

COUNTY OF NEVADA

STATE OF CALIFORNIA

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

Julie Patterson Hunter, Clerk of the Board
Alison Lehman, County Executive Officer
Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

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AGENDA

Date	Time	Location
Tuesday, November 12, 2019	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.)

Clerk of the Board: Julie Patterson Hunter

1. [SR 19-0965](#) Resolution proclaiming December 14, 2019 as Nevada County Food & Toy Run Day. (Thom Staser, CEO and Founder, and Ed Broneske, Vice-President)

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

2. [SR 19-0969](#) Resolution approving Amendment 1 to the contract between the County of Nevada and SPIRIT - Peers for Independence and Recovery, Inc. for operation of SPIRIT's Mental Health Peer Empowerment Center and related services for the enhancement and expansion of services to meet unmet community needs as a component of the County's Mental Health Services Act Plan (Res. 19-301), expanding services to include increased administrative and direct client services, increasing the maximum contract price from \$160,944 to \$185,144, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

3. [SR 19-0968](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the provision of Wraparound and Therapeutic Behavior Services (Res. 19-373), increasing the maximum contract price from \$1,669,841 to \$1,857,843, incorporating an increase in capacity of treatment from 50 treatment slots to 65 treatment slots, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
4. [SR 19-0967](#) Resolution approving a Contract for Services between the County of Nevada and the County of Plumas for the provision of Telephone Triage Services for Plumas County Adult System of Care and Children's System of Care, in the maximum amount payable of \$39,179, for the period December 1, 2019 through June 30, 2020, authorizing the Director of the Nevada County Behavioral Health Department to execute the Contract, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Behavioral Health Department's budget. (4/5 affirmative vote required)

Director of Social Services: Tex Ritter

5. [SR 19-0957](#) Resolution approving an agreement between the County of Nevada and the County of Placer pertaining to the Nevada County Veterans Services Officer providing consultative/program management services for the Placer County Veterans Service Office, up to a maximum payable amount of \$30,000, for the period August 15, 2019 through January 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Veterans Services)

Child Support Services, Collections, and Housing Director: Mike Dent

6. [SR 19-0996](#) Resolution approving the submittal of an application to the California Health Facilities Financing Authority for funding under the Community Services Infrastructure Grant Program to acquire and renovate a facility, in order to provide services to Justice-Involved homeless individuals afflicted with mental health disorders, substance use disorders and/or trauma related disorders, in the amount of up to \$10,000,000, and authorizing the Health and Human Services Agency Director to sign the grant application and all other documents that support the application. (Housing)

District Attorney: Clifford Newell

7. [SR 19-0962](#) Resolution accepting a grant from the California Office of Emergency Services Grant Award VW19330290 for the Nevada County Victim Witness Assistance Program, in the amount of \$291,761, for the period October 1, 2019 through September 30, 2020, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 District Attorney's budget. (4/5 affirmative vote required)

Director of Public Works: Trisha Tillotson

8. [SR 19-0971](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Viking Construction Company, Inc. for the Purdon Road Over Shady Creek Bridge Replacement Project - Federal Aid Project Number BRLO-05917(083), County Contract No. 224021 (Res. 18-307), with contract costs totaling \$1,832,760.43, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208. (Dist. IV)
9. [SR 19-0973](#) Resolution approving an Amendment to the agreement between the County of Nevada and the Fire Safe Council of Nevada County, Inc. (FSCNC) for implementation of vegetation removal through State Fire Assistance Grant Subgrant No. 17-SFA-81341 (Res. 18-408), accepting additional grant funds in the amount of \$70,000, which includes \$7,000 for grant administration from FSCNC and \$63,000 for vegetation removal by the County, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
10. [SR 19-0958](#) Resolution approving Amendment 3 to the agreement between the County of Nevada and the Town of Truckee for snow removal services in the Glenshire/Hirschdale area of Eastern Nevada County (Res. 17-568), for a revised amount not exceed \$73,970.99, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. IV)
11. [SR 19-0976](#) Resolution approving the Summary Vacation (Abandonment) of a portion of the 5-foot public utility easement over the northerly sideline of Lot 6 of the “English Mountain Park Phase Two” Subdivision, as shown on the Subdivision Map recorded in Book 8 of Subdivisions at page 150, Assessor’s Parcel Number 006-920-018. (Dist. 1)
12. [SR 19-0966](#) Resolution authorizing the Nevada County Fleet Services Manager to purchase a Capital Asset, one Ford Explorer Interceptor Civil Four Door All-Wheel Drive Vehicle, in the amount of \$33,763, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Transit Services Division budget. (4/5 affirmative vote required) (Transit)

Director of Human Resources: Steven Rose

13. [SR 19-0961](#) Resolution amending Resolution 17-601 to clarify the extension of salary, benefits, and employer contributions for up to 365 days for Nevada County employees on leave under orders to serve or train for Active Military Duty in the U.S. Armed Forces.
14. [SR 19-0986](#) Resolution approving amendments to the Nevada County Personnel Code, including Public Agency Eligibility List, Conflict of Interest, Tuition Reimbursement, and Flexible Work Schedules, effective November 12, 2019.

Chief Information Officer: Stephen Monaghan

15. [SR 19-0960](#) Resolution accepting the Fiscal Year 2019 Emergency Management Performance Grant from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, in the amount of \$145,009 with a 100% matching fund requirement, for use during the period July 1, 2019 through June 30, 2021. (Emergency Services)
16. [SR 19-0963](#) Resolution approving a contract between the County of Nevada and Pride Industries One, Inc., for the Nevada County Bost House HVAC Installation Project located at 145 Bost Avenue, Nevada City, in the amount of \$32,471 plus a contingency of \$3,248 for a total contract amount of \$35,719, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)

County Librarian: Yolande Wilburn

17. [SR 19-0984](#) Resolution approving a Memorandum of Understanding between the Nevada County Community Library and the NorthNet Library System for joining the NorthNet Library System LINK + Contract, for a term through January 31, 2024, authorizing the acceptance of \$12,101 in grant revenue to cover first year costs, and authorizing the Auditor-Controller to amend the Fiscal Year 2019-20 Library budget. (4/5 affirmative vote required)

County Executive Officer: Alison Lehman

18. [SR 19-0974](#) Resolution amending various Nevada County budgets through the First Consolidated Budget Amendment for Fiscal Year 2019/20. (4/5 affirmative vote required)

Individual Board Member Item: Supervisors Hall, District I, and Hoek, District IV

19. [SR 19-0970](#) (Waive further reading/Adopt) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a Pilot Program until the end of declared fire season in 2020. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

20. [SR 19-0951](#) 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 2019/20 Association Year, beginning Tuesday, December 3, 2019.
21. [SR 19-0959](#) Appointment of Ms. Ann Shanti Emerson as a Board of Supervisors representative to the Area 4 Agency on Aging Advisory Council, for an unexpired three-year term ending June 30, 2022.

22. [SR 19-0950](#) Acknowledgement of Supervisor Miller's appointment of Mr. Carl Van Son as the District III representative to the Building and Accessibility Standards Board of Appeals, and the end of the current representative's term, effective November 5, 2019.

***DEPARTMENT HEAD MATTERS:**

Director of Social Services: Tex Ritter

23. [SR 19-0956](#) Acceptance of the Nevada County Veterans Services Office Fiscal Year 2019/20 informational report and presentation. (Veterans Services)
24. [SR 19-1056](#) Report from Gold Country Community Services (GCCS): Food Insecurity within Nevada County. (Janeth Marroletti, Executive Director, GCCS)

***INDIVIDUAL BOARD MEMBER ITEM: Supervisor Ed Scofield, District II**

25. [SR 19-0964](#) Acceptance of the Alliance for Workforce Development, Inc. (Nevada County Business and Career Network), annual presentation of the Alliance's Fiscal Year 2018/19 performance - Workforce Innovation and Opportunity Act Program and Services. (Amy Velazquez, Director of Business Services, AFWD)

SCHEDULED ITEM: 10:30 A.M. Building Director, Craig Griesbach

26. [SR 19-0977](#) Public hearing to consider the appeal filed by Mr. Scott Merritt regarding the Nevada County Building and Accessibility Standards Board of Appeals notice of determination dated September 5, 2019, regarding Section R317.1.3 of the 2016 California Residential Code requiring all horizontal and vertical structural members of decks exposed to the weather to be of materials that are naturally resistant to decay or pressure treated. The project is for the construction of a 2 story structure with main level workshop (1,567 sq. ft.), upper level single family residence (1,822 sq. ft.), and deck (1,730 sq.ft.). (Dist. I)

Resolution denying the appeal filed by Mr. Scott Merritt regarding the Building and Accessibility Standards Board of Appeal's August 29, 2019 decision to uphold the determination of the Building Official regarding Building Permit 181444 at 16887 Champion Road, Nevada City (APN 004-151-008), regarding Section R317.1.3 of the 2016 California Residential Code requiring all horizontal and vertical structural members of decks exposed to the weather to be of materials that are naturally resistant to decay or pressure treated.

SCHEDULED ITEM: 11:00 A.M. Building Director, Craig Griesbach

27. [SR 19-0975](#) Public hearing to consider an ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and local amendments thereto; 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.

(Introduce/Waive further reading) An Ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and Local Amendments thereto; and adoption of express findings of reasonable necessity to changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

***CLOSED SESSION:**

- [SR 19-1054](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiator for the County is Steve Monaghan, Chief Information Officer/Director of Information and General Services. The negotiator for the property owner, J&M Sierra Properties LLC, are John Hagele and Mark Hagele. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for property located at 2059 Nevada City Highway, Grass Valley, CA 95945 (APN 035-400-001).

***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 Joseph Center. Posted: November 7, 2019*

Notice was also posted at the District V Board of Supervisors Conference Room, 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)