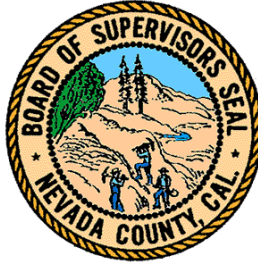


COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District
Ed Scofield, 2nd District (Chair)
Dan Miller, 3rd District
Hank Weston, 4th District
Richard Anderson, 5th District (Vice-Chair)



BOARD OF SUPERVISORS

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

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

AGENDA

Date	Time	Location
Tuesday, September 25, 2018	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

This meeting is broadcast live on NCTV Channel 17 in the Western County and on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>

Video Conferencing at 9:01 a.m. for Public Comment and 11:00 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: 9:00 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.)

SCHEDULED ITEMS: 9:02 A.M.

1. [SR 18-0897](#) Introduction of Superintendent Brett McFadden, Nevada Joint Union High School District.
2. [SR 18-0862](#) Approve the designation of Mr. David West as the County Veterans Services Officer (VSO), effective September 10, 2018. (Tex Ritter, Director of Social Services)
3. [SR 18-0888](#) Resolution proclaiming October 7 through 13, 2018 as "Fire Prevention Week 2018" in Nevada County.

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.

Auditor-Controller: Marcia Salter

4. [SR 18-0887](#) Resolution approving an Assumption Agreement between the County of Nevada and Superion, LLC (formerly SunGard Public Sector, LLC) for software license and services (Re. 02-410), effective September 25, 2018, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

District Attorney: Clifford Newell

5. [SR 18-0871](#) Resolution rescinding the approval of a contract between the County of Nevada and equivalent Constellation Justice Systems Inc. dba equivalent (Res. 18-403), and approving a revised contract between the County of Nevada and equivalent for data conversion extraction services for the District Attorney's and Public Defender's offices, in an amount not to exceed \$46,410, for the period September 25, 2018 through April 30, 2019, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 budget. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

6. [SR 18-0867](#) Resolution approving Summary Vacation (Abandonment) of a 10-foot public utility easement centered on the boundary between Assessor's Parcel Numbers 021-170-039 and 021-170-040, as shown in Western Lake Properties No. 1-B Subdivision recorded in Book 2 of Subdivisions at Page 85, and directing the Clerk of the Board to record the Resolution of Summary Vacation. (Dist. II)
7. [SR 18-0801](#) Resolution authorizing a Purchase Agreement between the County of Nevada and RPM Tech Group, Inc. for the purchase of a Rolba 3000 Self-Propelled Snow Blower in the amount of \$554,500, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
8. [SR 18-0883](#) Resolution approving an Interfund Loan in the amount of \$595,300 from the General Fund to Road Fund 1114 for the purchase of a Rolba 3000 Self-Propelled Snow Blower, with interest at the Treasurer's pooled rate commencing as of October 1, 2018. (4/5 affirmative vote required)

Chief Information Officer: Stephen Monaghan

9. [SR 18-0868](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
10. [SR 18-0854](#) 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 attached hereto as "Non-Operable or Obsolete Assets." (4/5 affirmative vote required) (Purchasing)

Clerk of the Board: Julie Patterson Hunter

11. [SR 18-0880](#) Reappointment of Mr. David Guerland as an alternate member to the Assessment Appeal Board, for a one-year term ending September 30, 2019.
12. [SR 18-0890](#) Reappointment of Mr. Gerald Bushore as a regular member to the Assessment Appeals Board, for a term expiring September 30, 2021.

13. [SR 18-0779](#) Acceptance of resignation from Ms. Chelcee Thomas, as Low-Income Sector representative to the Adult & Family Services Commission, effective September 30, 2018.

***DEPARTMENT HEAD MATTER:**

Clerk of the Board: Julie Patterson Hunter

14. [SR 18-0874](#) Annual Report and Presentation by the Nevada County Economic Resource Council (NCERC) on the completion of the third year, Fiscal Year 2017/18, of the County's five-year (2015-2020) contract for comprehensive economic development program management and tourism services for the County of Nevada (Res. 15-271). (Mr. Tim Corkins, Interim Executive Director, and Mr. Jason Fouyer, Chair, NCERC)

INDIVIDUAL BOARD MEMBER ITEMS:

15. [SR 18-0881](#) Discussion and consideration of an ordinance to address the nuisance impacts of discharging firearms in residential zoned neighborhoods and communities.

Sponsor(s): Hank Weston, District IV

16. [SR 18-0884](#) Request for approval of a letter of urgency for increased funding for law enforcement services in the Mother Lode Field Office of the Bureau of Land Management.

Sponsor(s): Hank Weston, District IV

***CLOSED SESSIONS:**

[SR 18-0895](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Livingwell, et al. v. Harris, et al., U.S. District Court, Northern District, California, Case No. 3:15-cv-04939-EDL.

[SR 18-0903](#) Pursuant to Government Code Section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter.

[SR 18-0861](#) Pursuant to Government Code Section 54957(b)(1), the Board of Supervisors will hold a closed session for a public employee performance evaluation: County Counsel.

SCHEDULED ITEM: 11:00 A.M. Brian Foss, Planning Director

(Video-Conferencing from the District V Board of Supervisors Conference Room, 10879A Donner Pass Road, Truckee, California.)

17. [SR 18-0899](#) Public hearing to consider the Planning Commission's August 9, 2018, 5-0 vote, recommending that the Board of Supervisors introduce, waive further reading and adopt an Ordinance for zoning text amendments to the Nevada County Land Use and Development Code Chapter II Section L-II 3.19.1 to encourage the development of Accessory Dwelling Units (ADUs).
- 17a. [SR 18-0846](#) (Introduce/Waive further reading/Adopt) Ordinance amending Chapter II of the Nevada County Land Use and Development Code Section L-II 3.19.1 to incentivize the development of Accessory Dwelling Units (ADUs) to increase the County's rental housing stock by: 1) removing the existing Owner Occupancy requirement for either the Primary Dwelling or ADU; 2) providing a Road and Sewer Mitigation Fee Deferral Process for ADUs when certain criteria are met; 3) providing clarification regarding Septic Disposal requirements for an ADU; and 4) allowing for the development of a detached ADU on parcels less than one acre as required by State Law (Planning Ord 18-1).
- 17b. [SR 18-0900](#) Close Board Order BO17-02.

Recess for lunch:

AFTERNOON SESSION**SCHEDULED ITEM: 1:30 P.M.**

18. [SR 18-0827](#) Presentation from the California Department of Transportation (Caltrans) regarding the State Route 174 Safety Improvement Project.

Sponsor(s): Heidi Hall, District I

DEPARTMENT HEAD MATTERS:**Director of Public Works: Trisha Tillotson**

- 19a. [SR 18-0833](#) Resolution authorizing the release and quitclaim of real property (APN 012-261-046) on State Highway 174 (Colfax Highway) to the State of California, Department of Transportation (Caltrans) as part of the State Route 174 Safety Improvement Project, and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)

- 19b.** [SR 18-0834](#) Resolution authorizing the release and quitclaim of real property (APNs 012-261-010, 012-261-011 and 012-261-016) on State Highway 174 (Colfax Highway) to the State of California, Department of Transportation (Caltrans) as part of the State Route 174 Safety Improvement Project, and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)
- 19c.** [SR 18-0835](#) Resolution authorizing the release and quitclaim of real property (APN 012-261-019) on State Highway 174 (Colfax Highway) to the State of California, Department of Transportation (Caltrans) as part of the State Route 174 Safety Improvement Project, and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)
- 19d.** [SR 18-0837](#) Resolution authorizing the release and quitclaim of real property (APN 012-241-019) on State Highway 174 (Colfax Highway), to the State of California, Department of Transportation (Caltrans) as part of the State Route 174 Safety Improvement Project, and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)
- 19e.** [SR 18-0839](#) Resolution authorizing the release and quitclaim of real property (APN 012-250-038) on State Highway 174 (Colfax Highway), to the State of California, Department of Transportation (Caltrans) as part of the State Route 174 Safety Improvement Project, and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)
- 20a.** [SR 18-0836](#) Resolution accepting offer of dedication for right of way on State Highway 174 (Colfax Highway) for Assessor's Parcel Numbers 012-250-041 and 012-250-042, as part of the State Route 174 Safety Improvement Project, authorizing the release and quitclaim of said offer of dedication to the State of California, Department of Transportation (Caltrans), and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)
- 20b.** [SR 18-0838](#) Resolution accepting offer of dedication for right of way on State Highway 174 (Colfax Highway), for Assessor's Parcel Numbers APN 012-250-024, 012-250-025, 012-250-026 and 012-250-027, as part of the State Route 174 Safety Improvement Project, authorizing the release and quitclaim of said offer of dedication to the State of California, Department of Transportation (Caltrans), and authorizing the Chair of the Board of Supervisors to execute the Quitclaim Deed. (4/5 affirmative vote required) (Dist. I)

***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 20, 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)