

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Chair Ed Scofield, District II
Supervisor Lisa Swarthout, District III
Supervisor Susan Hoek, District IV
Vice-Chair Hardy Bullock, District V

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 of Proceedings

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, September 12, 2023	9:00 AM	Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California

- UNLESS INDICATED, THE VOTE WAS UNANIMOUS -

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Lisa Swarthout, 3rd District
Susan Hoek, 4th District
Hardy Bullock, 5th District

STANDING ORDERS:

Call the meeting to order.

Meeting called to order at 9:00 a.m.

Pledge of Allegiance.

Pledge of Allegiance held.

Corrections and/or deletions to agenda.

Julie Patterson Hunter, Clerk of the Board, noted that NCMedia online streaming site was not available. The public could watch the meeting on Comcast Channel 17 or on the countywide website.

Moment of Silence for those who lost their lives during the September 11, 2001 (9/11) tragedy.

Moment of silence observed.

PUBLIC COMMENT:

[SR 23-4326](#) Public comment received.

CONSENT CALENDAR:**Public Health Director: Kathy Cahill**

1. [SR 23-4217](#) Resolution approving Grant Agreement 23-10398 between the County of Nevada and the California Department of Public Health, Office of AIDS, for services related to the Housing Opportunities for Persons with AIDS Program, in the total maximum amount of \$367,788, for the period July 1, 2023 through June 30, 2028, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-470

Social Services Director: Rachel Peña

2. [SR 23-4207](#) Resolution approving a contract between the County of Nevada and Child Abuse Prevention Council of Western Nevada County for the provision of child abuse prevention activities in western County, in the maximum amount of \$53,573, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 23-471

3. [SR 23-4001](#) Resolution approving a renewal contract between the County of Nevada and Nevada County Superintendent of Schools for the provision of services related to the operation of the PARTNERS Family Resource Centers as a component of the County's Community Based Child Abuse Prevention, Promoting Safe and Stable Families, and Child Abuse Prevention, Intervention and Treatment Plan, in the maximum amount of \$65,823, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 23-472

Sheriff-Coroner/Public Administrator: Shannan Moon

4. [SR 23-3954](#) Resolution accepting the Department of Alcoholic Beverage Control (ABC) Alcohol Policing Partnership Grant in the amount of \$96,248 for Fiscal Year 2023/24 to fund expenses associated with monitoring compliance of ABC liquor license holders and underage drinking, approving Agreement 23-APP29 between the County of Nevada and ABC, and authorizing the Nevada County Sheriff to execute the agreement.

Adopted.

Enactment No: RES 23-473

Auditor-Controller: Gina Will

5. [SR 23-3971](#) Resolution approving a Master Services Agreement and Statements of Work between the County of Nevada and CliftonLarsonAllen, LLP pertaining to County Audits, in the total amount of \$98,800 for Fiscal Year 2022/23 Audits, and authorizing the Chair of the Board of Supervisors to execute the agreement and the County Executive Officer and the Auditor-Controller to sign the Statements of Work.

Adopted.

Enactment No: RES 23-474

6. [SR 23-4491](#) Resolution authorizing four commercial bank accounts for Housing & Community Services to manage grant administration for the Sutton Way Project through June 30, 2025, and the Ranch House Project through June 3, 2026. (Pulled from consent by Supervisor Bullock)

Adopted.

Enactment No: RES 23-488

Agricultural Commissioner: Chris de Nijs

7. [SR 23-4124](#) Resolution approving a revenue contract, Cooperative Agreement 23-0297-000-SA, between the County of Nevada and the California Department of Food and Agriculture to reimburse the Nevada County Agricultural Commissioner for work performed in controlling noxious and invasive weeds, in the total revenue amount not to exceed \$42,421, for the period July 1, 2023 through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-475

Planning Director: Brian Foss

8. [SR 23-4052](#) Resolution approving Amendment 1 to Grant Award Agreements between the County of Nevada, the City of Grass Valley, the City of Nevada City, and the Truckee Sanitary District for Regional Early Action Planning grant funding to prepare regional infrastructure planning studies (Res. 23-043), increasing the allocation for Nevada City from \$60,000 to \$72,100 and decreasing the allocation for Truckee Sanitary District from \$30,000 to \$17,900 to reflect actual costs, extending the term of the contracts to August 1, 2024 to provide for completion of services, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to adjust encumbrances in Planning's budget.

Adopted.

Enactment No: RES 23-476

Public Works Director: Heba El-Guindy

9. [SR 23-4436](#) Resolution approving Exhibit A to the agreement between the County of Nevada and the County of Placer for the provision of Nevada County Connects Route 5 Service for Fiscal Year 2023/24 (Res. 09-388), with Placer County service charges totaling \$93,109. (Transit Services)
Adopted.
Enactment No: RES 23-477

Information and General Services Agency Director: Stephen Monaghan

10. [SR 23-4447](#) Resolution authorizing the Director of Information and General Services to submit a grant application to the Strategic Growth Council Community Resilience Centers Program for up to \$10,000,000, and to negotiate and execute any related documents necessary to accept these funds for the improvement of the Grass Valley and Nevada City Veterans' Halls and their designated partners. (Pulled from consent by Supervisor Bullock)
Adopted.
Enactment No: RES 23-489
11. [SR 23-4444](#) Resolution declaring certain County property as surplus, and authorizing the Purchasing Agent to sell or otherwise dispose of those certain items of surplus property listed on Exhibit A as "Assets to be Sold or Recycled." (4/5 affirmative vote required) (Purchasing)
Adopted.
Enactment No: RES 23-478

Office of Emergency Services Director: Craig Griesbach

12. [SR 23-4176](#) Resolution accepting the Office of Emergency Services request to terminate the May 2021 Local Proclamation for Severe Drought.
Adopted.
Enactment No: RES 23-479

Facilities Management Director: Justin Drinkwater

13. [SR 23-4206](#) Resolution approving the Lease Agreement between the County of Nevada and Java Johns, LLC to allow for space lease for the County Café, for a three-year term beginning September 12, 2023 through September 11, 2026 with approval to renew the Agreement for up to two additional one-year terms, in the amount of \$150 per month, and authorizing the Director of Facilities Management to execute the agreement.
Adopted.
Enactment No: RES 23-480

14. [SR 23-4042](#) Resolution approving the annual Vegetation Abatement and Tree Removal Services contract between the County of Nevada and Tree Pro Tree Service, Inc. to reduce overgrowth of vegetative fuel surrounding numerous County buildings and properties, for a total contract amount not to exceed \$200,000, authorizing future renewals for up to five (5) additional one-year terms, authorizing the Purchasing Agent to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 Capital Facilities budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 23-481
15. [SR 23-4219](#) Resolution approving and awarding a contract between the County of Nevada and Mark Tintle dba MK and Sons Construction as building contractor for the construction of the Ranch House Project located at 16782 CA-49, Nevada City, CA (Res. 23-217), in a total contract amount not to exceed \$3,333,194, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 Capital Facilities budget. (4/5 affirmative vote required) (Pulled from consent by Supervisor Swarthout)
Adopted.
Enactment No: RES 23-487

Human Resources Director: Steven Rose

16. [SR 23-4294](#) Resolution amending Nevada County Personnel Code Sections 23, Tuition Payment and Reimbursement Program, and P-7, Travel Reimbursement and Expense Program, effective September 12, 2023.
Adopted.
Enactment No: RES 23-482
17. [SR 23-4210](#) Resolution for paying and reporting the value of Employer Paid Member Contributions, and amending Resolution 11-262.
Adopted.
Enactment No: RES 23-483
18. [SR 23-4325](#) Resolution approving a contract between the County of Nevada and CPS HR Consulting to provide continuous learning opportunities for County employees, for a total cost not to exceed \$110,000, for period September 1, 2023 through December 31, 2024, and authorizing the Director of Human Resources to execute the contract.
Adopted.
Enactment No: RES 23-484

County Executive Officer: Alison Lehman

19. [SR 23-4179](#) Resolution approving the 2023 Revised ARPA Expenditure Plan and establishing budget and project authorization for the remainder of Nevada County's allocation from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds and Local Assistance and Tribal Consistency Fund Programs as presented to the Board of Supervisors at its January 2023 Workshop, and directing the Auditor-Controller to amend various Fiscal Year 2023/24 budgets. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-485

Clerk of the Board: Julie Patterson Hunter

20. [SR 23-4442](#) Resolution proclaiming the month of September 2023 as "Prostate Cancer Awareness Month" in Nevada County.

Adopted.

Enactment No: RES 23-486

21. [SR 23-4418](#) Reappointment of Bethany Wilkins as Consumer Member representative to the Nevada County Mental Health and Substance Use Advisory Board, for a three-year term ending June 30, 2026.

Reappointed.

Approval of the Consent Agenda

Adopted.

COMMUNITY PRESENTATIONS:**Social Services Director: Rachel Peña**

22. [SR 23-4054](#) Resolution recognizing Agency on Aging Area 4 in September 2023 for Fifty Years of Service provided by a dedicated staff, and acknowledging their contributions and commitment to community support. (Will Tift, Assistant Director, Agency on Aging Area 4)

Adopted.

Enactment No: RES 23-490

County Executive Officer: Alison Lehman

23. [SR 23-4441](#) Resolution proclaiming October 7, 2023 as the "2023 Heart of Gold Gravel Ride" and recognizing its support in furtherance of youth mental wellness in Nevada County.

Adopted.

Enactment No: RES 23-491

Community Development Agency Director: Trisha Tillotson

24. [SR 23-4437](#) Resolution proclaiming September 23, 2023 as the 26th Annual Yuba River Cleanup in Nevada County. (Aaron Zettler-Mann, Executive Director, South Yuba River Citizens League) (Recreation)

Adopted.

Enactment No: RES 23-492

Office of Emergency Services Director: Craig Griesbach

25. [SR 23-4434](#) Acceptance of the informational presentation from the California Disaster Airlift Response Team (CalDART) regarding their statewide network of local teams and resources in response to emergency events.

Accepted.

SCHEDULED ITEM: 10:30 AM**Public Works Director: Heba El-Guindy**

26. [SR 23-4446](#) Public hearing to consider revising the Regional Transportation and Local Traffic Mitigation Fees and associated amendment to the Consolidated User Fee Schedule for County Departments as adopted June 20, 2023 by Resolution 23-288 to reflect the following changes: Community Development Agency - Update to Regional Transportation Mitigation Fees (RTMF) and Local Traffic Mitigation Fees (LTMF). The Mitigation Fee Act requires that mitigation fees be periodically updated to ensure that the assumptions regarding future growth, the need for projects, their costs, etc. continue to provide a reasonable nexus between the impacts of new development and the fees charged. The proposed fees are subject to annual inflationary adjustments. When the County collects a traffic mitigation fee, the total paid by development is a combination of RTMF and LTMF. The RTMF are developed by the Nevada County Transportation Commission (NCTC) and collected by the County for regional projects in western Nevada County. The LTMF are utilized for local projects on county-maintained roads.

- 26a. [SR 23-4543](#) Resolution approving the Local Traffic Mitigation Fees and the Regional Transportation Mitigation Fees, and accepting the associated Local Traffic Mitigation Fee 2023 Nexus Study Update.

Adopted.

Enactment No: RES 23-493

SCHEDULED ITEM: 11:00 AM**Human Resources Director: Steven Rose**

27. [SR 23-4215](#) Employee Service Awards Program, in accordance with Resolution 18-017. The categories are: Above and Beyond Employee of the Year, Employee of the Year, Innovator of the Year, Rookie of the Year, Supervisor of the Year, Intern or Volunteer of the Year, and Collaborative Employee or Team of the Year.

Presentation of Employee Service Award held.

Recess for lunch: 12:36 p.m.**AFTERNOON SESSION****SCHEDULED ITEM: 1:30 PM****Planning Director: Brian Foss**

28. [SR 23-4051](#) Public hearing to consider the meeting of Nevada County Planning Commission's June 22, 2023 (3-0) (2 absent) vote and recommendation to adopt a Resolution amending Nevada County General Plan Chapter 1: Land Use Element Policy 1.2.1.b, Policy 1.2.4.B, and Policy 1.7.2 Chapter II, and to adopt an Ordinance amending Chapter II and Chapter IV of the Nevada County Land Use and Development Code to reduce barriers to housing production (Countywide) (PLN23-0059; ORD23-1; GPT23-0001).
- 28a. [SR 23-4540](#) Resolution amending the Nevada County General Plan Chapter 1: Land Use Element Policy 1.2.1.b, Policy 1.2.4.b., and Policy 1.7.2 (GPS23-0001).
Adopted.
Enactment No: RES 23-494
- 28b. [SR 23-4539](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Chapter II and Chapter IV of the Land Use and Development Code of the County of Nevada to reduce barriers to Housing Development (ORD23-1).
Adopted.
Enactment No: ORD-2529

DEPARTMENT HEAD MATTERS:*Public Works Director: Heba El-Guindy**

29. [SR 23-4492](#) Acceptance of the informational presentation from Caltrans regarding the State Route 20 Omega Curves Project, as significant work is planned in late September and early October that will require the closure of the highway.
Accepted.

County Executive Officer: Alison Lehman

30. [SR 23-3597](#) Approval of the Board of Supervisors' response to the Fiscal Year 2022/23 Nevada County Grand Jury Report, dated May 16, 2023, entitled "Nevada County - Challenges in Managing Contracts."
Approved.
31. [SR 23-4443](#) Approval of the Board of Supervisors responses to the Fiscal Year 2022/23 Nevada County Grand Jury Report, dated May 16, 2023, entitled "Donner Lake: A Pearl in Peril."
Approved.

County Counsel: Katharine L. Elliott

32. [SR 23-4220](#) Acceptance of the informational presentation regarding the Nevada County Code Revision.
Accepted.

***ANNOUNCEMENTS:**

Not held.

ADJOURNMENT:

Meeting adjourned at 4:07 p.m.