

COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District (Chair)

Ed Scofield, 2nd District

Dan Miller, 3rd District (Vice-Chair)

Susan Hoek, 4th District

Richard Anderson, 5th District

Julie Patterson Hunter, Clerk of the Board

Alison Lehman, County Executive Officer

Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

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SUMMARY MINUTES

| <u>Date</u> | <u>Time</u> | <u>Location</u> |
|-----------------------------|-------------|---------------------------------------------------------------------------------------------------------------|
| Tuesday, September 22, 2020 | 8:30 AM | Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California |

REGULAR MEETING: 8:30 AM

Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, this meeting of the Board of Supervisors was held from the Board Chambers by remote.

Rollcall

The following Supervisors attended by remote from the Board Chambers:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Sue Hoek, 4th District

Richard Anderson, 5th District

STANDING ORDERS:

Chair Hall called the meeting to order at 8:30 A.M.

Pledge of Allegiance held.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted that an Errata Agenda posted on Thursday, September 17, 2020 to clarify that the Board would be meeting in the Chambers.

CONSENT CALENDAR:

Health and Human Services Agency Director: Ryan Gruver

1. [SR 20-3408](#) Resolution approving Agreement 19-96409 between the County of Nevada and the California Department of Health Care Services pertaining to the Rate Range Intergovernmental Transfer (“IGT”) as a requirement to implement Nevada County's participation in an IGT to secure additional funding for unreimbursed costs for Medi-Cal delivered services, for the period July 1, 2019 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
Adopted.
Enactment No: RES 20-404
2. [SR 20-3352](#) Resolution approving Amendment Number Five to the Memorandum of Understanding between the County of Nevada and the California Health and Wellness Plan for coordination of services, as a requirement to implement the County's participation in a Rate Range Intergovernmental Transfer (“IGT”) to secure additional funds for unreimbursed costs for Medi-Cal delivered services, for the period July 1, 2019 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Res. 13-516).
Adopted.
Enactment No: RES 20-405
3. [SR 20-3421](#) Resolution approving a Grant Agreement between the County of Nevada and the County Medical Services Program (CMSP) Governing Board pertaining to the award of COVID-19 Emergency Response Grant Program funding in the amount of \$268,946, for the period July 15, 2020 to January 14, 2022, authorizing the County Executive Officer to execute the Agreement, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Health and Human Services Agency budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-406

Public Health Director: Jill Blake

4. [SR 20-3424](#) Resolution approving Amendment A01 to the renewal Standard Agreement 19-10166 between the County of Nevada and the California Department of Public Health pertaining to funding for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, increasing the maximum amount from \$2,015,799 to \$2,030,525, for the period October 1, 2019 through September 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Public Health Department budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-407

Director of Social Services: Rachel Roos

5. [SR 20-3388](#) Resolution approving a renewal contract between the County of Nevada and Community Beyond Violence for the provision of coordinated and intensified domestic violence related services for CalWORKs participants and families, in the maximum amount of \$74,615, for the period July 1, 2020 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 20-408
6. [SR 20-3416](#) Resolution approving a renewal contract between the County of Nevada and Sierra Nevada Memorial Hospital Foundation for the provision of services pertaining to Fall Prevention for Nevada County seniors, in the maximum amount of \$127,448, for the period July 1, 2020 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 20-409
7. [SR 20-3397](#) Resolution approving a renewal contract between the County of Nevada and Stanford Youth Solutions dba Stanford Sierra Youth & Families for the provision of services related to Resource Family Approval and Post-Adoption Services, in the maximum amount of \$190,750, for the period July 1, 2020 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 20-410

Sheriff-Coroner/Public Administrator: Shannan Moon

8. [SR 20-3400](#) Resolution approving a renewal Agreement for Public Safety Dispatch Services between the City of Grass Valley, the Town of Truckee, the City of Nevada City, and the County of Nevada, for a one-year term effective July 1, 2020 to June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 20-411

Clerk-Recorder/Registrar of Voters: Gregory Diaz

9. [SR 20-3412](#) Resolution requesting the Nevada County Board of Supervisors make Appointments In Lieu of the General Election to be held on November 3, 2020 for Special District Boards.

Adopted.

Enactment No: RES 20-412

Community Development Agency Director: Sean Powers

10. [SR 20-3433](#) Resolution approving Amendment 5 to the contract between the County of Nevada and TruePoint Solutions, LLC pertaining to the implementation of Accela software (Res. 15-155), increasing the contract amount by \$50,000 to a maximum contract amount of \$408,200, setting the contract termination date as June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Community Development Agency budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-413

Director of Public Works: Trisha Tillotson

11. [SR 20-3425](#) Resolution approving the Funding Agreement between the County of Nevada and the Nevada County Transportation Commission (NCTC), authorizing NCTC to perform contract management and oversight of Regional Surface Transportation funds distributed to the County, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 20-414

Chief Information Officer: Stephen Monaghan

12. [SR 20-3441](#) Resolution directing the Auditor-Controller to amend the Fiscal Year 2020/21 Airport budget by \$200,000 to accommodate the contract between the County of Nevada and Reinard W. Brandley to provide Airport engineering, environmental and planning services (Res. 20-096). (Airport) (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-415

County Librarian: Nick Wilczek

13. [SR 20-3437](#) Resolution approving the acceptance of the California Library Literacy Services literacy award in the amount of \$50,453, and authorizing the Nevada County Librarian to sign all additional documents related to the award of this grant funding.
Adopted.
Enactment No: RES 20-416

Clerk of the Board: Julie Patterson Hunter

14. [SR 20-3417](#) Authorization for expenditures for training and orientation of Supervisor-Elect Hardy Bullock Fifth Supervisorial District.
Approved.
15. [SR 20-3439](#) Resolution designating the Preston and Louisa Alexander Family Homesite, located at 330 Alexander Street, Nevada City, CA 95959 (APN 005-350-011) as Nevada County Historical Landmark NEV 20-04. (Dist. I)
Adopted.
Enactment No: RES 20-417
16. [SR 20-3429](#) Acceptance of resignation from Ms. Jennifer Hershon as a Public Sector representative on the Adult and Family Services Commission.
Accepted.
17. [SR 20-3438](#) Acceptance of resignation from Mr. David Guerland as an Alternate member on the Assessment Appeals Board.
Accepted.
18. [SR 20-3418](#) Acceptance of Board of Supervisors Summary Minutes for August 25, and September 1, 2020.
Accepted.

ACTION TAKEN: Chair Hall introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

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

PUBLIC COMMENT: 8:35 A.M.

[SR 20-3473](#) ACTION TAKEN: Chair Hall reviewed the options the public can use to provide comments.

The following members of the public provided comments: Ms. Julie Baker, District I resident; Ms. Cara Wasilewski, District 1 resident; Ms. Hayward, County resident; and Mr. Steve Hurley, District II resident.

Ms. Julie Patterson Hunter, Clerk of the Board, noted that over 22 letters and emails had been received in support of the County's health regulations in response to the COVID-19 pandemic, and she read the two of the letters into the record: Dr. Roger Hicks representing the medical community (this letter was signed by an additional 17 doctors); and Ms. Michelle Margulies, District I resident.

***DEPARTMENT HEAD MATTERS:**

Health and Human Services Agency Director: Ryan Gruver

20. [SR 20-3445](#) Acceptance of the presentation regarding Operation Sugarloaf, a collaborative homeless navigation project.
Accepted.

ACTION TAKEN: Mr. Ryan Gruver, Health and Human Services Agency Director, provided a presentation regarding Operation Sugarloaf, a pilot project created to address issues surrounding a long-term encampment of homeless individuals living on Sugarloaf Mountain, which is adjacent to the City of Nevada City. He reported on the community partners that collaborated with County staff including: Nevada City Police Department, Sheriff's Office, HOME Team, Hospitality House, Sierra Roots, and AMI Housing.

Mr. Gruver reported that Project Room Key allowed the project partnerships to look for solutions that provide meaningful engagement with individuals and help the homeless move into permanent housing with long-term solutions and a positive outcome. Additionally, a goal was to lessen community risk from fire and other environmental and social impacts. Mr. Gruver reviewed the process and reported on Operation Sugarloaf's 30-day outcomes which had a 76% positivity rate concerning people helped out of homelessness. He added that staff was continuing to monitor the outcomes. He provided a fiscal analysis and reviewed the "Lessons Learned" during the project such as; the value of engagement and connection; meeting people's basic needs is key and barriers to housing are complicated, cost of staff time; 30 days isn't a lot of time; lack of housing is the biggest barrier; long-term results remains to be seen in terms of housing success.

Ms. Phebe Bell, Behavioral Health Director, Ms. Amanda Kysar, Code Compliance Officer, Nevada City, and Mr. Joe Nakke, Outreach Manager, Hospitality House, provided comments regarding the effective partnerships that were developed and the encouraging success of the project.

Board discussion and questions ensued.

No Public Comment was received for this item.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to accept the presentation. On a voice vote the motion passed unanimously.

SCHEDULED ITEM: 9:30 A.M.

Director of Public Works: Trisha Tillotson

19. [SR 20-3432](#) Public hearing to consider an appeal filed by Larry and Cheryl Andresen regarding an Encroachment Permit violation. (Dist. V)

Resolution making findings and denying the appeal filed by Mr. and Mrs. Larry and Cheryl Andresen regarding an Encroachment Permit Violation on Floriston Avenue.

(Supervisor Anderson recused himself from this agenda item.)

Adopted.

Enactment No: RES 20-418

ACTION TAKEN: Supervisor Anderson recused himself from this item.

Ms. Trisha Tillotson, Public Works Director, provided a presentation and overview of the appeal submitted by Cheryl and Larry Andresen. She provided a brief history of Floriston Avenue and the changes that have taken place in the neighborhood. She included information regarding property owners Fehrts and Minnis, and the Truckee Donner Public Utility District installations, and reviewed the listing of encroachments and permit applications that have been received from both the Andresen's and neighboring properties. Ms. Tillotson reported on the Public Record Requests that have been submitted by the Andresens, which provided staff with information regarding the encroachment permits submitted by the neighbors. Ms. Tillotson reported that Mr. Andresen went forward with unpermitted work, which removed neighborhood landscaping and caused damage to water facilities. She reviewed the specific provisions brought forward under the appeal; 1) the County's determination that the Applicant violated Nevada County General Code; 2) imposition of enforcement fines totaling \$1,070.22; and 3) attachment of new conditions on the pending application, which is equivalent to the imposition of a fine, at a cost in excess of \$14,900 to complete.

Ms. Tillotson reviewed the procedure of the public hearing and reported that staff's recommendation is for the Board to adopt the Resolution making findings and denying the appeal filed by Larry and Cheryl Andresen regarding an Encroachment Permit Violation on Floriston Avenue, District V.

Mr. Richard Fehrts, Floriston Avenue property owner, provided a brief history since purchasing the property on Floriston Avenue in 1972 and regarding the recent events. He indicated that these issues involving the Andresens began in May of 2012 when Mr. Andresen first came on his property and spray painted lines where he believed the right-of-way should be. He added that the Andresens have been providing road maintenance that the neighbors did not ask for and that some neighbors, including himself, did not want. He provided information regarding the Truckee Donner Public Utilities District water box that was damaged by Mr. Andresen.

Ms. Miriam Minnis, Floriston Avenue property owner, has lived on Floriston Avenue since 1977. She provided a summation of events and detailed the removal of landscaping on her property for which she had a legal encroachment permit and which provides protection against flooding into her home.

Ms. Lauren Neuhaus, Stoel Rives, LLP, legal Counsel for Larry and Cheryl Andresen, provided a presentation regarding the background of the Floriston Avenue area. She reviewed the County code for roads, and the encroachments that were existing on Floriston Avenue. Ms. Neuhaus reviewed the timeline of events, noting that the Andresens believed the encroachments were unlawful and needed to be removed before winter to protect the ingress and egress from their property and to insure that emergency vehicles had access. She further stated that the removal of the encroachments constituted abatement of a public and private nuisance permitted pursuant to California Civil Codes. She stated that the Appellants request the Board rescind the December 20, 2019 Notice of Violation, direct immediate correction of the identified encroachments on the right-of-way, and request the Community Development Agency issue a final decision on the Appellant's pending encroachment permit application, without the imposition of additional conditions.

The following people provided public comment: Mr. Dennis Dodds, Civil Engineer for the Andresens; Mr. Peter Rivara, District V resident; and Mr. Steve Roberts, District V resident. Ms. Julie Patterson Hunter, Clerk of the Board reported that letters had been received and forwarded to the Board members, and she read an eComment received from Mr. Anthony Rivara, District V resident. There being no further public comment, Chair Hall closed public comment.

Ms. Neuhaus provided the Appellant's summation.

Chair Hall opened the public hearing for public rebuttal. There being none she closed the option for public rebuttal

Board discussion and questions ensued.

The Board recessed for 5 minutes at the request of Ms. Tillotson in order to confer with the property owners.

Chair reconvened the public hearing and Ms. Tillotson provided the staff summation.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 20-418. On a roll call vote, the motion passed as follows: Ayes: Supervisors Scofield, Hoek, Miller, and Hall. Noes: none. Supervisor Anderson was recused from this item and did not vote.

***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.

Recess for lunch: 11:30 A.M.

Upon returning from lunch Chair Hall reported that Nevada County has moved from the Red Tier to the Orange (Moderate) Tier on the State COVID-19 monitoring system which will result in a further reopening of the County's economy. She added that we still need to keep our masks on and social distance.

AFTERNOON SESSION: 1:30 P.M.**DEPARTMENT HEAD MATTERS:****County Executive Officer: Alison Lehman**

21. [SR 20-3435](#) Acceptance of the Fiscal Year 2019/20 estimated year end results report and the Fiscal Year 2020/21 budget update.

Accepted.

ACTION TAKEN: Mr. Martin Polt, Deputy County Executive Officer and Chief Fiscal Officer, provided a presentation giving a Fiscal Update for the end of Fiscal Year 2019/20 budget including estimates of COVID-19 impacts, and he provided an update for the Fiscal Year 2020/21 budget. Mr. Polt reported on revenue and expense highlights, and he reported on the Fiscal Year 2019/20 General Fund balance. He reviewed the County's Fiscal Year 2020/21 fiscal response to COVID-19 impacts in order to meet key objectives. Mr. Polt explained that staff's recommendation is to keep the current cost saving measures in place and continue monitoring of revenues. Staff would bring an update for any necessary amendments to the Board in January 2021.

Board questioning and discussion ensued.

No public comment was received for this item.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to accept the Budget update report. On a roll call vote the motion passed unanimously.

22. [SR 20-3443](#) Resolution approving the award of \$1,500,000 in “Economic & Community Resiliency Grants” funded by the Coronavirus Relief Fund (Res. 20-348), and authorizing the Chair of the Board of Supervisors to execute grant agreements with the following awardees: Town of Truckee, Local Jurisdiction, \$400,000; Center for the Arts, Nonprofit, \$400,000; Miners Foundry, Nonprofit, \$290,000; Sierra Theaters, Business, \$150,000; Sierra Community House, Nonprofit, \$100,000; The Food Bank of Nevada County, Nonprofit, \$100,000; South Yuba River Citizens League, Nonprofit, \$60,000.

Adopted.

Enactment No: RES 20-419

ACTION TAKEN: Mr. Caleb Dardick, Project Administrator, provided a presentation regarding Economic and Community Resiliency grants. He reported that 26 applications were received and he reviewed the criteria and procedure followed in choosing the recipients. He reported that qualified proposals had to comply with federal and state requirements, contribute to long-term COVID-19 recovery, and encourage collaborative and innovative business solutions. He described the evaluation panel formed to review the applications and noted the timeline starting with the release of the request for applications until today when the final decision will be made. Mr. Dardick reviewed the grant recommendations from the evaluation panel.

Board discussion and questioning ensued.

The following members of the public provided comment: Ms. Lisa Swarthout, Mayor of Grass Valley and Chairman of Nevada County Economic Resource Council; Ms. Amber Jo Manuel, Executive Director, Center for the Arts; and Ms. Kristy Oriol, Grants Manager, Sierra Community House.

Ms. Patterson Hunter reported a letter of support received for each grant recipient. There being no further public comment, Chair Hall closed public comment

Chair Hall expressed her desire to present challenge coins to each of the panel members.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 20-419. On a roll call vote the motion passed unanimously.

23. [SR 20-3442](#) Resolution approving the Grant Award Recipient Agreement between the County of Nevada and Race Telecommunications Inc. dba Race Communications for the 2020 CARES Act Project as part of the "Community Broadband Accessibility" Program (Res. 20-319), in the maximum amount of \$1,000,000 to provide Broadband accessibility to 500 homes within the identified project area for the period September 22, 2020 to January 31, 2021, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 20-420

ACTION TAKEN: Mr. Caleb Dardick, Program Manager, provided a presentation regarding the Coronavirus Relief Fund award of \$1M for Community Broadband Accessibility. Mr. Barry Anderson, Management Analyst, reviewed the requirements to be eligible for the relief fund monies.

Mr. Steve Monaghan, Chief Information Officer, provided information regarding the recommendation to the Board for Race Communications (Race). The project would connect 500 homes in Zone 2 (Peardale Area) with above ground fiber by December 30, 2020, including high speed internet. Additionally, Race will be using local providers as installers for the new broadband, thus providing local jobs and supporting the local economy as part of the project. Mr. Monaghan reported an added benefit wherein Race has made a community commitment to invest \$1M to serve 130 more households in the La Barr Meadows area, with estimated construction to be completed by the third quarter of 2021.

Ms. Kristin York, Vice-President of Business Innovation, Sierra Business Council, reviewed the next steps for Nevada County Broadband. She reported that they are working with a number of other providers to find sources of funding to enhance broadband services in the County.

Mr. Scott Lay, Superintendent of Schools, spoke to the needs of distance learning since COVID-19 and the internet inequality that exists in Nevada County. He reported that one of the largest communities with the lowest connectivity is the Chicago Park/Peardale area, and stressed that the Race broadband project will benefit the Joint Union High School District, Union Hills School District, Grass Valley School District and the Chicago Park School District.

Board questioning and discussion ensued.

The following public comment was received and read into the record: Mr. John Paul, District I resident.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to adopt Resolution 20-420. On a roll call vote the motion passed unanimously.

24. [SR 20-3444](#) Resolution directing the County Executive Officer to negotiate a Lease Agreement between the County of Nevada and the Nevada County Fairgrounds in an amount not to exceed \$450,000 for building rental space for facilitation of a temporary youth hub focused on distance learning and COVID-19 safe social activities and community access to grounds for limited recreational use, authorizing the County Executive Officer to execute documents related to the Lease Agreement.

Adopted.

Enactment No: RES 20-421

ACTION TAKEN: Ms. Georgette Aronow, Senior Management Analyst, provided a presentation regarding the proposed lease agreement for a temporary youth hub at the Nevada County Fairgrounds, which will serve children of homes that do not have internet connectivity. The hub will provide wifi access, additional academic support, and childcare. Ms. Aronow reported that the proposed agreement would allow the Fairgrounds to reopen to the public for limited recreation uses on weekdays. The Resolution provides authority to the County Executive Officer to negotiate and execute the contract with the Fairgrounds, including facility rental, upkeep, and sanitation to be COVID-19 compliant.

Ms. Jennifer Singer, Executive Director, Friendship Club, which serves up to 200 youth per year, reported that COVID-19 has created challenges to connect with youth in the community. She spoke in support of the hub and outlined the services that the Friendship Club would provide at the hub including child supervision for families in need.

Superintendent Scott Lay spoke to the need for the youth hub that will be in a central location and will be a safe environment.

Mr. Patrick Eidman, Executive Director, Nevada County Fairgrounds, reported that the core function of the Fairgrounds is to serve the people in the community, and added that the proposed lease would not only address a critical need for the youth, it would also help the Fairgrounds stay afloat.

Board questioning and discussion ensued.

Ms. Patterson Hunter reported that public comment letters were received from today's speakers; Ms. Jennifer Singer; Superintendent Scott Lay; and Mr. Patrick Eidman.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hoek, to adopt Resolution 20-421. On a roll call vote the motion passed unanimously.

25. [SR 20-3434](#) Resolution approving a revised Coronavirus Relief Fund (CRF) Expenditure Plan, and directing the Auditor-Controller to amend various Fiscal Year 2020/21 budgets. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-422

ACTION TAKEN: Ms. Georgette Aronow, Senior Management Analyst, provided an update regarding the Coronavirus Relief Fund Expenditure Plan. She reviewed where the funding needs have been identified and the amounts that would be applied to each expenditure.

The Board thanked Ms. Aronow for the presentation.

No public comment was received for this item.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to adopt Resolution 20-422. On a roll call vote the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chair Hall adjourned the meeting at 3:15 P.M.

Signature and Attestation

Heidi Hall, Chair

ATTEST:

By:

Lelia Lucchetti-Loomis, Deputy Clerk to the Board