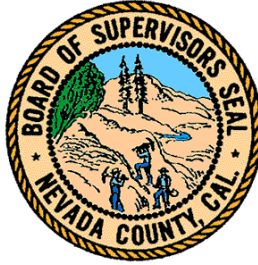


COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Vice Chair Supervisor Ed Scofield, District II
Supervisor Dan Miller, District III
Chair Susan Hoek, District IV
Supervisor Hardy Bullock, District V

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



BOARD OF SUPERVISORS

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

AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, March 8, 2022	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

The Board of Supervisors welcomes you to their regular meeting.

Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors from inside the Board Chambers, located at the Eric Rood Administrative Center, 950 Maidu Avenue, First Floor, Nevada City, CA 95959. This meeting is open to in-person attendance. To remain in compliance with state public health guidance, face coverings are strongly recommended to be worn by all individuals while indoors except those specifically exempt pursuant to CDPH guidance. Members of the public who are unable to attend in person may watch this meeting live on Nevada County Media Channel 17 in western County and on Suddenlink Channel 78 in eastern County, through the web at www.mynevadacounty.com/boardmeetings, or listen by calling 1 (415) 655-0001 (you will be prompted to provide Meeting ID# 2559 523 9817 & Password# 342 94 643). Closed Captioning is available for hearing impaired viewers.

Public comment for items not on the agenda will be taken following the Community Presentation, or as soon thereafter as possible. Please refer to Pages 8 and 9 for information on how to participate in the meeting, as well as the various options being made available for members of the public to provide comment in both western and eastern County.

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.) This agenda and certain supporting documents may be obtained at www.mynevadacounty.com/boardmeetings. 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.

COMMUNITY PRESENTATION:**Chief Information Officer: Stephen Monaghan**

1. [SR 22-0252](#) Resolution proclaiming March 2022 as "American Red Cross Month" in Nevada County. (Daryl White, Red Cross Disaster Program Manager, California Gold Country Region, Sierra-Delta Chapter) (Office of Emergency Services)

PUBLIC COMMENT:

- [SR 22-0197](#) Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board. (Please refer to Pages 8 and 9 for information on the various options being made available for members of the public to provide comment in both western and eastern County.)

CONSENT CALENDAR:

These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member may request that an item be removed from the consent calendar for discussion. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda, may raise their concerns to the Board members prior to the consent agenda being introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

Director of Social Services: Rachel Roos

2. [SR 22-0192](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and Nevada-Sierra Connecting Point Public Authority to operate a Medi-Cal Health Enrollment Navigators Project (Navigators Project) in Nevada County (Res. 20-429), extending the contract termination date from December 31, 2021 to June 30, 2022 and amending Exhibit "B" Schedule of Charges and Payments to reflect the change in allocation time period and term extension, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Environmental Health Director: Amy Irani

3. [SR 22-0206](#) Resolution repealing the establishment of a Hearing Officer and approving procedures concerning Local Enforcement Agency Hearing Officer agreement for the professional services appeals arising from the actions of the Solid Waste Local Enforcement Agency.

Director of Public Works: Panos Kokkas

4. [SR 22-0200](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Intermountain Slurry Seal Inc. for the 2021 Road Rehabilitation Project - County Project No. 450008 (Res. 21-191), with contract costs totaling \$781,498, 21, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208.
5. [SR 22-0201](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Granite Construction Company for the Soda Springs Road over South Yuba River Bridge Replacement Project - HBP 0517 (079) - County Project No. 224023 (Res. 21-104), with contract costs totaling \$1,561,314.35, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Dist. V)
6. [SR 22-0171](#) Resolution approving Amendment 6 to the Purchasing Agent contract (PESP4084) between the County of Nevada and Nelson Engineering for professional on-call engineering services, increasing the amount of the contract by \$40,000 for a new maximum amount not to exceed \$90,000, and authorizing the Chair of the Board of Supervisors to execute the amendment.
7. [SR 22-0169](#) Resolution approving the bidding documents for the 2022 Road Rehabilitation Project No. 450010, authorizing the Purchasing Agent to solicit bids, authorizing the Chair of the Board of Supervisors to execute the Notice to Contractors, authorizing the Director of Public Works to award and execute the contract to the lowest responsive bidder (not to exceed \$1,389,300) or to reject all bids, and authorizing the Auditor-Controller to amend necessary budgets and encumber the contract. (Dists. II and IV)
8. [SR 22-0199](#) Resolution authorizing the Director of the Department of Public Works to execute the required documents and agreements for submission of the application for funding of the 2022-2025 Vegetation Removal Projects under the Community Development Block Grant - Disaster Recovery Program, certifying that the "Urgent Need" National Policy Objective is being met.
9. [SR 22-0205](#) Resolution authorizing the Director of the Nevada County Department of Public Works to execute required documents and agreements for submission of the application for the Wildfire Prevention Grants Program for brush and debris removal under the California Climate Investments Fire Prevention Grant Program.

10. [SR 22-0172](#) Resolution approving and awarding a contract between the County of Nevada and ABC Liovin Drilling, Inc. for the McCourtney Road Transfer Station Water Supply Test Well Installation and Development (Res. 21-493), in the amount of \$679,475.00, plus a 10% contingency of \$67,947.50, for a total contract amount not to exceed \$747,422.50, authorizing the Director of Public Works to execute the contract and all construction change orders, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Solid Waste Administration budget and release fund balance. (4/5 affirmative vote required) (Solid Waste)
11. [SR 22-0173](#) Resolution authorizing submittal of applications to the Department of Resources Recycling and Recovery (CalRecycle) for all grants for which Nevada County is eligible, authorizing the Director of the Department of Public Works to execute all grant documents necessary to secure grant funds and to return to the Board of Supervisors to accept any awards made to the County of Nevada under this application process, effective for five years from the date of adoption of this Resolution. (Solid Waste)
12. [SR 22-0174](#) Resolution authorizing the submittal of applications for the Department of Resources Recycling and Recovery (CalRecycle) payment programs, and authorizing the Director of the Department of Public Works to execute all documents necessary to implement and secure payment and to return to the Board of Supervisors to accept any awards made to the County of Nevada under this application process, effective for five years from the date of adoption of this Resolution. (Solid Waste)

Building Director: Craig Griesbach & Chief Information Officer: Steve Monaghan

13. [SR 22-0242](#) Resolution approving Amendment 2 to Contract PESP4417 between the County of Nevada and Robinson Enterprises, Inc. for winter storm emergency response services of snow, vegetation removal/collection and green waste processing, increasing the contract not to exceed amount from \$500,000 to \$650,000, authorizing the Purchasing Agent to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Office of Emergency Services budget. (4/5 affirmative vote required) (Office of Emergency Services)
14. [SR 22-0243](#) Resolution approving Amendment 2 to Contract PESP4415 between the County of Nevada and Fire Safe Council of Nevada County for winter storm support and green waste mitigation, increasing the contract not to exceed amount from \$50,000 to \$250,000, authorizing the Purchasing Agent to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Office of Emergency Services budget. (4/5 affirmative vote required) (Office of Emergency Services)

Chief Information Officer: Stephen Monaghan

15. [SR 22-0244](#) Resolution approving a contract between the County of Nevada and Fire Safe Council of Nevada County for completion of the work funded by the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) for HMGP DR-4353 -023-33R, Nevada County Abatement Program, Phase I, delegating responsibility for coordination, qualification of residents, and fuels reduction services to the Fire Safe Council of Nevada County, in the maximum amount of \$473,343 with a match requirement of \$157,477, for the period March 8, 2022 through December 31, 2022, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Office of Emergency Services budget. (Office of Emergency Services)
16. [SR 22-0245](#) Resolution approving a contract between the County of Nevada and Fire Safe Council of Nevada County for completion of the work funded by the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) for HMGP DR-4344 -703-150R, Nevada County Access and Functional Needs Program, Phase I, in the maximum amount of \$224,606.25 with a match requirement of \$74,868.75, for the period March 8, 2022 through December 31, 2022, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Office of Emergency Services budget. (4/5 affirmative vote required) (Office of Emergency Services)
17. [SR 22-0246](#) Resolution authorizing the Director of Information and General Services to submit a grant application to the State of California, Budget Act of 2021 (SB 129) Building Forward Library Infrastructure Program, in the amount of \$2.5 million for implementation of the Truckee Regional Library Preconstruction Project. (Dist. V)
18. [SR 22-0195](#) Resolution declaring certain County property as surplus and authorizing the Purchasing Agent to dispose of surplus property (2004 Ford Utilimaster E350 Cargo Van), and approving the donation of such property to Nevada County Media for the purpose of modifying the unit with production equipment for mobile use. (4/5 affirmative vote required) (Purchasing)

Clerk of the Board: Julie Patterson Hunter

19. [SR 22-0196](#) Resolution authorizing an option to conduct remote teleconference meetings of the Board of Supervisors and its legislative bodies, when necessary, to allow for flexibility in order to comply with social distancing pursuant to the Ralph M. Brown Act.
20. [SR 22-0203](#) Acknowledge the reappointments of Alyssa Mayo as Equine Industry Representative and Brad Fowler as Livestock Other Than Cattle and Equine Industry Representative to the Agricultural Advisory Commission, for four-year terms ending March 31, 2026.

21. [SR 22-0202](#) Acknowledge the reappointments of Maralee Nelder and Jeffrey Guyton as Board of Supervisors representatives on the Board of Trustees of the Law Library, for one-year terms ending January 31, 2023.
22. [SR 22-0198](#) Acceptance of Board of Supervisors Summary Minutes for February 8 and 22, 2022.

SCHEDULED ITEM: 10:30 A.M.

CLOSED SESSION:

[SR 22-0204](#) 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 labor negotiations are with the Deputy Sheriff's Association, Management Employees Association, Senior Executives and Elected Officials. The designated labor negotiation representatives for Nevada County are Caleb Dardick, Assistant County Executive Officer, Steven Rose, Human Resources Director, and Donna Williamson, Labor Attorney.

***DEPARTMENT HEAD MATTERS:**

Behavioral Health Director: Phebe Bell

23. [SR 21-0928](#) Resolution approving Amendment 4 to the agreement between the County of Nevada and North Valley Behavioral Health, LLC for acute psychiatric inpatient services at the Contractor's Psychiatric Health Facility (Res. 20-242), increasing the maximum contract price from \$1,325,600 to \$2,405,600, revising the agreement to reflect the increase in contract price, for the period July 1, 2020 to June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the agreement, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Behavioral Health budget. (4/5 affirmative vote required)

Chief Information Officer: Stephen Monaghan

24. [SR 22-0251](#) Resolution accepting AB2766 funds from the Northern Sierra Air Quality Management District (NSAQMD) in the amount of \$150,000 for wildfire mitigation efforts including the Green Waste Disposal, Chipping, and Access and Functional Needs Assistance Programs, which reduce smoke impacts to the community as it disposes of high levels of downed vegetation produced by the recent intensive winter storm, and directing the Auditor Controller to amend the Fiscal Year 2021/22 Office of Emergency Services budget. (4/5 Affirmative vote required) (Office of Emergency Services)

***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. Truckee Town Hall Administrative Center, 10183 Truckee Airport Rd., Truckee, CA 96161.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.*
- 4. Online at www.mynevadacounty.com/boardmeetings and nevco.legistar.com/Calendar.aspx.*

Posted: March 3, 2022.

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 more than three (3) minutes at the Chair's discretion. Comments by the public must be relevant to the item on the agenda being considered by the Board. This includes: a. Consent Agenda; b. Community Presentations; c. Department Head Items; and d. Scheduled Items.

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 of 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. 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 regular Board meetings. The Chair of the Board may limit any individual desiring to address the Board to no more than three (3) minutes at the Chair's discretion. Time to address the Board will be allocated on the basis of the order in which the requests were received. The public addressing the Board may be limited in amount of time dependent upon the press of business and the number of persons wishing to address the Board.

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

WAYS TO WATCH AND LISTEN DURING THE MARCH 8, 2022 MEETING:

- 1) Watch from inside the Board Chambers (face coverings are highly recommended for all individuals while indoors: vaccinated and unvaccinated except those specifically exempt pursuant to CDPH guidance).
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 2559 523 9817 and Password# 342 94 643).
- 3) View at www.mynevadacounty.com/boardmeetings.
- 4) View on Nevada County Media Channel 17 in western County.
- 5) View on Suddenlink Channel 78 in eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE MARCH 8, 2022 MEETING BY:

- 1) Leaving an eComment at www.mynevadacounty.com/boardmeetings.
- 2) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959.
- 3) Emailing BOS.PublicComment@co.nevada.ca.us.

PROVIDE PUBLIC COMMENT DURING THE MARCH 8, 2022 MEETING BY:

1) In-Person:

Eric Rood Administrative Center: Members of the public can provide comment in-person inside the Board of Supervisors' Board Chambers at the Eric Rood Administrative Center (face coverings are highly recommended for all individuals while indoors: vaccinated and unvaccinated except those specifically exempt pursuant to CDPH guidance)

2) Over the Phone:

Members of the public can call (530) 270-3474 and will be placed in a call-in queue until they are permitted into the meeting for comment. (Please note that the 1 (415) 655-0001 number is only for listening to the meeting.)

Please provide your name, City or District of residence, and the agenda item you wish to comment on.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall:

- 1) Address the Board from the designated podium, virtual kiosk, or other designated location, including teleconferencing system(s). Speakers are encouraged but not required to give their name and location of residence before addressing the Board. This is to assist the Board with identifying which supervisorial district the speaker resides in.
- 2) Speakers shall direct their comments to the Board, through the Chair, and not to the audience or staff.
- 3) Speakers may comment on specific matters before the Board with reasons for the position taken.
- 4) The Chair may, at their discretion, increase the allotted time for any given speaker, but shall not be required to do so.
- 5) A speaker may not yield time to another speaker.
- 6) No individual may speak more than once during Public Comment or on an item on the agenda unless recognized by the Chair as having new information.
- 7) In the interest of civil discourse, the rules as 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 that Public Comment is conducted in such a manner in order to avoid disruptive activity, promote mutual respect, keep comments focused on the subject being discussed, avoid personal attacks, prohibit hate speech and the threat of violence.
- 8) At the start of each meeting, the Chair shall remind the public of the rules and expectations of the public including distinguishing the process for a) public comment for items on the consent agenda; b) general public comment for items not listed on the agenda; and c) public comment for items on the agenda.
- 9) 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 or other applicable law. Time limits may be modified at the Chair of the Board's discretion.

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 no more 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.

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)