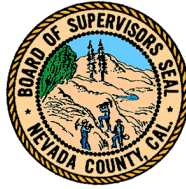


COUNTY OF NEVADA

STATE OF CALIFORNIA

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



BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board
Richard A. Haffey, County Executive Officer
Alison Barratt-Green, County Counsel

SUMMARY MINUTES

Date	Time	Location
Tuesday, May 23, 2017	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

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

Pledge of Allegiance led by Mr. Michael Ertola, Chief Probation Officer.

Corrections and/or deletions to agenda.

ACTION TAKEN: No corrections and/or deletions to the agenda were noted.

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: No public comment received.

SCHEDULED ITEMS: 9:02 A.M.

1. [SR 17-0347](#) Ms. Holly Hermansen, Nevada County Superintendent of Schools, annual “State of the Schools” address.

ACTION TAKEN: Ms. Holly Hermansen, Nevada County Superintendent of Schools, provided a PowerPoint presentation highlighting the state of Nevada County Schools. She reviewed the current schools and enrollment, noting that enrollment in the younger grades slightly increased in Fiscal Year 2015/16. Ms. Hermansen reviewed the structure, roles and responsibilities of her office as well as the Programs run by the Superintendent of Schools. Ms. Hermansen noted that Pleasant Valley School will be closing at the end of this year, and she reported on activities taking place at schools throughout the County.

Board questioning and discussion ensued, and Chairman Weston thanked Ms. Hermansen for her presentation.

2. [SR 17-0304](#) Certificate of Recognition for Ms. Holly Anne Hermansen, Nevada County Superintendent of Schools, for her thirty-three years of dedicated service in education.

ACTION TAKEN: Chairman Weston introduced the agenda item and read highlights of the Certificate into the record. The Board members thanked Ms. Hermansen, Nevada County Superintendent of Schools, for her service and presented her with the Certificate of Recognition.

CONSENT CALENDAR:

Health and Human Services Agency Director: Michael Heggarty

3. [SR 17-0334](#) Resolution approving Amendment Number Two to the Memorandum of Understanding (MOU) between the County of Nevada and the California Health and Wellness Plan for coordination of services (Res. 13-516), as a requirement to implement the County's participation in a Rate Range Intergovernmental Transfer to secure additional funds for unreimbursed costs for Medi-Cal delivered services for Fiscal Year 2016/17, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-210

4. [SR 17-0335](#) Resolution approving two contracts between the County of Nevada and California Department of Health Care Services (DHCS), Contract No. 16-93596 - Intergovernmental Agreement Regarding Transfer of Public Funds and Contract No. 16-93609 - Intergovernmental Transfer Assessment Fee, pertaining to the County's participation in a Rate Change Intergovernmental Transfer to secure additional funds for unreimbursed costs for Medi-Cal delivered services for Fiscal Year 2016/17, and authorizing the Chair of the Board of Supervisors to execute both contracts.

Adopted.

Enactment No: RES 17-211

Behavioral Health Director: Rebecca Slade

5. [SR 17-0303](#) Resolution proclaiming May 2017 as "Mental Health Month" in Nevada County.

Adopted.

Enactment No: RES 17-212

6. [SR 17-0279](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Thomas R. Griffith, MFT for the provision of specialty mental health services for the County's Medi-Cal beneficiaries (PESK3124), increasing the maximum contract price from \$25,000 to \$35,000, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-213

7. [SR 17-0324](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Community Recovery Resources (CoRR) for the provision of substance abuse treatment services for Adult Drug Court Participants (Res. 16-439), increasing the contract maximum price from \$139,251 to \$164,251 due to an unanticipated increase in services, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-214

Public Health Director: Jill Blake

8. [SR 17-0300](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Wendy Van Wagner, dba In the Kitchen for the provision of Nutrition Education Consultant services for the County's Nutrition Education and Obesity Prevention (NEOP) Program (Res. 16-471), increasing the maximum contract price from \$29,120 to \$34,720, for the period October 1, 2016 through September 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-215

9. [SR 17-0310](#) Resolution approving acceptance of Federal Fiscal Year (FFY) 2016 carry-in funds in the amount of \$50,807.93 in relation to Grant Agreement 16-10170 between the County of Nevada and the California Department of Public Health, pertaining to funding Supplemental Nutrition Assistance Program Education (SNAP-Ed) services (Res. 16-345), for the period October 1, 2016 through September 30, 2019, and authorizing and directing the Auditor-Controller to amend Public Health's Fiscal Year 2016/17 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-216

10. [SR 17-0319](#) Resolution approving Amendment A04 to Agreement 14-10525 between the County of Nevada and the California Department of Public Health (CDPH) for Public Health Emergency Preparedness (PHEP), Pandemic Influenza (Pan Flu), and Hospital Preparedness Program (HPP) funding (Res. 14-404), increasing the maximum amount payable from \$1,097,757 to \$1,105,967, and providing for a one-year extension for a revised term of July 1, 2014 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-217

Sheriff-Coroner/Public Administrator: Keith Royal

11. [SR 17-0315](#) Resolution approving Amendment 2 to the agreement between the County of Nevada and Touchpay Holdings LLC for kiosk services for funding inmate accounts at the Wayne Brown Correctional Facility at no cost to the County (Res. 13-237), extending the term of the agreement for one year, for the period June 30, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-218

Assessor: Sue Horne

12. [SR 17-0328](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Capitol Digital Document Solutions, Inc. pertaining to scanning and digital conversion services for the Assessor's office (Res. 15-279), increasing the maximum contract price from \$45,148 to \$47,948 to provide for additional scanning services, extending the contract termination date from June 30, 2017 to June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-219

Environmental Health Director: Amy Irani

13. [SR 17-0308](#) Resolution authorizing the Nevada County Board of Supervisors to accept grant funding in the amount of \$25,145 for Agreement TEA24-16-0046 from the California Department of Resources Recycling and Recovery (CalRecycle) for the Waste Tire Enforcement Grant (TEA) 24th Cycle (Fiscal Year 2016/17), for the period June 30, 2017 through September 30, 2018, and authorizing the Chair of the Board of Supervisors to execute all documents necessary to secure release of grant funds for the Waste Tire Enforcement Grant Program.

Adopted.

Enactment No: RES 17-220

Director of Public Works: Trisha Tillotson

14. [SR 17-0317](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Innovative Construction Solutions for the McCourtney Road Landfill Leachate Pump Improvement Project (Res. 16-532), with contract costs totaling \$173,231, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208.

Adopted.

Enactment No: RES 17-221

15. [SR 17-0331](#) Resolution approving the Subdivision Improvement Agreement for Parcel Map 07-014 between the County of Nevada and William S. Grigg, Trustee of the Grigg Family Trust, authorizing the Chair of the Board of Supervisors to execute the Agreement, and directing the Clerk of the Board of Supervisors to record the Resolution. (Dist. IV)

Adopted.

Enactment No: RES 17-222

16. [SR 17-0318](#) Resolution approving the contract between the County of Nevada and MAP Associates dba NorthStar for Professional Surveying Services for County Surveyor functions, for a maximum amount not to exceed \$100,000, for the period June 19, 2017 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the contract, and appointing Lorraine Lundy as the County Surveyor for the County of Nevada.

Adopted.

Enactment No: RES 17-223

17. [SR 17-0291](#) Resolution awarding and approving a contract between the County of Nevada and Kimley-Horn and Associates, Inc. for professional engineering design services for the Roadway Safety Signing Audit Project - Phase 2 Contract No. 225028 (Res. 17-014), in an amount not to exceed \$290,420.96, for the period May 23, 2017 through December 31, 2017, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works Capital Improvement budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-224
18. [SR 17-0322](#) Resolution awarding and approving a contract between the County of Nevada and Central Striping Service, Inc. for the Nevada County Thermoplastic Safety Project 2017 Re-Bid, Contract No. 225030, Federal No. HSIP 5917 (094) (Res. 17-055), in the amount of \$288,054.07 plus a ten percent contingency of \$28,805.41 for the contract work items, for a grand total of \$316,859.48, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works Road Engineering budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-225
19. [SR 17-0327](#) Resolution approving Environmental Clearance for the 2018 Nevada County HSIP Thermoplastic Safety Project, and authorizing the Director of the Department of Public Works to file a Notice of Exemption with the Nevada County Clerk Recorder's Office.
Adopted.
Enactment No: RES 17-226
20. [SR 17-0323](#) Resolution awarding and approving a contract between the County of Nevada and Central Valley Engineering & Asphalt, Inc. for the Nevada City Highway Sidewalk Extension Project, County Contract No. 229622 (Res. 17-054), in the amount of \$481,204 plus a ten percent contingency of \$48,120.40 for the contract work items, for a grand total of \$529,324.40, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works Capital Improvement budget. (Dists. I and III) (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-227

21. [SR 17-0336](#) Resolution approving Exchange Program Agreement No. X17-5917(099) for the Federal Apportionment Exchange Program and State Match Program, with Nevada County funds in the amount of \$286,695 and \$100,000 in available State Matching Funds, for a total amount of \$386,695, and authorizing the Chair of the Board of Supervisors to execute the two original documents.
Adopted.
Enactment No: RES 17-228

Chief Probation Officer: Michael Ertola

22. [SR 17-0330](#) Resolution approving a contract between the County of Nevada and Aguas and Associates to provide motivational interview training, quality assurance and proficiency services, in the maximum amount not to exceed \$28,300 funded through the Mentally Ill Offender Crime Reduction (MIOCR) grant (Res. 15-346), for the period May 2, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 17-229

Chief Information Officer: Stephen Monaghan

23. [SR 17-0320](#) Resolution recognizing the continuing proclamation of a Local Emergency in Nevada County due to Extreme Tree Mortality. (Emergency Services)
Adopted.
Enactment No: RES 17-230
24. [SR 17-0321](#) Resolution continuing the proclamations of Local Emergencies in Nevada County due to extreme and cumulative precipitation, atmospheric rivers and storms in January and February 2017 resulting in flooding, subsidence and other damage to public and private infrastructure and facilities. (Emergency Services)
Adopted.
Enactment No: RES 17-231
25. [SR 17-0325](#) Resolution rejecting the initial bids and approving revised bidding documents and specifications for Phase II of a New Perimeter Fence and Gate System at the Nevada County Airport, authorizing the Chair of the Board of Supervisors to execute the documents, and instructing the Purchasing Division to re-advertise for bids with the bid opening date to be set by the Purchasing Agent. (Airport)
Adopted.
Enactment No: RES 17-232

County Counsel: Alison Barratt-Green

26. [SR 17-0299](#) Resolution authorizing Deputy County Counsel Jamie Hogenson to execute a Power of Attorney to Mr. Andrea Widmer for the continued administration and distribution of the Estate of Albert F. Leuteneker.

Adopted.

Enactment No: RES 17-233

County Executive Officer: Richard Haffey

27. [SR 17-0340](#) Resolution amending various Nevada County budgets through the Third Consolidated Budget Amendment for Fiscal Year 2016/17.

Adopted.

Enactment No: RES. 17-234

Individual Board Member Item:

- 28a. [SR 17-0284](#) Resolution to withdraw from the Joint Exercise of Powers Agreement for the Purpose of Creating a Multi-County Joint Powers Agency to Foster Economic Development in the Counties of Nevada, Placer, El Dorado, and Sierra, State of California, dated July 11, 1969, and as amended on January 22, 1974 for the Purpose of Creating a Multi-County Joint Powers Agency to coordinate all areawide programs within the Counties of Nevada, Placer, El Dorado and Sierra, State of California for which Federal/State and other funds may be available, effective as of the date that the last of El Dorado, Placer and Nevada Counties adopts a Resolution withdrawing from said Agreement.

Adopted.

Enactment No: RES 17-235

- 28b. [SR 17-0357](#) Letter of Support to the U.S. Economic Development Agency (EDA) for transferring the EDA grant award that supports economic development services and programs to the Nevada, Placer, El Dorado and Sierra County region to the Sierra Business Council (SBC).

Sponsors:

Ed Scofield, District 2

Approved.

Clerk of the Board: Julie Patterson Hunter

29. [SR 17-0326](#) Acknowledge Supervisor Scofield's acceptance of resignation from Ms. Neila Whiting as District II representative to the Nevada County Historical Landmarks Commission.

Acknowledged.

30. [SR 17-0313](#) Acknowledge Supervisor Scofield's appointment of Mr. Mike Kochis as a District II representative to the Nevada County Historical Landmarks Commission.

Acknowledged.

31. [SR 17-0314](#) Acceptance of Board of Supervisors Summary Minutes for May 9, 2017.

Accepted.

ACTION TAKEN: Chairman Weston introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

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

DEPARTMENT HEAD MATTERS:

Chief Probation Officer: Michael Ertola

32a. [SR 17-0316](#) Resolution to formally participate in the Results First Initiative.

Adopted.

Enactment No: RES 17-236

ACTION TAKEN: Mr. Michael Ertola, Chief Probation Officer introduced Ms. Amalia Mejia, Program Coordinator, California State Association of Counties (CSAC)-Results First Project, who provided a PowerPoint presentation. Ms. Mejia reported on the Results First approach in criminal justice, which gathers information on the County's current programs, including those that address recidivism, life skills, substance abuse and parenting skills. The Program's purpose is to identify what works through the review and evaluation of different interventions and to provide a comprehensive inventory of currently funded County programs, including an assessment of the evidence for each program's effectiveness. Ms. Mejia reviewed CSAC's Legislative efforts including sponsoring Assembly Bill (AB) 372 regarding domestic violence, and creating a homelessness Task Force. She suggested establishing a baseline by creating a program inventory, and explained services provided by CSAC, including training, ongoing technical assistance, interpretation of results for policy makers, and information learned with other participating jurisdictions. Ms. Mejia noted that Nevada County is the first rural county to take part in this program, and she concluded her presentation, asking for Board approval of the Resolution and the letter of invitation.

Board discussion and questioning ensued.

Mr. Ertola added that this program does not only cover Probation, it will also be collaborative between programs in Health and Human Services, law enforcement agencies, and community based organizations.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 17-236. On a roll call vote the motion passed unanimously.

32b. [SR 17-0358](#) Request for approval of Letter of Invitation addressed to the California State Association of Counties (CSAC) for participation in the Results First Initiative.
Approved.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to approve the Letter of Invitation. On a roll call vote the motion passed unanimously.

***CLOSED SESSION:**

[SR 17-0354](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are: Alison Lehman, Assistant County Executive Officer, Charlie Wilson, Director of Human Resources, and Donna Williamson, Labor Attorney. The labor negotiations concern the following County bargaining units: Probation Peace Officers' Association and Management Employees' Association.

ACTION TAKEN: Ms. Amanda Uhrhammer, Assistant County Counsel, read the title of the closed session into the record and the Board entered into closed session.

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

DEPARTMENT HEAD MATTERS: (Continued)**Human Resources Director: Charlie Wilson**

33. [SR 17-0342](#) Resolution approving and authorizing the County Executive Officer to execute a Memorandum of Understanding and Side Letter of Agreement between the County of Nevada and the Management Employees' Association, providing for changes in compensation, fringe benefits, and terms and conditions of employment, for the period July 1, 2017 through June 30, 2020, which supersedes all agreements made prior to this date.

Adopted.

Enactment No: RES 17-237

ACTION TAKEN: Chairman Weston introduced the agenda item.

Mr. Charlie Wilson, Human Resources Director, and Ms. Alison Lehman, Assistant County Executive Officer, reviewed the staff report for approval of the 3-year agreement for the Management Employees' Association addressing changes in compensation, fringe benefits and terms and conditions of employment.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to adopt Resolution 17-237 and Side Letter of Agreement. On a roll call vote the motion passed unanimously.

34. [SR 17-0343](#) Resolution approving and authorizing the County Executive Officer to execute a Memorandum of Understanding between the County of Nevada and the Probation Peace Officers Association, providing for changes in compensation, fringe benefits, and terms and conditions of employment, for the period July 1, 2017 through June 30, 2020, which supersedes all agreements made prior to this date.

Adopted.

Enactment No: RES 17-238

ACTION TAKEN: Mr. Charlie Wilson, Human Resources Director, and Ms. Alison Lehman, Assistant County Executive Officer, reviewed the staff report for the 3-year agreement with Probation Peace Officers Association providing for changes in compensation, fringe benefits, and terms and conditions of employment.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to adopt Resolution 17-238. 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: Updates were provided by members of the Board.

SCHEDULED ITEM: 10:30 A.M. Laura Pappani, County Librarian

35. [SR 17-0337](#) Resolution adopting the 2017 Nevada County Community Library Strategic Plan.

Adopted.

Enactment No: RES 17-239

ACTION TAKEN: Following a short break, Chairman Weston called the meeting to order.

Ms. Laura Pappani, County Librarian, reviewed the staff report and provided a PowerPoint presentation regarding the 2017 five year Nevada County Community Library Strategic Plan. She reviewed the Measure A Expenditure Plan as well as the planning process. Using the results of a County-wide public survey the Library used in the planning process, the key priorities for the Library are; increased days and hours operation; services and programs for children and teenagers, information and access to technology, services for seniors and library users with disabilities, and service locations. Ms. Pappani presented the Mission and Strategic Priorities of the Library and she reviewed their proposal for increased hours at each branch and for improvements at the libraries which include improvements to ADA access. She introduced the plan to open a satellite location in Truckee that focuses on technology. She reported that the Strategic Plan provides for emerging technologies to improve the libraries and empower the community, including a wide range of programs and classes, improved access from home, more online resources, upgrades to public computers as well as increased broadband high-speed connections. She commented on the Mobile Technology Center, which is available to schools, Truckee and other areas of the County.

Ms. Pappani reviewed the last Strategic Priority which is to reflect and preserve the history and culture of our area. She spoke to the plan for the County to take over oversight of the Doris Foley Library for Historical Research. Ms. Pappani reviewed the timeline of the plan and added that they would be back to the Board with updates in July. She requested the Board approve the Resolution adopting the Plan.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to adopt Resolution 17-239. On a roll call vote the motion passed unanimously.

SCHEDULED ITEMS: 11:15 A.M. Brian Foss, Planning Director

36a. [SR 17-0332](#) Public hearing to consider the Nevada County Planning Commission's April 27, 2017, 5-0 recommendation to introduce, waive further reading and adopt the proposed amendments to Land Use and Development Code Section L-II 3.10 Employee Housing and Section L-II 3.15 Recreational Vehicle Use and Temporary Occupancies to establish an Administrative Development Permit process for for temporary recreational vehicles to be used as seasonal agricultural employee housing for a period of six months annually.

Find that the adoption of Resolution 17-064 for EIS16-0001 is adequate for this Project and therefore further environmental review is not required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

Approved.

ACTION TAKEN: Following a short recess, Chairman Weston introduced the agenda item.

Mr. Brian Foss, Planning Director, introduced Mr. Tyler Barrington, Principal Planner, who provided a PowerPoint presentation regarding Planning Commission's recommendation to adopt amendments to the Land Use and Development Code Section LII 3.10 and Section LII 3.15 relating to Employee Housing for Agricultural Uses, to allow temporary use of recreational vehicles as seasonal agricultural employee housing during a period of six months annually with permitted approval. Employers could have four recreational vehicles per parcel serving as temporary housing and each dwelling unit would house no more than 4 employees.

Mr. Barrington reviewed the amendments and standards of the proposed Ordinance and commented that the amendments bring the County's code more in line with State codes and helps to insure that the health, safety and welfare of the employees and residents of Nevada County are maintained. He recommended the Board find that Negative Declaration EIS16-0001 is adequate for the project pursuant to CEQA and introduce, waive further reading and adopt the proposed Ordinance.

Board questioning and discussion ensued.

Chairman Weston opened the public hearing for public comment. There being no public comment, Chairman Weston closed the public comment period.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to approve Attachment 1 making finding A, and find that the adoption of Resolution 17-064 for EIS16-0001 is adequate for this Project. On a roll call vote the motion passed unanimously.

36b. [SR 17-0361](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Sections L-II 3.10 Employee Housing and L-II 3.15 Recreational Vehicle Use and Temporary Occupancies of Article 3 of Chapter II of the Nevada County Land Use and Development Code, to allow seasonal use of recreational vehicle uses for County permitted Agricultural Employee Housing (ORD16-1).

Adopted.

Enactment No: ORD-2432

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to introduce, waive further reading and adopt Ordinance 2432. On a roll call vote the motion passed unanimously.

- 37a.** [SR 17-0333](#) Public hearing to consider the Nevada County Planning Commission's April 27, 2017 (5-0 Vote) recommendation for the McDonagh General Plan Land Use Amendment and TPZ Rezone Project to: 1) find the adoption of timberland preserve zones statutorily exempt from CEQA pursuant to Section 15264; 2) approve the General Plan Amendment to change the land use designation of APN 17-020-17 from Rural-10 acre minimum (RUR-10) to Forest-40 acre minimum (FOR-40) (GPA17-0001); and 3) approve the corresponding amendment to Zoning District Map (ZDM) No. 129 to change the parcel's zoning from General Agricultural-10 acre minimum-Planned Development Combining District (AG-10-PD) to Timberland Production Zone-40 acre minimum (TPZ-40) (RZN17-0001 (District V).

Findings approved.

Resolution amending the General Plan Land Use Map Designation for Assessor's Parcel Number (APN) 17-020-17, located in the unincorporated area of Eastern Nevada County, from Rural-10 acre minimum (RUR-10) to Forest-40 acre minimum (FOR-40) (GPA17-0001), and making findings 1 through 4.

Adopted.

Enactment No: RES. 17-240

ACTION TAKEN: Chairman Weston introduced the agenda item.

Mr. Brian Foss, Planning Director, introduced Mr. Patrick Dobbs, Senior Planner, who provided a PowerPoint presentation and reviewed the staff report for the proposed General Plan Use Amendment and Timberland Production Zone (TPZ) Rezone for property owned by John and Claudia McDonagh. Mr. Dobbs related that there has been no forest management since 2005 and he reviewed the health of the forested parcel which has an accumulation of deep and extensive dead material, which could potentially fuel a tree-killing ground fire. He stressed that the project is in line with the County's General Plan and that the TPZ District zoning requires the preparation and approval of a Forest Management Plan. Mr. Dobbs added that the rezone has been unanimously approved by the Planning Commission and by the California Department of Forestry and Fire Protection.

Board discussion and questioning ensued.

Chairman Weston opened the public hearing for public comment.

Mr. John McDonagh, Applicant, reviewed his reasons for requesting the rezone, including management of the forest and fuels to provide for fire prevention, being in a TPZ District allows the owner to apply for grant funding for forest management, to enhance the aesthetics, preservation of wildlife habitat, provide for soil and erosion control, and to take advantage of the tax break that comes with the TPZ zoning designation.

Ms. Sue Horne, County Assessor, commented that in the future if the property owner wanted to construct a residence on the property, the tax on the amount of acreage determined for the home site along with the home would be valued under the typical Proposition 13 method, not under the TPZ method.

There being no further public comment, Chairman Weston closed the public comment portion of the public hearing.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to approve the findings. On a roll call vote the motion passed unanimously.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, and adopt Resolution 17-240. On a roll call vote the motion passed unanimously.

37b. [SR 17-0360](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map 129 to rezone 70.35 acres (APN 17-020-17) located in the unincorporated area of Eastern Nevada County, from General Agricultural-10 acre minimum-Planned Development Combining District (AG-10-PD) to Timberland Production Zone-40 acre minimum (TPZ-40) (RZN17-0001) (John and Claudia McDonagh).

Adopted.

Enactment No: ORD-2433

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to waive further reading and adopt Ordinance 2433. On a roll call vote the motion passed unanimously.

Recess for lunch:

ACTION TAKEN: Chairman Weston recessed the meeting at 11:50 a.m.

AFTERNOON SESSION**SCHEDULED ITEM: 1:00 P.M. Brian Foss, Planning Director**

- 38a.** [SR 17-0329](#) Public hearing to consider the Nevada County Planning Commission's April 27, 2017 recommendation (5-0 vote) on the proposed Ananda Village Comprehensive Master Plan (CMP) Project to: 1) adopt the Mitigated Negative Declaration (EIS15-003) for the Project; 2) approve the Zoning District Map Amendments (Z15-001) to alter the boundaries of the existing Rajarshi Park PD-SP zone and the existing Village Center C1-PD-SP zone, and to rezone 1.16 acres of AG-PD-SP zoning to PD-SP adjacent to the existing Village Center; and 3) approve the Development Agreement (MIS16-0009) between the County and applicant to allow a development timeline of 15 years with the potential for two 5-year extensions, customized sewage disposal inspection fees, and customized administrative process for development approved under the CMP; and to provide a number of community and County benefits including fire protection and preparedness features onsite. (Dist. IV)

Resolution adopting a Mitigated Negative Declaration (EIS15-003) for the proposed Zoning District Map Amendments (Z15-001) and Development Agreement (MIS16-0009) for the Ananda Village Project, and making findings A through E.

Adopted.

Enactment No: RES 17-241

ACTION TAKEN: Chairman Weston called the meeting to order and introduced the agenda item.

Mr. Brian Foss, Planning Director, introduced Ms. Jessica Hankins. Public Works Project Manager, who provided a PowerPoint presentation regarding the proposed Comprehensive Master Plan Project for Ananda Village, as approved and recommended by the Planning Commission. Ms. Hankins reviewed the property proposed for rezone, including the existing Rajarshi Park and Village Center. She commented that the plan is needed to bring the site into conformance with the Nevada County General Plan.

Ms. Hankins reviewed the proposed Development Agreement with an extended development timeline to 25 years. The Agreement would provide benefits to the County which include a fire engine garage for the North San Juan Fire Protection district, defensible space and helicopter landing site as well as water storage; maintain the village as a Red Cross emergency/evacuation center; emergency access; easement to provide the neighbors a route to meet fire safe road standards; 54 acres of open space for Oak habitat; and a recycling drop-off area for the entire community.

Ms. Hankins stressed that all impacts have been mitigated to be less than significant. She recommended the Board approve the Resolution and both Ordinances.

Board discussion and questioning ensued.

Mr. Peter Goering, Ananda Village Manager and Applicant, outlined the goals of the Ananda Comprehensive Master Plan, and provided a PowerPoint presentation regarding the proposed Project. He commented that fire protection and water supply are two key considerations of the plan. Mr. Goering closed with the comments that the Ananda plan development strives to provide an environment that is beautiful and uplifting, maintains rural character, and is economically and environmentally sustainable.

Chairman Weston opened the public hearing for public comment.

The following members of the public provided comments:

Ms. Robyn Martin, District IV resident; is not opposed to the plan but addressed concerns regarding the need for an Environmental Impact Review (EIR).

Dr. Josephine Fites-Kaufman, Ph.D., District IV resident, shared her opposition to the expansion believing there to be inadequate analysis of this project, and the important need for an EIR.

Mr. Larry Engle, Nevada City resident and District IV property owner, spoke in support of the proposed Project.

Ms. Suzanne Betz, District IV and Ananda resident, spoke in support of the proposed Project. She read a support letter from her neighbor, Ms. Alexa Wondergem, into the record.

There being no further public comment, Chairman Weston closed the public comment portion of the public hearing.

Chairman Weston brought the conversation back to the Board, and Board questioning and discussion ensued, regarding environmental impact studies that were performed, fire mitigation, watershed usage, and impacts on local traffic.

Ms. Hankins confirmed that an EIR was prepared in 1995 for the General Plan and this project is consistent with the General Plan.

Mr. Scott Browne, Counsel for Ananda, added that the Ananda plan used the 1995 EIR as a broader base to work from, and they updated it with more specific and current studies. He believes the Ananda plan is a model project for the County to consider and felt that it meets all the requirements of the Environmental Quality Act.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 17-241. On a roll call vote the motion passed unanimously.

38b. [SR 17-0359](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map 049 within Ananda Village, to 1) amend the boundaries of the Planned Development-Site Performance (PD-SP) Zone on Assessor's Parcel Number (APN) 61-180-03, located in Rajarshi Park at 18100 Rajarshi Drive, Nevada City, to better fit existing development, retaining the existing approved size of the Zone (9 acres) under Z89-025 and U89-059; 2) amend the boundaries of the Neighborhood Commercial-PD-SP (C1-PD-SP) Zone on APNs 61-170-16 and 61-170-32, located in the Village Center at 16915 Village Drive, to correct a mapping error and align the Zoning with existing approvals under Z89-025 and U89-059, and 3) rezone 1.16 acres on APN 61-170-16, located immediately east of the Village Center at 14029 Brotherhood Way, Nevada City, from Agricultural-PD-SP (AG-PD-SP) to PD-SP (Ananda Church of Self-Realization of Nevada County, property owner).

Adopted.

Enactment No: ORD-2434

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to introduce, waive further reading and adopt Ordinance 2434. On a roll call vote the motion passed unanimously.

- 38c.** [SR 17-0362](#) (Introduce/Waive further reading/Adopt) An Ordinance approving a Development Agreement (MIS16-0009) between the County of Nevada and Ananda Church of Self-Realization of Nevada County for the 706-acre Ananda Village Comprehensive Mater Plan located at 14618 Tyler Foote Road, Nevada City.
Adopted.
Enactment No: ORD. 2435

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to introduce, waive further reading and adopt Ordinance 2435. On a roll call vote the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chairman Weston adjourned the meeting at 2:02 P.M.

Signature and Attestation

Hank Weston, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board