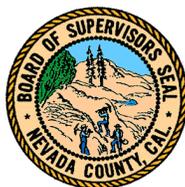


# COUNTY OF NEVADA

## STATE OF CALIFORNIA

*Heidi Hall, 1st District*  
*Ed Scofield, 2nd District (Chair)*  
*Dan Miller, 3rd District*  
*Wm. "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*  
*Richard A. Haffey, County Executive Officer*  
*Alison Barratt-Green, County Counsel*

## SUMMARY MINUTES - Draft

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, May 22, 2018	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

### REGULAR MEETING: 9:00 A.M.

*Rollcall*

*The following Supervisors present:*

*Heidi Hall, 1st District*  
*Ed Scofield, 2nd District*  
*Dan Miller, 3rd District*  
*Hank Weston, 4th District*  
*Richard Anderson, 5th District*

### STANDING ORDERS:

Chairman Scofield called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Ms. Yolande Wilburn, Interim County Librarian.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Lelia Loomis, Deputy Clerk to the Board, noted that an Addendum Agenda was posted on Monday, May 21, 2018 adding Agenda Item #28a to the Agenda, and staff has requested Agenda Item #20 be pulled from the Agenda. The item will return to the Board at a future meeting.

\*\*\*\*\*

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

1. [SR 18-0401](#) Certificates of Recognition for the Nevada Union High School Debate Program Coach, Mr. Stephen Goldberg, and for the two Debate Team members who qualified to compete in the Policy Debate at the Tournament of Champions, held annually at the University of Kentucky, Mr. Morgan Margulies and Mr. Devin Anderson.  
  
**Sponsor(s):** Heidi Hall, District 1  
**Recognized.**

ACTION TAKEN: Chairman Scofield introduced the item and Supervisor Heidi Hall read the certificates and presented them to the recipients. She commented on the value of the program and thanked the recipients.

Board members thanked the Coach Goldberg for his dedication, congratulated the students for their dedication, and recognized the value of public speaking.

\*\*\*\*\*

2. [SR 18-0400](#) Resolution proclaiming May 31 through June 3, 2018 as "Celebration of Trails Weekend 2018" in Nevada County, in conjunction with "National Trails Day."  
  
**Sponsor(s):** Richard Anderson, District 5  
**Adopted.**  
Enactment No: RES 18-183

ACTION TAKEN: Supervisor Scofield introduced the agenda item and Supervisor Anderson read the Proclamation into the record. He commented on the benefits of trails and gave a brief overview of National Trails Day.

Ms. Erika Seward, Co-Executive Director, Ms. Laura Peterson, Communications and Outreach Manager, Mr. Terry Hundemer, Board member, and Mr. Shaun Clarke, Lands Access Manager, Bear Yuba Land Trust (BYLT), shared comments regarding trails. Ms. Seward reported that preservation of trails is a community wide endeavor and listed some of the partner agencies that work with BYLT. She reviewed the events that will be taking place during the Celebration of Trails Day, and reported that additional information is available on their website: <https://www.bylt.org>.

The Supervisors thanked the representatives for the work they do and their contribution to the community.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to adopt Resolution 18-183. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**PUBLIC COMMENT: 9:10 A.M.**

ACTION TAKEN: The following people commented on the Cannabis Ordinance and the Cannabis industry in Nevada County: Mr. Gary Baker, District II resident; Ms. Theresia Heinzle Evans, District I resident; and Mr. Lee French, District II resident.

\*\*\*\*\*

**CONSENT CALENDAR:**

**Director of Behavioral Health: Phebe Bell**

3. [SR 18-0361](#) Resolution approving the Nevada County Mental Health Services Act (MHSA) Annual Update to the Three-Year Program and Expenditure Plan for Fiscal Year 2018/19, and the Annual Progress Report for Fiscal Year 2016/17, with estimated Program expenditures under the County's MHSA in the amount of \$5,600,341 for Fiscal Year 2017/18, \$5,571,500 for Fiscal Year 2018/19, and \$5,571,500 for Fiscal Year 2019/20, and authorizing the Behavioral Health Director to sign the MHSA County Compliance Certification.

**Adopted.**

Enactment No: RES 18-184

4. [SR 18-0357](#) Resolution approving Addendum 1 to the Memorandum of Understanding (MOU) between the County of Nevada and Blue Cross of California Partnership Plan, Inc. (Anthem) for the coordination of services in the delivery of specialty mental health services to Anthem members (Res. 14-508), pertaining to the additional understandings of the County and Anthem regarding the coordination of alcohol and other drug services for eligible Anthem members under the Department of Health Care Services Medi-Cal Managed Care Program, commencing April 10, 2018 and continuing under the terms of the existing MOU, and authorizing the Chair of the Board of Supervisors to execute the Addendum.

**Adopted.**

Enactment No: RES 18-185

5. [SR 18-0386](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Social and Environmental Entrepreneurs, dba Gateway Mountain Center for the provision of comprehensive specialty mental health services primarily targeted for emotionally disturbed youth (Res. 17-478), increasing the maximum contract price from \$70,000 to \$78,000, amending the Schedule of Services to include MASEY screening tool language for Probation Department referred clients, for the period September 1, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.  
**Adopted.**  
Enactment No: RES 18-186
6. [SR 18-0362](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Willow Glen Care Center for long-term mental health and residential care to adult clients with mental health conditions (Res. 17-170), increasing the maximum contract price from \$134,500 to \$172,180 due to an increase in services, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Behavioral Health Department budget. (4/5 affirmative vote required)  
**Adopted.**  
Enactment No: RES 18-187

Child Support Services Director: Tex Ritter

7. [SR 18-0369](#) Resolution approving the submittal of Nevada County's application to the State Department of Housing and Community Development (HCD) for funding up to the amount of \$500,000 under the CalHome Program, authorizing the Health and Human Services Agency Director to execute the the application, Standard Agreement, and all other documents required by HCD for participation in the CalHome Program, and approving the 2018 CalHome Disaster Housing Rehabilitation Program Guidelines. (Housing and Community Services)  
**Adopted.**  
Enactment No: RES 18-188

Clerk-Recorder/Registrar of Voters: Gregory Diaz

8. [SR 18-0358](#) Resolution approving and authorizing stipend rates paid per day for Vote Center Judges and Inspectors assigned to Nevada County Vote Centers: 1) Inspectors: \$130 per 8-hour day and \$205 for Election Day (15-hour day); 2) Judges: \$125 per 8-hour day and \$200 for Election Day (15-hour day); and 3) Training: \$100 for 8-hours of training (applicable to both Judges and Inspectors).

**Adopted.**

Enactment No: RES 18-189

9. [SR 18-0359](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada (Participant) and the Counties of Orange, Los Angeles, Riverside, and San Diego (Owner) to authorize the Nevada County Clerk-Recorder's use of the Statewide Electronic Courier Universal Recording Environment (SECURE) Multi-County Electronic Recording Delivery System (ERDS), with an annual Participant Maintenance Fee of \$5,000, for a term of five years effective when the agreement is signed, and authorizing the Chair of the Board of Supervisors to execute the MOU.

**Adopted.**

Enactment No: RES 18-190

Community Development Agency Director: Sean Powers

10. [SR 18-0391](#) Resolution approving Amendment 3 to the contract between the County of Nevada and TruePoint Solutions, LLC for implementation of Accela software (Res. 15-155), pertaining to further software configuration changes to enhance efficiencies, increasing the maximum amount by \$24,900 for a contract amount not to exceed \$343,200, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Community Development Agency budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 18-191

Director of Public Works: Trisha Tillotson

11. [SR 18-0329](#) Resolution awarding and approving a contract between the County of Nevada and Central Striping Service, Inc. for the Nevada County 2018 Thermoplastic Safety Project, County Contract No. 225031, Federal No. HSIP 5917 (098) (Res. 18-082), in the amount of \$375,064.20 plus a ten percent contingency of \$37,506.42, for a grand total of \$412,570.62, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Department of Public Works Road Engineering budget. (4/5 affirmative vote required)  
**Adopted.**  
Enactment No: RES 18-192
12. [SR 18-0368](#) Resolution approving Exchange Program Agreement No. X18-5917(100) for the Federal Apportionment Exchange Program and State Match Program, with Nevada County funds in the amount of \$286,695 available for exchange and \$100,000 in available State Matching funds, for a total of \$386,695, and authorizing the Chair of the Board of Supervisors to execute the original two documents on behalf of the County of Nevada.  
**Adopted.**  
Enactment No: RES 18-193
13. [SR 18-0394](#) Resolution approving the Summary Vacation (abandonment) of a public utility easement centered on the property boundary between Lots 165 and 166 of Book 8 of Subdivisions at Page 101, Assessor's Parcel Numbers 11-161-20 and 11-161-21, and directing the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation.  
(Dist. II)  
**Adopted.**  
Enactment No: RES 18-194
14. [SR 18-0396](#) (Waive further reading/Adopt) Ordinance adding Subsection 58 of Section G-IV 3.A.5 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to speed limits on Rough and Ready Highway between Rex Reservoir Road and Valley Drive, and adding Subsection 23 of Section G-IV 3.A.7 of Article 3.A of Chapter IV of the Nevada County General Code pertaining to speed limits on Rough and Ready Highway between Valley Drive and State Route 20. [Thirty-Five Miles Per Hour Prima Facie Speed Limit established on Rough and Ready Highway from Rex Reservoir Road to Valley Drive; and Forty-Five Miles Per Hour Prima Facie Speed Limit established on Rough and Ready Highway from Valley Drive to State Route 20.] (Dist. IV)  
**Adopted.**  
Enactment No: ORD-2449

Human Resources Director: Seth Schapiro

15. [SR 18-0381](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Liebert Cassidy Whitmore for the provision of legal employment relations services and review of Personnel Code and Administrative Code (Res. 17-509), increasing the maximum contract amount from \$86,000 to \$116,000, for the period July 1, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 18-195

Chief Information Officer: Stephen Monaghan

16. [SR 18-0382](#) Resolution directing the Purchasing Agent to issue a Request for Qualifications for professional services for the Nevada County Facilities ADA (Americans with Disabilities Act) Self Evaluation and Transition Plan. (Facilities)

**Adopted.**

Enactment No: RES 18-196

17. [SR 18-0395](#) Resolution approving Amendment 8 to the contract between the County of Nevada and EPIC Aviation, LLC, for aviation fuel services and support at the Nevada County Airport (Res. 06-071), extending the contract through November 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

**Adopted.**

Enactment No: RES 18-197

Interim County Librarian: Yolande Wilburn

18. [SR 18-0370](#) Resolution accepting a grant from the California State Library for \$7,000 in Federal Library Services and Technology Act funds to host a Mental Health Resource Fair at the Nevada County Community Library for use during the period April 1, 2018, to June 30, 2018, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Library budget to reflect the additional revenue and related expenses. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 18-198

County Counsel: Alison Barratt-Green

19. [SR 18-0385](#) Resolution approving a contract between the County of Nevada and Stradling Yocca Carlson & Rauth, P.C. for Bond Counsel services related to the proposed financing for the Nevada County Operations Center Project, in the maximum contract amount of \$71,500, and authorizing the Chair of the Board of Supervisors to execute the contract.

**Adopted.**

Enactment No: RES 18-199

County Executive Officer: Richard Haffey

20. [SR 18-0380](#) Resolution amending various Nevada County Budgets through the Third Consolidated Budget Amendment for Fiscal Year 2017/18. (4/5 affirmative vote required) (Pulled from the agenda by staff.)
21. [SR 18-0397](#) Resolution approving a contract between the County of Nevada and KNN Public Finance, LLC for Financial Advisory Services with respect to a Bond Financing Transaction for the Nevada County Operations Center Project, in the maximum contract amount of \$96,000, for the period May 22, 2018 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the contract.

**Adopted.**

Enactment No: RES 18-200

22. [SR 18-0405](#) Resolution regarding the intention of the Nevada County Board of Supervisors to issue a Tax-Exempt Obligation.

**Adopted.**

Enactment No: RES 18-201

Clerk of the Board: Julie Patterson Hunter

23. [SR 18-0407](#) Reappointment of Mr. Douglass Fleming as a public sector representative to the Adult and Family Services Commission, for a two-year term ending April 30, 2020.

**Reappointed.**

24. [SR 18-0342](#) Acceptance of Board of Supervisors Summary Minutes for May 1 and 8, 2018.

**Accepted.**

ACTION TAKEN: Chairman Scofield introduced the consent calendar.

*Approval of the Consent Agenda:*

**Adopted.**

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Miller, to approve the consent calendar. On a roll call vote, the motion passed unanimously.**

\*\*\*\*\*

**DEPARTMENT HEAD MATTERS:**

**Director of Behavioral Health: Phebe Bell**

25. [SR 18-0371](#) Resolution approving Standard Agreement 17-94081 between the County of Nevada and the Department of Health Care Services for the purpose of identifying and providing Drug Medi-Cal Organized Delivery System services for substance use disorder treatment, in the maximum amount of \$9,731,263, for the period June 28, 2018 through June 30, 2020, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Behavioral Health Department budget. (4/5 affirmative vote required)
- Adopted.**
- Enactment No: RES 18-202

ACTION TAKEN: Ms. Phebe Bell, Director of Behavioral Health, and Ms. Nicole Ebrahimi-Nuyken, Behavioral Health Program Manager, reviewed the staff report and provided a PowerPoint presentation regarding substance abuse in Nevada County. Ms. Bell gave a brief background regarding creation of the Organized Delivery System (ODS), which increases the covered services under Medi-Cal, and reviewed the goals and key elements of the continuum of care under the ODS.

Ms. Bell reviewed the responsibilities of the County under ODS, plus the costs and financial implications. She asked that the Board pass the resolution to enter into a contract with the Department of Health Care Services, and noted that there will be amendments coming to the Board regarding the budgeting and planning for the ODS program.

Board questioning and comments ensued.

---

Chairman Scofield provided an opportunity for public comment.

Ms. Carrie Becker, District IV resident, shared concerns about services for substance abuse in Nevada County and services for medical cannabis patients.

There being no further public comment, Chairman Scofield closed public comment.

**MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to adopt Resolution 18-202. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**Director of Public Works: Trisha Tillotson**

26. [SR 18-0312](#) Resolution approving Amendment 2 to the contract between the County of Nevada and HDR Construction Control Corporation to provide on-call construction management and inspection services for various projects (Res. 16-069), increasing the contract by \$1,000,000 for a total amount not to exceed \$2,400,000, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Department of Public Works Capital Improvements budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 18-203

ACTION TAKEN: Ms. Trisha Tillotson, Director of Public Works, and Mr. Joshua Pack, Principal Civil Engineer, provided a Power Point presentation including background for the contract and explaining the current request for additional funds. Mr. Pack reviewed the services provided by the contract, adding that they are services and expertise that County staff does not have. He reported on the success of the partnership between HDR Construction Control Corporation (HDR) and the County, and listed a number of the projects that have been completed using HDR. Mr. Pack provided a list of current projects expected to be completed in 2018, and reported that Public Works is planning to bring a Request for Qualifications to the Board before the end of the year for projects scheduled in 2019.

Board questioning ensued.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 18-203. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**Chief Information Officer: Stephen Monaghan**

27. [SR 18-0403](#) Resolution declaring a Local Emergency in Nevada County due to the Sierra Mountain Aviation Airport Hangar Fire on April 18, 2018, authorizing the Purchasing Agent to execute contracts for Phase I and Phase II of the Airport Hangar Fire project as necessary for Site Investigation, Clean Up, Demolition, Reconstruction of the Building Shell and other ancillary services without competitive bids, in an amount up to \$550,000, suspending the competitive bidding process for all associated contracts, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Airport Budget in the amount of \$45,000 for expenses for initial Purchasing Agent contracts executed to secure the site and retain engineering services which are also eligible for insurance reimbursement. (4/5 affirmative vote required) (Airport)
- Adopted.**
- Enactment No: RES 18-204

ACTION TAKEN: Mr. Stephen Monaghan, Chief Information Officer, reported on the Airport fire, and explained the emergency declaration is necessary in order for repairs to be completed before next winter. He reviewed the different phases of the work to be provided, and reported that all costs will eventually be covered by County insurance. Mr. Monaghan reported that staff will return to the Board at each meeting until the emergency declaration is over.

Board questioning ensued.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Weston, to adopt Resolution 18-204. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**Clerk of the Board: Julie Patterson Hunter**

28. [SR 18-0389](#) Resolution endorsing and certifying the Nevada County Historical Landmarks Commission's designation of the Truckee Memorial Masonic Arch, located at 10142 Jibboom Street, Truckee, California 96161 (APN 19-102-04-000) as Nevada County Historical Landmark NEV 18-01. (Dist. V)
- Adopted.**
- Enactment No: RES 18-205

**ACTION TAKEN:** Mr. Jeffrey Thorsby, Senior Administrative Analyst, provided background information regarding the historical designation of the Truckee Memorial Masonic Arch. Mr. Bernie Zimmerman, Historical Landmarks Commission (HLC) Chair, and Ms. Barbara Czerwinski, District V representative on the HLC, provided comments regarding the Arch, and thanked the Board for endorsing the designation of the Arch . Mr. Zimmerman reported that there will be a ceremony June 9, 2018 at the Donner State Park for dedication of the Donner Monument.

The Board thanked the HLC for the work they do to recognize the history of our County.

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Anderson, to adopt Resolution 18-205. On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**28a. [SR 18-0433](#)** Motion of the Board of Supervisors finding that there is a need for immediate action to authorize Letter(s) of Support urging the State of California to provide an additional \$2.8M in State funding for the Bridgeport Bridge Restoration Project, and that the need for this action came to the attention of the County subsequent to the posting of the May 22, 2018 Agenda, and adding Item 28b to the Agenda. (4/5 affirmative vote required)

**Sponsor(s):** Wm. 'Hank' Weston  
**Approved.**

**ACTION TAKEN:** Chairman Scofield introduced the Addendum item, and Mr. Jeffrey Thorsby, Senior Administrative Analyst, provided comments regarding the need for adding the emergency item to today's agenda.

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Hall, to place the Emergency Addendum item on the Agenda. On a voice vote the motion passed unanimously.**

\*\*\*\*\*

**28b [SR 18-0434](#)** Motion authorizing the Chair of the Board of Supervisors to send Letter(s) of Support urging the State of California to provide an additional \$2.8M in State funding for the Bridgeport Bridge Restoration Project.

**Sponsor(s):** Wm. 'Hank' Weston  
**Approved.**

**ACTION TAKEN:** Supervisor Weston reported that the Board was notified yesterday that the County received only one bid for the reconstruction of the Bridgeport Bridge and the State funds previously reserved are short by \$2.8 million. They will be meeting with State representatives today to try and get this request into next year's State budget before it is finalized in the next few weeks. He asked the Board to endorse the letter of support for funding based on the current bid.

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Hall, to endorse the letter of support. On a voice vote the motion passed unanimously.**

\*\*\*\*\*

**\*CLOSED SESSIONS:**

[SR 18-0384](#) Pursuant to Government Code § 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, Nevada County Superior Court, Case No. CU15-081064.

[SR 18-0412](#) Pursuant to Government Code § 54956.8, the Board of Supervisors desires to hold closed sessions regarding real property negotiations. The negotiators for the County are Trisha Tillotson, Public Works Director, and Yolanda Matrange, Bender Rosenthal, Inc. The negotiators for the property owners are unknown at this time. Items under negotiation concern the price and terms of payment for a portion of each of the following properties and the property interest to be obtained:

- (1) 10069 Combie Road, Grass Valley, California, 95949, Assessor's Parcel Number: 57-260-04.
- (2) 10045 Combie Road, Grass Valley, California, 95949, Assessor's Parcel Number: 57-260-18.
- (3) 10005 Combie Road, Grass Valley, California, 95949, Assessor's Parcel Number: 57-260-02.
- (4) 10021 Combie Road, Grass Valley, California, 95949, Assessor's Parcel Number: 57-260-01.

**ACTION TAKEN:** Ms. Alison Barratt-Green, County Counsel, read the title of the closed session(s) into the record and the Board entered into closed session.

Following the closed session, Ms. Barratt-Green reported that nothing occurred in closed session that is required to be reported out by law.

\*\*\*\*\*

**SCHEDULED ITEM: 11:00 A.M.****Alison Barratt-Green, County Counsel and Sean Powers, Community Development Agency****Director**

29. [SR 18-0387](#) (Introduce/Waive further reading/Adopt) An Urgency Ordinance amending Subsection G-IV 5.4.E.3 of, and adding Subsection G-IV 5.4.O to Article 5 of Chapter IV of the Nevada County General Code regarding temporary medical commercial cannabis permits. (4/5 affirmative vote required)

**Adopted as amended.**

Enactment No: ORD-2450

ACTION TAKEN: Chairman Scofield introduced the item and reviewed the process for today's meeting.

Ms. Amanda Uhrhammer, Assistant County Counsel, provided a Power Point presentation regarding the Cannabis Cultivation Temporary Permit Urgency Ordinance. She reviewed the current State regulations and reported that the State emergency regulations are in effect until June 30, 2019. Ms. Uhrhammer reported that the Board directed staff to formulate regulations for temporary commercial licenses in the AG, AE, and FR zones only. She reviewed the current Ordinance sections that would be amended by the Urgency Ordinance, and noting that the goal is to align with Board direction, and provide consistency with the existing State temporary licensing process.

Ms. Uhrhammer explained that the temporary permitting process would allow the County to expedite the permitting process for only this year. The permit will require adherence to all provisions of the existing ordinance, and require that growers have the appropriate State licenses. Staff is proposing to allow 60 days to correct existing code violations related to structures not being used for cannabis activities; this requirement will not apply to health and safety violations. The temporary permit would require inspection within 30 days of issuance to ensure compliance, and sets forth criteria for denial, suspension or revocation. There is no ability to appeal. The Urgency Ordinance presented today directs the temporary status to expire on December 31, 2018 to be in alignment with the State. However, the State changed this expiration date to June 30, 2019. Ms. Uhrhammer noted that the County will be claiming a California Environmental Quality Act (CEQA) exemption. There have been no studies regarding the commercial aspect to the Ordinance, but staff believes it to be low risk. She explained that the purpose of the Urgency Ordinance is to enable the local growers to participate in the State commercial process for the 2018 grow season.

Mr. Craig Griesbach, Director of Building, reviewed the three stage process for the permits; application, plan review and compliance inspection. This process is similar to other current Land Use review and permitting processes, and once an application is submitted, it will be routed for review. When the review is complete, the permit can be issued, and an inspection is required within 30 days of issuance.

Applications will be accepted by appointment only. Scheduling will start June 6, 2018; appointments for submittal will start on June 20, 2018 and go through October 1, 2018. The minimum proposed fee of \$542.49 would be due at submission of application. These fees are in accordance with the County's current Community Development Agency fee schedule.

Board questioning and discussion ensued.

Supervisor Weston asked about correcting violations within 60 days. Mr. Griesbach responded this is similar to how these items are currently handled through the building permit process. He suggested they could issue a condition of approval as an option.

Supervisor Weston asked if the County will change the expiration date to match the State's new date. Ms. Uhrhammer said that would be staff's recommendation. Mr. Sean Powers, Community Development Agency Director, commented that the State released their new regulations the day after the Agenda was published.

Board questioning ensued regarding the alignment with State permit requirements and the commercial temporary permit timeline for commercial cannabis activity in Nevada County.

Supervisor Hall had concerns regarding the timing to get all the required permits. Ms. Alison Barratt-Green responded that they would be in violation of State law if they do any commercial cultivation without a State license, before or after they applied for the County license.

Board questioning ensued.

Ms. Uhrhammer confirmed that the temporary license will not be transferrable to a permanent annual license and she reviewed the current Cannabis Ordinance growing regulations.

Chair Scofield provided an opportunity for public comment.

The following people provided comments regarding the current Cannabis Urgency Ordinance for temporary licensing: Mr. Gary Baker, District II resident; Ms. Diana Gamzon, District I resident and Executive Director of Nevada County Cannabis Alliance; Mr. Brad Pecimer, District II resident; Ms. Patricia Smith, District IV resident; Mr. Basil McMahan, District II

resident; Mr. Mark Johnson, District III resident; Mr. Forrest Hurd, District IV resident; Ms. Barbara Jones, District IV resident; Mr. Phil Ritti, District III resident; Mr. Mark Schaefer, District IV resident; Mr. Harry Bennett, Nevada City; Mr. Abraham Valensky, District IV resident; Ms. Patti Lawrence, District IV resident; Ms. Mary Alice Ritti, District III resident; Mr. Jonathan Collier, District I resident; and Mr. Wade Laughter, District I resident.

There being no further public comment, Chairman Scofield closed the public comment period.

Board questioning and discussion ensued.

Ms. Uhrhammer stated that the Urgency Ordinance has a specific exclusion from the more rigorous permitting process for people growing under Non-Remuneration, and clarified that six personal plants are excluded from commercial.

Board questioning ensued.

Ms. Uhrhammer clarified that there is no commercial activity allowed on RA parcels.

Supervisor Miller made a motion to adopt the Urgency Ordinance Subsection G-IV 5.4.O.4 amending it to read as follows "All temporary medical commercial cannabis permits will expire automatically as of June 30, 2019."

Supervisor Weston requested further discussion regarding the 60 days to correct violations. Ms. Barratt-Green responded that they could add a clerical amendment to say "must be fully corrected within 60 days from the conditional issuance of the permits, or as otherwise directed by the Chief Building Official."

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hall, to introduce, waive further reading, and adopt Urgency Ordinance 2450, as amended, with Subsection G-IV 5.4.O.i.i. to read as follows: "All existing code violations must be fully corrected within 60 days from the conditional issuance of the permits, or as otherwise directed by the Chief Building Official", and Subsection G-IV 5.4.O.4 to read as follows: "All temporary medical commercial cannabis permits will expire automatically as of June 30, 2019." On a roll call vote the motion passed unanimously.**

\*\*\*\*\*

**\*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.

ACTION TAKEN: Not held.

\*\*\*\*\*

**ADJOURNMENT:**

ACTION TAKEN: Chairman Scofield adjourned the meeting at 12:42 P.M.

\*\*\*\*\*

Signature and Attestation

Edward C. Scofield, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board