

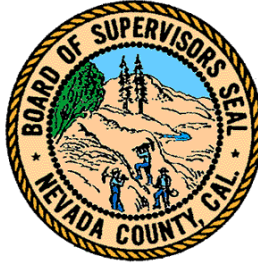
COUNTY OF NEVADA

STATE OF CALIFORNIA

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

Jeffrey Thorsby, Chief of Staff/Clerk of the Board

Alison Lehman, County Executive Officer
Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

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AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, February 27, 2024	9:00 AM	Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

The Board of Supervisors welcomes you to their regular meeting.

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.

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 and www.YouTube.com/c/CountyofNevadaCA. Please refer to page 9 for information on how to participate in the meeting, as well as the various options being made available for members of the public to provide comment in both western and eastern County.

The 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. 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 24-0187](#) 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 9 for information on the various options being made available for members of the public to provide comment in both western and eastern county.)

CONSENT CALENDAR:

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

Behavioral Health Director: Phebe Bell

1. [SR 24-0252](#) Resolution approving the Participation Agreement between the County of Nevada and the California Mental Health Services Authority to participate in the California Mental Health Services Data Archive Solution program for the provision of Microsoft Azure Cloud database solution, professional implementation and support services in the maximum amount of \$58,704, for the period January 1, 2024, through December 31, 2026, authorizing the Chair of the Board of Supervisors to execute the agreement, and directing the Auditor-Controller to amend the fiscal year 2023/24 Behavioral Health Budget. (4/5 Affirmative vote required)
2. [SR 24-0258](#) Resolution approving Amendment 1 to the contract between County of Nevada and Common Goals for the provision of outpatient rehabilitative treatment services for the recovery and treatment of substance use disorders (Res. 23-365), updating the contractor name to reflect the newly formed nonprofit Common Purpose, in the maximum amount of \$1,551,983, for the period of July 1, 2023, through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Public Health Director: Kathy Cahill

3. [SR 24-0202](#) Resolution approving Amendment 2 to the contract between County of Nevada and Bright Futures for Youth for the Friday Night Live/Club Live Pilot Project (Res. 22-633), increasing the maximum contract price from \$174,999.96 to \$199,999.96, revising Exhibit “A”, Schedule of Services expanding the number of programs implemented through fiscal year 2024/25, reflecting an additional funding source, and revising Exhibit “B”, Schedule of Charges and Payments to reflect the increase in the maximum contract price for the period of August 1, 2022, through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Director of Social Services: Rachel Peña

4. [SR 24-0234](#) Resolution approving Amendment 1 to a contract between County of Nevada and Bright Futures for Youth for the provision of Youth Workforce Development activities in Western and Eastern Nevada County (Res. 22-422), increasing the maximum contract price from \$667,624 to \$727,624, revising Exhibit “B”, Schedule of Charges and Payments to reflect the increase in the maximum contract price and term extension, for the period of June 1, 2022, through September 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.
5. [SR 24-0233](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada Sierra Connecting Point Public Authority for the provision of Youth Workforce Development (Res. 22-423), increasing the maximum contract price from \$878,212 to \$941,845, for the term of June 1, 2022, through September 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Sheriff-Coroner/Public Administrator: Shannan Moon

6. [SR 24-0174](#) Resolution authorizing the purchase of capital assets of a Sheriff Operations Catalyst Force Entry Training Door for specialized and repeatable training on forcibly breaching a door in exigent circumstances, in the amount of \$9,778.63, and directing the Auditor-Controller to amend the fiscal year 2023/24 Sheriff's Office budget. (4/5 Affirmative vote required)

District Attorney: Jesse Wilson

7. [SR 24-0272](#) Resolution authorizing the application and grant agreement between the County of Nevada and Cal OES for the Cal OES Emerging Family Justice Center Program for support and legal services to victims of domestic violence, for maximum award up to \$220,000, and authorizing the District Attorney or their designee(s) to execute the grant agreement and subsequent documents.

Community Development Agency Director: Trisha Tillotson

8. [SR 24-0236](#) Resolution approving Amendment 2 to the personal services contract between County of Nevada and Accela, Inc. for software maintenance (Res. 20-168), increasing the maximum contract amount to \$277,154.09, extending the contract termination date to April 26, 2025, and authorizing the Chair of the Board of Supervisors to execute the contract amendment and sign the software renewal order form.

Environmental Health Director: Amy Irani

9. [SR 24-0177](#) Resolution authorizing the execution of the Updated California Integrated Waste Management Board Form 1000 to CalRecycle for compliance with CalRecycle's reporting requirements, authorizing the Chair of the Board of Supervisors to execute the Updated California Integrated Waste Management Board Form 1000 (Notice of Designation of Local Agency), and authorizing the Director of the Nevada County Department of Environmental Health to submit the Updated California Integrated Waste Management Board Form 1000 to CalRecycle.
10. [SR 24-0273](#) Resolution approving the Memorandum of Understanding (MOU) between the County of Nevada and the Town of Truckee to establish roles and responsibilities to implement SB 1383 regulations regarding organic waste, and authorizing the Chair of the Board of Supervisors to execute the MOU.

Acting Public Works Director: George Schureck

11. [SR 24-0180](#) Resolution authorizing Environmental Clearance for the 2024 Road Rehabilitation Project, and authorizing the Public Works Director (or Interim Director) to file Notice of Exemption with the Nevada County Clerk-Recorder's office. (Dists. I, II & IV)
12. [SR 24-0283](#) Resolution authorizing Environmental Clearance for the 2024 Nevada County Annual Striping Project and authorizing Public Works Director (or Interim Director) to file Notice of Exemption with the Nevada County Clerk-Recorder's office. (All districts)
13. [SR 24-0182](#) Resolution for the Notice of Acceptance and Completion for the Donner Pass Road Rockslide Project - County Project No. 700300 (Res. 23-441), with contract totaling \$475,011, directing the Auditor-Controller to amend the fiscal year 2023/24 Public Works budget, and directing the Clerk of the Board of Supervisors to record the notice in accordance with Civil Code section 9208. (4/5 Affirmative vote required) (Dist. V)
14. [SR 24-0181](#) Annual Report on Transportation Mitigation Fees for fiscal year 2022/23. (All districts)

Director of Human Resources: Steven Rose

15. [SR 24-0271](#) Resolution amending Authorized Personnel Staffing Resolution 23-338, as amended by Resolutions 23-529 and 24-025.
16. [SR 24-0280](#) Resolution amending Authorized Personnel Salary Resolution 23-339, as amended by Resolutions 23-530 and 24-026.

Chief of Staff: Jeffrey Thorsby

17. [SR 24-0204](#) Reappointment of Alex Szabo as Viticulture Industry member to the Agricultural Advisory commission, for a four-year term ending March 31, 2028.
18. [SR 24-0232](#) Appointment of Michael Leydon and Cheryl Rubin as Regular members to the Citizen's Oversight Committee of the Nevada County Library for unexpired four-year terms ending August 1, 2027.
19. [SR 24-0293](#) Acknowledge the resignation of Stephanie Fischer as Private Sector member from the Adult and Family Services Commission, effective February 13, 2024.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.

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

Call the meeting to order:**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.

Acting Public Works Director: George Schureck

20. [SR 24-0235](#) Resolution amending the Nevada County Sanitation District No. 1 Budgets for Fiscal Year 2023/24. (4/5 affirmative vote required)

Chief of Staff: Jeffrey Thorsby

21. [SR 24-0002](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for December 5, 2023, and January 9, 2024.

Public comment:

[SR 24-0304](#) Members of the public shall be allowed to address the Board of Directors 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 9 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.

DEPARTMENT HEAD MATTERS:*Director of Social Services: Rachel Peña**

22. [SR 24-0134](#) Informational presentation from Connecting Point recognizing February 11 as “211 Day” in Nevada County, as proclaimed by the Board of Supervisors in 2021.

Chief of Staff: Jeffrey Thorsby

23. [SR 24-0250](#) Acknowledgement of the Board of Supervisors 2024 Ad Hoc Subcommittee assignments.

INDIVIDUAL BOARD MEMBER ITEM:*District I Supervisor, Heidi Hall, and District IV Supervisor, Sue Hoek**

24. [SR 24-0281](#) Approval of Letter of Comment and Opposition to Pacific Bell Telephone Company d/b/a AT&T California amended application for targeted relief from its Carrier of Last Resort obligation and certain associated tariff obligations.

***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.

***CLOSED SESSION:**

25. [SR 24-0254](#) Pursuant to Government Code section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County Caleb Dardick, Assistant County Executive Officer, Steven Rose, Human Resources Director, and Lisa Charbonneau, Labor Attorney. The labor negotiations concern Local 39, Professional, Deputy District Attorney, Deputy Public Defender Association, Confidential and Sheriff's Management Association.

Recess for lunch:**AFTERNOON SESSION 1:30 PM****SCHEDULED ITEM: 1:30 PM****Planning Director: Brian Foss**

26. [SR 23-4882](#) Public Hearing to consider the appeal filed by Court and Megan Worden regarding the decision to approve a Petition for Exceptions to Driveway Standards and Management Plan to allow for the permitting of an existing residential structure and existing accessory structures (PLN20-0042; PFX22-0037; MGT23-0023) at 14120 Thoroughbred Loop in Grass Valley (APNs 053-320-044; 053-260-019; 053-210-024; 053-320-043; 053-260-029). The appeal also contests the decision to conditionally approve an Administrative Development Permit to permit a commercial cannabis operation (ADP20-0012); the approval of the Administrative Development Permit (ADP20-0012) has since been rescinded and the description of the proposed project (PLN20-0042) has been updated accordingly.

Resolution to deny the appeal and to uphold the decision to approve a Petition for Exceptions to Driveway Standards and Management Plan to allow for the permitting of an existing residential structure and existing accessory structures at 14120 Thoroughbred Loop in Grass Valley, CA.

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. Online at www.nevadacountyca.gov/boardmeetings and nevco.legistar.com/Calendar.aspx.*

Posted: February 22, 2024.

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 and 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.
- 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.

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 84308)

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 2024
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)