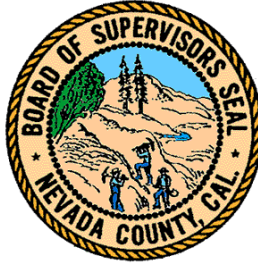


COUNTY OF NEVADA

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

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Nevada City, CA 95959-8617
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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, October 23, 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 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.

SCHEDULED ITEMS: 9:01 A.M.**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.

(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.)

1. [SR 18-0912](#) Nevada County UC Cooperative Extension Programs, focusing on the 4-H Youth Development All Star Report. (Mr. Christopher Kitchen, Nevada County 4-H County Ambassador, and Ms. Cindy Fake, UC ANR Placer and Nevada Counties County Director, and Horticulture and Small Farms Advisor)

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

2. [SR 18-0939](#) Resolution approving a contract between the County of Nevada and the County of Sacramento for microbiological, rabies testing and other laboratory tests and consultation services through the Sacramento County Public Health Laboratory for the Public Health Department and the Sheriff's Animal Control Division, in the maximum amount of \$37,500, for the period July 1, 2018 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.

Sheriff-Coroner/Public Administrator: Keith Royal

3. [SR 18-0935](#) Resolution accepting the United States Department of Justice Body-Worn Camera Policy (BWC) and Implementation Program Grant Award 2018-BC-BX-0006, for the purchase of 82 body-worn cameras and related equipment as well as the development of policies and procedures regarding operation and utilization of the BWC system, in the maximum amount of \$123,000, for the period October 1, 2018 through September 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Auditor-Controller: Marcia Salter

4. [SR 18-0965](#) Resolution authorizing the Nevada Joint Union High School District to sell General Obligation Bonds without further action by the County.

Environmental Health Director: Amy Irani

5. [SR 18-0929](#) Resolution approving Grant Agreement EA29-18-0018 between the County of Nevada and the California Department of Resources Recycling and Recovery (CalRecycle) for the Solid Waste LEA Enforcement Assistance Grant to support solid waste facilities permit, inspection and enforcement programs, in the amount of \$17,264, for the period July 1, 2018 through October 29, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Public Works: Trisha Tillotson

6. [SR 18-0746](#) Resolution of Intent to create the Higgins Woodridge Permanent Road Division (PRD) located within the boundaries south of Combie Road and east of State Route 49, hold a public hearing on December 11, 2018 at 11:00 a.m., conduct an assessment ballot proceeding to impose a parcel charge for the purpose of providing road maintenance services within the Higgins Woodridge PRD, and determine whether to form the Higgins Woodridge PRD and impose parcel charges. (Dist.II)
7. [SR 18-0936](#) Resolution directing the Nevada County Purchasing Agent to solicit Requests for Qualifications for on-call construction management and inspection services for various County projects.
8. [SR 18-0938](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and the County of Placer for snow removal services in the Donner Pass Road area to provide coverage on an as-needed basis (Res. 17-597), extending the term of the agreement to June 30, 2019, and authorizing the Director of the Department of Public Works Supervisors to execute the Amendment. (Dist. V)

9. [SR 18-0944](#) Resolution approving Program Supplement Number F062 to Administering Agency-State Agreement No. 03-5917F15 - Federal Contract No. ER-32L0(472), for emergency repairs on Brunswick Road from Loma Rica to Whispering Pines, in the amount of \$5,407.32, plus \$811.10 in contingency, for a total amount not to exceed \$6,218.42, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist. III)
10. [SR 18-0945](#) Resolution approving Program Supplement Number F064 to Administering Agency-State Agreement No. 03-5917F15 - Federal Contract No. ER-32L0(431), for emergency repairs on Brunswick Road from the Greenhorn/Bennett Intersection to 1,000 feet south, in the amount of \$679,429.50, plus \$101,914.43 in contingency, for a total amount not to exceed \$781,343.93, and authorizing the Chair of the Board of Supervisors to execute the supplemental documents. (Dist III)
11. [SR 18-0924](#) Resolution approving an Amendment Modification Summary increase to Administering Agency-State Agreement No. BRLO-5917(083), County Project No. 224021, for construction of the Purdon Road over Shady Creek Bridge Project No. 17C0060 (Res. 17-487), increasing the amount of the award by \$2,298,901, for a new total amount of \$2,668,901. (Dist. IV)

Interim Human Resources Director: Mali Dyck

12. [SR 18-0916](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Liebert Cassidy Whitmore pertaining to legal employment relations services (PESM3624), increasing the maximum contract amount to \$122,500, for the period July 1, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.
13. [SR 18-0940](#) Resolution amending the Nevada County Personnel Code Section P-9, Drug-Free Workplace Policy, effective as of October 23, 2018.
14. [SR 18-0949](#) Resolution amending Authorized Personnel Staffing Resolution 18-240, effective October 23, 2018, with the total number of FTE remaining at 798.35.
15. [SR 18-0950](#) Resolution amending Authorized Personnel Salary Resolution 18-241, effective October 23, 2018.

Chief Probation Officer: Michael Ertola

16. [SR 18-0948](#) Resolution approving the Nevada County Community Corrections Partnership Plan for Fiscal Year 2018/2019, and authorizing the Chair of the Board of Supervisors to execute the Plan.

Chief Information Officer: Stephen Monaghan

17. [SR 18-0957](#) Resolution continuing the declaration of a Local Emergency in Nevada County due to the Airport Hangar Fire. (4/5 affirmative vote required) (Airport)
18. [SR 18-0946](#) Approval of the proposed Forest Reserve (Title III) spending plans for Forest Reserve funding in Fiscal Years 2018/19 and 2019/20, in the amount of \$23,500 in FY 18/19 and \$23,500 in FY 19/20, designating the Fire Safe Council of Nevada County's Firewise Communities Program as the sole spending plan, and directing staff to schedule a public hearing on December 11, 2018 for final approval. (Office of Emergency Services)
19. [SR 18-0947](#) Resolution accepting the Fiscal Year 2018 Homeland Security Grant in the amount of \$173,366, from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, for use during the period September 1, 2018 through May 31, 2021. (Emergency Services)
20. [SR 18-0937](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Deschaine Enterprises, Inc., for the Eric Rood Administrative Center West Entry ADA Ramp and Parking Upgrade Project (Res. 18-227), with contract costs totaling \$37,064, and directing the Clerk of the Board of Supervisors to record the Notice in accordance with Civil Code Section 9208. (Facilities)
21. [SR 18-0952](#) Resolution approving a contract between the County of Nevada and George Roofing for the Nevada County Roof Restoration and Replacement Project at Various Locations (Res. 18-446), pertaining to roof restoration at the Grass Valley Veterans Memorial Building (255 South Auburn Street, Grass Valley), in the amount of \$177,154 plus a contingency of \$17,716 for a total amount of \$194,870, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)
22. [SR 18-0953](#) Resolution approving a contract between the County of Nevada and Rua & Son Mechanical, Inc., for the Nevada County Roof Restoration and Replacement Project at Various Locations (Res. 18-446), pertaining to roof restoration at the Eric Rood Administrative Center (950 Maidu Avenue, Nevada City), the District Attorney Building (201 Commercial Street, Nevada City), and the Animal Shelter Modular (14679 McCourtney Road, Grass Valley), in the amount of \$533,664 plus a contingency of \$53,367 for a total amount of \$587,031, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2018/19 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)
23. [SR 18-0961](#) Resolution approving bidding documents and specifications for the Nevada County Operations Center (NCOC) Project located at 12350 La Barr Meadows Road, Grass Valley, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)

Clerk of the Board: Julie Patterson Hunter

24. [SR 18-0951](#) Resolution approving a contract between the County of Nevada and Sierra Business Council pertaining to economic development management services as the Economic Development Agency (EDA) Economic Development District Planning Organization for the development and implementation of the County's five-year Comprehensive Economic Development Strategy (CEDS), in the maximum amount of \$15,302, for the period November 1, 2018 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.
25. [SR 18-0925](#) Election of Supervisor Ed Scofield to continue as representative, and Supervisor Heidi Hall as alternate, to the California State Association of Counties (CSAC) Board of Directors for the 2018/19 Association Year, beginning Tuesday, November 27, 2018.
26. [SR 18-0956](#) Acceptance of resignations from Ms. Lindy Beatie and Mr. Richard Mantle, as Private Sector representatives to the Adult and Family Services Commission.
27. [SR 18-0955](#) Acceptance of resignation from Ms. Helen Williamson as District I representative to the Nevada County Mental Health Advisory Board.
28. [SR 18-0917](#) Approval of the Nevada Cemetery District's amended Conflict of Interest Code.
29. [SR 18-0932](#) Approval of the Nevada County Charter Services Authority's amended Conflict of Interest Code.
30. [SR 18-0931](#) Approval of the Nevada County Consolidated Fire District's amended Conflict of Interest Code.
31. [SR 18-0960](#) Ratify Nevada County Transportation Commission Resolution 18-34, approving the amended Conflict of Interest Code for the Nevada County Transportation Commission.
32. [SR 18-0921](#) Acceptance of Board of Supervisors Summary Minutes for October 9, 2018.

DEPARTMENT HEAD MATTERS:*Community Development Agency Director: Sean Powers**

33. [SR 18-0959](#) Resolution directing the Community Development Agency to establish a pre-application conditional process for temporary local authorization in response to State inquiries regarding cannabis cultivation for State temporary licenses.

Planning Director: Brian Foss

34. [SR 18-0970](#) Motion to provide direction regarding a minor amendment to the draft ordinance permitting process for Commercial Medical Cannabis Cultivation.

***CLOSED SESSION:**

[SR 18-0974](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Evans, et al. v. County of Nevada, California Courts, 3rd Appellate District, Case No. C087658.

SCHEDULED ITEM: 11:30 A.M.

35. [SR 18-0922](#) Presentation of the 2018 California State Association of Counties (CSAC) Challenge Awards. (Ms. Darby Kernan, CSAC Deputy Executive Director of Legislative Services)

Housing Land Use and Infrastructure Challenge Award

Nevada County Department of Public Works

Ask Nevada County App and Web Tool

Government, Finance Administration and Technology Merit Award

Mr. Martin Polt, Chief Fiscal Officer/Deputy County Executive Officer

Nevada County Budget Analysis Interim Program

***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 October 18, 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)