

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Supervisor Ed Scofield, District II
Chair Dan Miller, District III
Vice 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

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SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 9, 2021	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
Susan Hoek, 4th District
Hardy Bullock, 5th District

STANDING ORDERS:

Chair Miller called the meeting to order at 9:00 a.m.

Pledge of Allegiance was held.

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

CONSENT CALENDAR:**Health and Human Services Agency Director: Ryan Gruver**

1. [SR 21-0760](#) Resolution approving a contract between the County of Nevada and the Department of Health Care Services pertaining to the Rate Range Intergovernmental Transfer whereby Nevada County retroactively receives federal financial participation Medi-Cal funds to cover unreimbursed costs for previously provided, mandated services, for the period January 1, 2021 through December 31, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Health and Human Services budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 21-457

Behavioral Health Director: Phebe Bell

2. [SR 21-0779](#) Resolution approving an amendment to the Participation Agreement between the County of Nevada and the California Mental Health Services Authority (CalMHSA) Inter-Member Transfer Program for the timely delivery of Specialty Mental Health Services to foster children placed outside of Nevada County (Res. 18-447), extending the term of the Agreement through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the amendment.
Adopted.
Enactment No: RES 21-458
3. [SR 21-0780](#) Resolution approving Participation Agreement 881-SHP-20201-NC between the County of Nevada and the California Mental Health Services Authority State Hospitals Program for services related to placement of authorized individuals into a State Hospital, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the agreement.
Adopted.
Enactment No: RES 21-459

Public Health Director: Jill Blake

4. [SR 21-0724](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Rapid-Trace dba Over the Ridge, LLC for the provision of COVID-19 Case Investigation and Contact Tracing services (PESP4373), increasing the maximum contract price from \$49,572 to \$200,000, extending the contract term through March 31, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Public Health Department budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 21-460

5. [SR 21-0748](#) Resolution approving Amendment 02 to Agreement 17-10710 between the County of Nevada and the California Department of Public Health for additional funding to implement the County's Local Oral Health Program (Res. 18-007), increasing the amount by \$30,000 for a total maximum amount of \$825,345, for the period January 1, 2018 through June 30, 2022, authorizing the Director of Public Health to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Public Health Department budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 21-461

Director of Social Services: Rachel Roos

6. [SR 21-0741](#) Resolution approving an increase in the amount not to exceed \$181,129, for a total amount of \$1,437,129, authorizing finalization of services for the Great Plates Delivered Program between the County of Nevada and various vendors for food service support for Nevada County's senior community impacted by COVID-19 (Res. 21-025), and authorizing the Purchasing Agent to execute the contract amendments.

Adopted.

Enactment No: RES 21-462

7. [SR 21-0781](#) Resolution accepting the Fiscal Year 2021/22 funding award from the California Department of Social Services, Housing and Disability Advocacy Program, in the amount of \$393,011 to be used to support ongoing operations of the Nevada County SOARWorks Program through June 30, 2022.

Adopted.

Enactment No: RES 21-463

8. [SR 21-0782](#) Resolution approving a renewal contract between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program, which provides services for individuals with disabilities who are experiencing homelessness, in the total maximum amount of \$293,011, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract.
- Adopted.**
- Enactment No: RES 21-464

Child Support Services, Collections, and Housing Director: Mike Dent

9. [SR 21-0773](#) Resolution approving Amendment 2 to Standard Agreement 21F-4029 between the County of Nevada and the State Department of Community Services and Development for funding of 2021 Community Services Block Grant Programs (Res. 20-505), increasing the maximum amount payable from \$279,667 to \$281,563, for the period January 1, 2021 through May 22, 2022, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
- (Housing)
- Adopted.**
- Enactment No: RES 21-465

Sheriff-Coroner/Public Administrator: Shannan Moon

10. [SR 21-0797](#) Resolution accepting the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$11,071 from the Department of Justice Bureau of Justice Assistance to purchase computers and related peripheral equipment for the Sheriff's Office, authorizing the Sheriff to execute the award, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Sheriff's Office budget. (4/5 affirmative vote required)
- Adopted.**
- Enactment No: RES 21-466
11. [SR 21-0805](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation for an Off-Highway Vehicle grant for Fiscal Year 2022/23.
- Adopted.**
- Enactment No: RES 21-467

12. [SR 21-0803](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation, Division of Boating and Waterways, requesting reimbursement of boating safety enforcement costs in the amount of \$334,791.38, for the period July 1, 2022 through June 30, 2023.

Adopted.

Enactment No: RES 21-468

Clerk-Recorder/Registrar of Voters: Gregory Diaz

13. [SR 21-0772](#) Resolution adopting the certified Statement of Votes cast at the September 14, 2021 California Gubernatorial Recall Election on September 14, 2021 with the County of Nevada as certified by the County Clerk-Recorder/Registrar of Voters.

Adopted.

Enactment No: RES 21-469

14. [SR 21-0807](#) Resolution approving a Maintenance Addendum to the Agreement between the County of Nevada and Harris Local Government Solutions Incorporated (Res. 17-564), pertaining to software maintenance services for the Nevada County Clerk-Recorder's recording and accounting system.

Adopted.

Enactment No: RES 21-470

Agricultural Commissioner: Chris de Nijs

15. [SR 21-0733](#) (Introduce/Waive further reading) An Ordinance amending Article 1 of Chapter XIV of the Nevada County Land Use and Development Code pertaining to Agricultural Lands and Operations Right to Farm sections.

First reading held.

Building Director: Craig Griesbach

16. [SR 21-0809](#) Resolution authorizing the Nevada County Building Director to submit an Allocation Application for receipt of Local Jurisdiction Assistance Grant funds in the amount of \$1,221,188 from the California Department of Cannabis Control for improved commercial cannabis permitting and California Environmental Quality Act (CEQA) compliance, and upon receipt of the funding allocation, authorizing the Building Director to execute an agreement with the California Department of Cannabis Control.

Adopted.

Enactment No: RES 21-471

Director of Public Works: Panos Kokkas

17. [SR 21-0787](#) Resolution certifying the County-Maintained Mileage for 2021, for a total of 561.560 miles of maintained County roads. (All Dists.)
Adopted.
Enactment No: RES 21-472
18. [SR 21-0789](#) Resolution authorizing the Nevada County Department of Public Works to request Fiscal Year 2021/22 Regional Surface Transportation Program (RSTP) funds from the Nevada County Transportation Commission, for a total Fiscal Year 2021/22 RSTP funding request in the amount of \$867,945.89.
Adopted.
Enactment No: RES 21-473
19. [SR 21-0785](#) Resolution adopting Chapter 10 of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual, Consultant Selection, for state and/or federal funded projects requiring Caltrans oversight.
Adopted.
Enactment No: RES 21-474

Chief Probation Officer: Jeff Goldman

20. [SR 21-0774](#) Resolution approving an agreement between the City of Grass Valley and the Nevada County Probation Department for AB109 police officer services, with Nevada County distributing AB109 Realignment funds to the City of Grass Valley in the maximum amount of \$20,000, for the period July 1, 2012 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the agreement.
Adopted.
Enactment No: RES 21-475

Chief Information Officer: Stephen Monaghan

21. [SR 21-0791](#) (Introduce/Waive further reading) Ordinance repealing section A-II 2.1 of Article 2 of Chapter II of the Administrative Code of the County of Nevada regarding the County's adoption of supervisorial district boundaries based on United States General Census information.
First reading held.

22. [SR 21-0798](#) Resolution approving an agreement between the County of Nevada and the Social Good Fund Inc. pertaining to the Friends of Purdon Crossing portable restrooms project located at Purdon Crossing at the South Yuba River, with Nevada County paying an amount not to exceed \$6,062 to the Social Good Fund Inc. to provide pumping services, for the period July 1, 2021 through June 30, 2022, and authorizing the Board of Supervisors to execute the agreement. (Emergency Services)

Adopted.

Enactment No: RES 21-476

23. [SR 21-0770](#) Resolution approving a renewal contract between the County of Nevada and PRIDE Industries One, Inc., for janitorial services at various County Facilities, in an annual amount not to exceed \$250,000, for the period November 1, 2021 through October 31, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

Adopted.

Enactment No: RES 21-477

Clerk of the Board: Julie Patterson Hunter

24. [SR 21-0800](#) Resolution authorizing remote teleconference meetings of the Board of Supervisors and its legislative bodies pursuant to the Ralph M. Brown Act.

Adopted.

Enactment No: RES 21-478

25. [SR 21-0778](#) Resolution appointing Kathy Freeman as Member to the Truckee Cemetery District, for a term expiring July 1, 2025.

Adopted.

Enactment No: RES 21-479

26. [SR 21-0765](#) Acceptance of the resignation of Donna Tully from the Nevada County Mental Health and Substance Use Advisory Board, effective September 30, 2021, and reclassification of Bethany Wilkins and Sam Echeverria from Members to Consumer Members on the Nevada County Mental Health and Substance Use Advisory Board.

Accepted.

27. [SR 21-0821](#) Acknowledgement of Supervisor Hall's acceptance of Marty Coleman-Hunt's resignation from the Planning Commission and appointment of Danny Milman to the District I position, both effective November 9, 2021.

Acknowledged.

28. [SR 21-0767](#) Acceptance of Board of Supervisors Summary Minutes for October 12, 2021.
Accepted.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Bullock, seconded by Supervisor Hoek, to adopt the consent calendar. On a roll call vote the motion passed unanimously.

PUBLIC COMMENT:

[SR 21-0768](#) 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.

Public comment was received.

***ANNOUNCEMENTS:**

ACTION TAKEN: Updates provided by Board members.

***DEPARTMENT HEAD MATTERS:**

Director of Social Services: Rachel Roos

30. [SR 21-0757](#) Acceptance of the Veterans Services Office informational presentation to the Board.
Accepted.

ACTION TAKEN: Following a short break, Chair Miller called the meeting back into order. Sergeant David West, Veterans Services Officer (VSO), presented the annual report, which is provided each November in honor of the men and women who served our Country. VSO West provided a PowerPoint presentation regarding services offered by Nevada County VSO for the County's veterans and their families. Nevada County's VSO advocates for the veterans of the County on a budget of just over \$500,000. Over the past year, the VSO generated over \$4.2 million in Federal benefits for Nevada County's veterans. Sergeant West reported on Nevada County's goal to reduce homelessness for veterans by Veterans Day 2021, announcing that 37 veterans have been served, and 14 of those have been housed. VSO West was expecting an additional 11 veterans to be housed by the end of February 2022.

The Board members thanked VSO West for his improvements to the Vets Office and his service on behalf of Nevada County's veteran population, and Supervisor Hoek presented VSO West with a challenge coin.

Chair Miller provided an opportunity for public comment, and public comment was received.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Bullock, to accept the Veterans Services Office informational presentation. On a voice vote the motion passed unanimously.

SCHEDULED ITEM: 10:30 A.M.

Chief Information Officer: Stephen Monaghan

29. [SR 21-0792](#) Public Workshop regarding the 2021 Nevada County Supervisorial Redistricting process.

ACTION TAKEN: Following a short break, Chair Miller called the meeting back into order and Steve Monaghan, Chief Information Officer (CIO), Doug Yoakam, Redistricting Consultant from National Demographics Corporation, and Diana Carolan, Information Systems Manager and Redistricting Advisory Commission member, provided a PowerPoint presentation regarding the Redistricting process for the County of Nevada. The purpose of this public hearing was to receive input from the Board and members of the public on the current map scenarios. Guidelines for the redrawing of the District boundaries include keeping the Districts as even in population as possible, with no more than a total 10% deviation across Districts; and keeping communities of interest intact.

The next steps in the Redistricting process include updating the map scenarios, which will be posted by November 11; a public hearing to be held on November 16; creation of the Final Map, which will be posted by December 9; and adoption of the Final Map scheduled for December 14. CIO Monaghan reviewed the 4 draft map scenarios, and objectives for revising the District lines.

CIO Monaghan concluded his report and Board discussion ensued.

Chair Miller opened the public hearing for public comment, and members of the public provided comments. There being no additional members waiting to speak, Chair Miller closed the public comment portion of the public hearing.

CIO Monaghan concluded the presentation and reviewed the process moving forward.

Supervisor Bullock provided his input on the maps presented, explaining that District V would be affected by the process. Supervisor Bullock provided support for options #1 and #4, stressing that the communities within District V would be well served supported by any of the other Supervisors and County staff. Final thoughts and support for the proposed changes were provided by the Board members. Consensus was provided by the Board members for staff to focus on options #1 and #4.

Agricultural Commissioner: Chris de Nijs

31. [SR 21-0734](#) Acceptance of the 2020 Nevada County Annual Crop and Livestock Report.
Accepted.

ACTION TAKEN: Chris de Nijs, Agricultural Commissioner, and Luci Wilson, Agricultural Biologist III, provided a PowerPoint presentation on the 2020 Nevada County Annual Crop and Livestock Report, summarizing overall numbers in 2020 of the County's varied crops and livestock, along with the activities of their Department. Nevada County's agriculture was down approximately 15% due to Impacts influenced by the COVID-19 pandemic. Commissioner de Nijs explained that cannabis was excluded from the Report because the Report is used by the United States Department of Agriculture (USDA); it is considered a controlled substance by the Federal government and not recognized as a legal crop. USDA would allow cannabis to be included in a supplemental report. Staff's intention was to prepare the supplemental report. but unfortunately the data could not be verified. Moving forward to next year, a cannabis supplemental report will be completed as part of the annual report.

Board questioning and discussion ensued.

Supervisor Hall stressed that cannabis information should be provided as a supplement in the 2021 Annual Report. Alison Lehman, County Executive Officer, requested the Board provide a consensus on Supervisor Hall's request for opening of a Board Order to add the Cannabis Summary Report in the 2021 Crop and Livestock Report, and the Board members provided consensus on opening the Board Order. Chair Miller requested that an explanation be added to the Report as to the amount of cannabis grows that are out of compliance within the County and why the permit level is so low.

Chair Miller provided an opportunity for public comment and public comment was received.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Hoek, to accept the 2020 Nevada County Annual Crop and Livestock Report. On a voice vote the motion passed unanimously. (Board Order BO-21-01 opened.)

***CLOSED SESSION:**

[SR 21-0799](#) Pursuant to Government Code § 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Lau, et al. v. County of Nevada, et al., Nevada County Superior Court, Case No. CU18-082845.
Closed Session held.

ACTION TAKEN: Katharine Elliot, County Counsel, read the title of closed session into the record, and the Board members entered into closed session and would report out of closed session following the lunch break.

Recess for lunch

AFTERNOON SESSION: SCHEDULED ITEM 1:30 P.M.

Planning Director: Brian Foss

32. [SR 21-0808](#) Public hearing to consider the Nevada County Planning Commission's August 12, 2021, 4-0; 1 absent, recommendation to approve the proposed rezone of the Nevada County Assessor's Parcel Number 065-270-005 from Forest with the Subdivision Limitation Combining District (FR-X) to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X). The proposed project is located approximately 9-miles east of the City of Nevada City, at 22765 Banner Quaker Hill Road. (PLN21-0168; RZN21-0002) (APN 065-270-005)

(Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map 87 to rezone 55.04 acres (APN 065-270-0050 located in the unincorporated area of Nevada County, from Forest with the Subdivision Limitation Combining District (FR-X) to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X) (RZN21-0002) (Mena) (Dist. V)

Waived further reading and adopted.

Enactment No: ORD-2498

ACTION TAKEN: Following the lunch recess, Chair Miller called the meeting back into order. Katharine Elliot, County Counsel reported that per the closed session item, direction was provided to staff.

Chair Miller read the title of the proposed Ordinance into the record. Brian Foss, Planning Director, and Lucas Kannall, Associate Planner, provided a PowerPoint presentation regarding the proposed rezone 55.04 acres of property located 9-miles east of Nevada City on Banner Quaker Hill Road, owned by Marcus Mena, from Forest with the subdivision Limitation combining district (FR-X) to Timberland Production Zone with the subdivision limitation combining district (TPZ-X) zoning. Planner Kannall reviewed the criteria for TPZ-X zoning, as part of the Forest Management Plan. Timberland Production zones are for the purpose of protection, production, and management of timber. Timber Production zoning also allows for a reduction in property taxes to better allow use of the property for timber, so the land is not lost to development. In order to be considered for TPZ zoning, certain criteria must be met and documented in a Forestry Management Plan. The Plan prepared for the subject property includes the required components, adequately demonstrating that it is appropriate for the proposed TPZ zoning.

Staff recommended that the Board find the rezone to be statutorily exempt from the California Environmental Quality Act (CEQA) and adopt the proposed Ordinance.

Board discussion ensued.

Chair Miller opened the public hearing for public comment, and public comment was received.

MOTION: Motion made by Supervisor Bullock, seconded by Supervisor Scofield, to find the project statutorily exempt from the California Environmental Quality Act (CEQA) and to waive further reading, and adopt Ordinance 2498. On a roll call vote, the motion passed unanimously.

***DEPARTMENT HEAD MATTERS:**

County Executive Officer: Alison Lehman

33. [SR 21-0827](#) Resolution approving the award of \$1,991,884 in "Community Resiliency Grants" funded by the American Rescue Plan Act (ARPA), and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Fund 1111 budgets. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 21-480

ACTION TAKEN: Barry Anderson, Management Analyst, provided a PowerPoint presentation regarding the American Rescue Plan Act (ARPA) Expenditure update. Management Analyst Anderson reported that Nevada County's allocation is \$19.4 million. \$9.67 million was received in June 2021 and remaining funds are expected to be allocated in June 2022. All funds must be fully obligated by December 31, 2024. These funds can be used to: 1) respond to the public health emergency and address its negative economic effects; 2) provide premium pay for essential workers; 3) replace lost public sector revenue; and 4) invest in infrastructure. Guiding principles for use of the funds include: 1) support for the community to encourage economic recovery and resiliency; 2) continue to fund costs and revenue loss related to the pandemic; 3) focus on outcomes, including Board priorities where possible; 4) leverage the funding to provide long-term benefits to the County; 5) avoid funding items that could be funded by other sources; 6) be strategic and measured; and 7) remain flexible as the needs and guidelines may evolve over time. Management Analyst Anderson reported that the Expenditure Plan approved by the Board on April 27, 2021 direct 30% of funds for Community and Economic Resiliency, and 70% for COVID-related County costs and revenue loss. Staff is requesting the Board award \$2 million for Community Resiliency Grants. Management Analyst Anderson reported that members of the public can find further information on the County's website at www.mynevadacounty.com/ARPA.

Caleb Dardick, Project Manager, continued the presentation, reporting that the funding is a response to the pandemic, and is designed to increase recovery and resiliency. Eligible entities include nonprofit organizations, businesses, and special purpose districts. A total of 73 eligible applications were received, and Project Manager Dardick reviewed the criteria and scoring process, and reported that staff's recommendation is to fund 32 requests from multiple sectors, for Community Resiliency Grants representing a total a allocation of \$1,991,884. Categories approved for funding include: 1) Safety Net; 2) Arts; 3) Economic Development; 4) Education/Youth; 5) Community Centers; 6) Environment; and 7) Other. Over the next few months, the grant agreements will be brought forward to the Board for authorization.

Project Manager Dardick recommended the Board adopt the proposed resolution, awarding of \$1,991,884 in Community Resiliency Grants funded by the American Rescue Plan Act (ARPA), and directing the Auditor-Controller to amend the Fiscal Year 2021/22 budget.

Staff responded to Board questioning and discussion ensued.

Chair Miller provided an opportunity for public comment, and members of the public provided comments.

Board discussion continued.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hoek, to adopt Resolution 21-480. On a roll call vote, the motion passed unanimously.

34. [SR 21-0825](#) Resolution approving a contract between the County of Nevada and Sierra Business Council for grants management services to administer the “Community Resiliency Grants” Program funded by the American Rescue Plan Act (ARPA), in the maximum contract amount of \$30,000, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Economic Development budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 21-481

ACTION TAKEN: Caleb Dardick, Project Manager, reported on the proposed contract with Sierra Business Council to administer the Community Resiliency Grants, which are funded through the American Rescue Plan Act (ARPA), in the maximum amount of \$30,000. Project Manager Dardick recommended moving forward with the contract.

Chair Miller provided an opportunity for public comment and public comment was received.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hall, to adopt Resolution 21-481. On a roll call vote, the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chair Miller adjourned the meeting at 3:12 P.M.

Signature and Attestation

Susan Hoek, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board