resolution approving Amendment 2 to the contract between the County of Nevada and R&B Com, Inc. for computer installation and upgrade services (PESL3488), increasing the contract amount by \$15,000 for a maximum contract price of \$40,000, effective July 10, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

County Counsel: Alison Barratt-Green

27. [SR 18-0567](#) Resolution approving a contract between the County of Nevada and Donahue Davies, LLP, for legal services related to the case entitled Clark vs. County of Nevada, et al., in the maximum contract amount of \$0, for the period June 26, 2018 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the contract.

Clerk of the Board: Julie Patterson Hunter

28. [SR 18-0602](#) Approval of the Board of Supervisors' Responses to the Fiscal Year 2017/18 Nevada County Civil Grand Jury Report, dated May 11, 2018, entitled "Detention Facility Inspection Report."
29. [SR 18-0603](#) Approval of Board of Supervisors' Responses to the Fiscal Year 2017/18 Nevada County Civil Grand Jury Report, dated June 6, 2018, entitled "Will the Public Suffer Because of Unfunded Pension Liabilities."
30. [SR 18-0592](#) Resolution approving the reappointments of Mr. Gerald Bushore and Mr. Michael Hurst to the Nevada Cemetery District, for four-year terms expiring July 1, 2022.
31. [SR 18-0587](#) Reappointments of Ms. Justine Riley, Ms. Sandra Boone, Ms. Jolene Hardin, Ms. Lauren Garrison, and Ms. Anne Wolf to the Child Care and Development Planning Council, for two-year terms expiring June 30, 2020.
32. [SR 18-0593](#) Acceptance of Board of Supervisors Summary Minutes for June 12, 2018.

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

Call the meeting to order:

Consent:

These items are expected to be routine and noncontroversial. The Board of Directors 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.

- 33a.** [SR 18-0538](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Koch & Koch, Inc. for the Penn Valley Dual Sewer Force Main Project - County Contract No. 877140 (Res. SD16-013), with contract costs totaling \$7,201,919.38, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Dist. IV)
- 33b.** [SR 18-0624](#) Resolution approving an application to the United States Department of Agriculture (USDA) for Community Facilities financing to help support the costs of the Cascade Shores Community Leach Field Project, and authorizing the Community Development Agency's Chief Fiscal/Administrative Officer to be a registered user to create and modify USDA applications, and the Director of the Department of Public Works to be a registered user to sign and submit an application to USDA. (Dist. I)
- 33c.** [SR 18-0586](#) Reappointment of Mr. Edward Wydra, Lake Wildwood - Zone 1 property owner, to the Nevada County Sanitation District No. 1 Advisory Committee, for a two-year term expiring June 30, 2020.

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 MATTER:****Chief Information Officer: Stephen Monaghan**

- 34.** [SR 18-0617](#) Resolution adopting the Nevada County Multi-Jurisdictional All Hazard Pre-Disaster Mitigation Plan, and authorizing the Director of Emergency Services to submit the adopted Plan to the California Governors Office of Emergency Services and Federal Emergency Management Agency, Region IX for final approval. (Emergency Services)

***CLOSED SESSIONS:**

- [SR 18-0585](#) Pursuant to Government Code Section 54957(b)(1), the Board of Supervisors will hold a closed session to consider the employment of the County Executive Officer.
- [SR 18-0637](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation cases:
Lau, et al. v. County of Nevada, et al.
(Nevada County Superior Court, Case No. CU18-082845)
Saigh, et al. v. County of Nevada, et al.
(Nevada County Superior Court, Case No. CU18-082850)
- [SR 18-0638](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiators for the County are Sean Powers, Community Development Agency Director and Daniel Chatigny, Community Development Agency Chief Fiscal/Administrative Officer. The negotiator for the property owner, Baldwin Ranch Limited Partnership c/o Ed Fralick, is unknown at this time. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for a portion of property located at 12984 Combie Road, Auburn, California (APN 11-181-03).

SCHEDULED ITEM: 10:30 A.M.

(Video-Conferencing from the District V Board of Supervisors Conference Room, east (left) side of the Sheriff's Substation at 10879A Donner Pass Road, Truckee, CA.)

Treasurer-Tax Collector: Tina Vernon

- 35a.** [SR 18-0627](#) Public hearing to consider a proposed ordinance/ballot measure to establish a cannabis business tax on all commercial cannabis activity in the unincorporated areas of Nevada County. The proposed ordinance would impose an initial tax rate of 2.5% on gross receipts with annual CPI adjustments beginning on July 1, 2021, an option for future discretionary adjustments by the Board of Supervisors and a maximum tax rate of 10%. It is being recommended that the proposed ordinance/ballot measure be adopted by the Nevada County Board of Supervisors and submitted to the voters for placement on the next regularly scheduled County and Statewide General Election on November 6, 2018.
- (Introduce/Waive further reading) An Ordinance adding Article 8 to Chapter 5 of the General Code of the County of Nevada establishing a Cannabis Business Tax. (4/5 affirmative vote required)
- 35b.** [SR 18-0649](#) Resolution of the Board of Supervisors of the County of Nevada calling for an Election for, and authorizing the submission to the voters of a Measure to establish a Cannabis Business License Tax in the Unincorporated area of Nevada County, and consolidating the Election with the Statewide General Election called for November 6, 2018. (4/5 affirmative vote required)

***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 July 5, 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)