

# 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*

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



## BOARD OF SUPERVISORS

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bdofsupervisors@nevadacountyca.gov

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
<b>Tuesday, October 24, 2023</b>	<b>9:00 AM</b>	<b>Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California</b>

**The Board of Supervisors welcomes you to their regular meeting.**

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The County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors from inside the Board Chamber, located at the Eric Rood Administrative Center, 950 Maidu Avenue, First Floor, Nevada City, CA 95959. This meeting is open to in-person attendance. District 5 Supervisor Hardy Bullock will attend the meeting remotely from Venture X Grapevine - DFW Airport North, 2451 West Grapevine Mills Cir., Grapevine, TX 76051 (this meeting space is ADA compliant and open for public attendance).

Members of the public who are unable to attend in person may watch this meeting live on Nevada County Media Comcast Channel 17 in western County and on Optimum Channels 18 and 78 in eastern County, or through the web at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [www.YouTube.com/c/CountyofNevadaCA](http://www.YouTube.com/c/CountyofNevadaCA). Please refer to page 8 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 Board Chamber 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. Closed Captioning is available for hearing impaired viewers.

The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/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.

**PUBLIC COMMENT:**

[SR 23-4795](#) 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 page 8 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.

**Behavioral Health Director: Phebe Bell**

1. [SR 23-4702](#) Resolution approving a Participation Agreement between the County of Nevada and California Mental Health Services Authority (CalMHSA) State Hospitals Program, for services related to the placement of authorized individuals into a State Hospital, in the maximum amount of \$2,804, for the period July 1, 2023 through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the agreement.
2. [SR 23-4703](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada, as a participating County with the California Mental Health Services Authority (CalMHSA) State Hospitals Program, and the Department of State Hospitals (DSH), pertaining to the establishment of terms, conditions, and rates for patient placements in DSH facilities, for the period October 1, 2023 through June 30, 2025, and authorizing the Nevada County Behavioral Health Director to execute the MOU and any necessary documents.

3. [SR 23-4616](#) Resolution approving Standard Agreement 23-30116 between the County of Nevada and the Department of Health Care Services for the purpose of identifying and providing Drug Medi-Cal Organized Delivery System services for substance use disorder treatment in Nevada County, in the maximum amount of \$30,049,500, for the period July 1, 2023 through June 30, 2027, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Interim Public Health Director: Erin Mettler

4. [SR 23-4783](#) Resolution approving the renewal of Nevada County's Children's Medical Services Plan, which includes the Child Health and Disability Prevention Program/Childhood Lead Poisoning Prevention Program, and Health Care Program for Children in Foster Care, for Fiscal Year 2023/24, providing state and federal funding in the projected amount of \$389,283, and authorizing the Chair of the Board of Supervisors to execute the Plan Certifications.

Sheriff-Coroner/Public Administrator: Shannan Moon

5. [SR 23-4569](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Lehr Auto Electric and Emergency Equipment for the provision of vehicle equipment purchases and installation services (Res. 22-378), increasing the maximum not-to-exceed contract amount from \$95,000 to \$237,000, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Auditor-Controller: Gina Will

6. [SR 23-4449](#) Resolution amending the Nevada County Credit Card Policy & Procedures.

Community Development Agency Director: Trisha Tillotson

7. [SR 23-4798](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Sauers Engineering, Inc., for professional engineering services for the North San Juan Fire Suppression Project (PESP4399), increasing the contract to a new not-to-exceed amount of \$127,055, extending the term of the contract to December 31, 2025, authorizing the Purchasing Agent to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 budget. (4/5 affirmative vote required) (Dist. IV)

Chief Information Officer: Landon Beard

8. [SR 23-4708](#) Resolution proclaiming October 2023 as "Cybersecurity Awareness Month" in Nevada County.

Director of Facilities Management: Justin Drinkwater

9. [SR 23-4786](#) Resolution approving a Lease Agreement between the County of Nevada and Welcome Home Vets for office space at the Veterans Memorial Building, located at 255 South Auburn Street, Grass Valley, CA 95945, in the amount of \$250 per month, for the period October 1, 2023 through October 31, 2024, and authorizing the Director of Facilities to execute the agreement.

County Librarian: Nick Wilczek

10. [SR 23-4575](#) Resolution approving Amendment 4 to the Lease Agreement between the County of Nevada and Wildwood West Investors for Library space in the Wildwood Commercial Center, located at 11252 and 11254 Pleasant Valley Road, Penn Valley, CA 95946 (Res. 16-423), in the amount of \$2,044 per month plus operating expenses at a fixed rate of \$856 per month, for a total monthly rent payment of \$2,900, for the period December 1, 2023 through November 30, 2028, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Director of Human Resources: Steven Rose

11. [SR 23-4801](#) Resolution amending authorized Personnel Staffing Resolution 23-338, adopted June 27, 2023, allocating positions to various County departments, revising the total number of FTE to 874.10, effective October 24, 2023.
12. [SR 23-4802](#) Resolution amending authorized Personnel Salary Resolution 23-339, adopted June 27, 2023, allocating positions to various salary ranges, effective October 24, 2023.

County Counsel: Katharine L. Elliott

13. [SR 23-4788](#) (Waive further reading/Adopt) An Ordinance revising sections of the Nevada County General Code.
14. [SR 23-4789](#) (Waive further reading/Adopt) An Ordinance revising sections of the Nevada County Land Use Code.

Clerk of the Board: Julie Patterson Hunter

15. [SR 23-4805](#) Resolution making findings, accepting the appeal filed by Court and Megan Worden from the decision of the Nevada County Planning Department for the conditional approval for an Administrative Development Permit, Petition for Exceptions to Driveway Standards, and Management Plan (PLN20-0042; ADP20-0012; PFX22-0037; MGT23-0023) to permit a commercial cannabis operation on the property located at Thoroughbred Loop, Grass Valley, CA 95949 (APN 053-320-044); and scheduling the appeal for a public hearing on December 5, 2023 at 1:30 p.m.

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**Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.****Call the meeting to order:**

*Recess as the Nevada County Board of Supervisors and convene as the Board of Directors of the Nevada County Sanitation District No. 1.*

**Consent:**

These items are expected to be routine and noncontroversial. The Board of Directors 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 Directors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

**Public Works Director: Heba El-Guindy**

- 16a.** [SR 23-4780](#) Resolution directing the Auditor-Controller to amend the Nevada County Sanitation District No. 1 budgets for Fiscal Year 2022/23. (4/5 affirmative vote required)
- 16b.** [SR 23-4781](#) Resolution authorizing the Nevada County Sanitation District No. 1 to purchase a towable standby generator for \$39,972, approving the capital asset purchase, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 budget and to release fund balance from the Lake of the Pines and Lake Wildwood operating and maintenance funds. (4/5 affirmative vote required) (Dists. II and IV)

**County Counsel: Katharine L. Elliott**

- 16c.** [SR 23-4787](#) (Introduce/Waive further reading) An Ordinance amending, adding, and repealing non-substantive sections of the Nevada County Sanitation District Code.

**Clerk of the Board: Julie Patterson Hunter**

- 16d.** [SR 23-4797](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for September 26, 2023.

**Public comment:**

- [SR 23-4796](#) Members of the public shall be allowed to address the Board of Directors of the Nevada County Sanitation District No. 1 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 page 8 for information on the various options being made available for members of the public to provide comment in both western and eastern County.)

**Adjournment:**

*Adjourn the meeting of the Nevada County Sanitation District No. 1 Board of Directors and reconvene as the Nevada County Board of Supervisors.*

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**COMMUNITY PRESENTATION:**

17. [SR 23-4615](#) Alliance for Workforce Development, Inc. (Nevada County Business and Career Network) annual presentation of the Alliance's Fiscal Year 2022/23 performance - Workforce Innovation and Opportunity Act Program and Services. (Maryanne Connelley, Business Services Representative, AFWD)

**\*DEPARTMENT HEAD MATTERS:****Health and Human Services Agency Director: Ryan Gruver**

18. [SR 23-4711](#) (Introduce/Waive further reading) Ordinance replacing in its entirety Chapter II, Article 11 of the Nevada County Administrative Code. [Amending the Ordinance authorizing the County of Nevada to join Partnership HealthPlan of California.]

**Child Support Services and Housing Director: Mike Dent**

19. [SR 23-4561](#) Resolution approving a contract between the County of Nevada and Nevada County Habitat for Humanity to develop and construct an owner-occupied housing project for a lower-income household through the use of California Department of Housing and Community Development's Permanent Local Housing Allocation funds, in the amount of \$171,000, for the period August 2, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract. (Housing)

**Director of the Office of Emergency Services: Craig Griesbach**

20. [SR 23-4709](#) Resolution adopting language relating to the application for grant funds from the State Department of Forestry and Fire Protection (CAL FIRE) for the Woodpecker Ravine Shaded Fuel Break Phase 2 Project (5GA22209), accepting grant funds for this project in the amount of \$3,914,536.64 during the period October 24, 2023 and March 15, 2029, and authorizing the Director of Office of Emergency Services to execute all additional documents required to fulfill the requirements of the grant. (Dists. I and III)
21. [SR 23-4777](#) Resolution accepting the USDA, United States Forest Services (USFS), Pacific Southwest Region, Fire and Aviation Management grant for the Ponderosa West Grass Valley Defense Zone Extension Project (23-DG-11052012-154), in the amount of \$750,000 during the period August 29, 2023 through August 1, 2025, ratifying the execution of the grant agreement dated August 29, 2023, and authorizing the Director of Office of Emergency Services to execute all additional documents required to fulfill the requirements of the grant. (Dist. III and IV)

22. [SR 23-4803](#) Resolution accepting the Wildlife Conservation Board grant for the Sierra Foothill Forest Climate Resilience Project (WC-2340KM) in the amount of \$2,396,000 for the period October 3, 2023 through March 31, 2027, ratifying the grant agreement dated October 3, 2023, and authorizing the Director of Office of Emergency Services to execute all additional documents required to fulfill the requirements of the grant. (Dist. IV)

**\*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 Road, Truckee, CA 96161.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.*
- 4. Venture X Grapevine - DFW Airport North, 2451 West Grapevine Mills Cir., Grapevine, TX 76051.*
- 5. Online at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [nevco.legistar.com/Calendar.aspx](http://nevco.legistar.com/Calendar.aspx).*

*Posted: October 19, 2023.*

**WAYS TO WATCH AND LISTEN DURING THE MEETING:**

This Board of Supervisors meeting is open to the public. Staff and members of the public may observe the meeting using the options listed below. Online streaming of Board of Supervisors meetings is provided to members of the public as a courtesy. If an internet connection falters for any reason and there are no Board members attending the meeting remotely, the Board of Supervisors will continue the public meeting in Chambers without online access.

- 1) Watch from inside the Board Chambers.
- 2) View at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [www.YouTube.com/c/CountyofNevadaCA](http://www.YouTube.com/c/CountyofNevadaCA).
- 3) View on Nevada County Media Channel 17 in western County.
- 4) View on Optimum Channels 18 and 78 in eastern County.

**PROVIDE PUBLIC COMMENT BEFORE THE MEETING:**

- 1) Leaving an eComment at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings).
- 2) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959.
- 3) Emailing [BOS.PublicComment@nevadacountyca.gov](mailto:BOS.PublicComment@nevadacountyca.gov).

Written or emailed public comments received by 4:00 p.m. the day prior to the meeting will be provided to the Board members electronically or in written format and will become part of the public record.

**PROVIDE PUBLIC COMMENT DURING THE MEETING:**

- 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.

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

**PERSONS DESIRING TO ADDRESS THE BOARD****CONTROL OF MEETING:**

The Board Chair shall first caution any individual at the meeting that their behavior is disrupting the meeting and that failure to cease the disruptive behavior could result in removal. After warning, the Chair will request the individual to leave if the individual does not stop their disruptive behavior. 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. 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 Matters; d. Individual Board Member Items; and e. Scheduled Items. At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.



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

### **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 identify the speaker's supervisorial district.
- 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 general 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 no 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.

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Gov. Code section 54308)**

Members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

**PUBLIC HEARINGS:**

All members of the public shall be allowed to address the Board on 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 with a 4/5 affirmative vote.
- 3) All other 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 and will make any amendments. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after waiving further reading of the ordinance.

**INFORMATIONAL CORRESPONDENCE:**

The Board may direct any item of informational correspondence to a department head for appropriate action.

**REFERENCES:**

Board of Supervisors Order and Decorum 2023

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)