

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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SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 12, 2024	9:00 AM	Board Chamber, 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
Lisa Swarthout, 3rd District
Susan Hoek, 4th District
Hardy Bullock, 5th District

Supervisor Scofield departed from the meeting at 4:17 p.m. (during the announcements and prior to adjournment).

STANDING ORDERS:

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

The Pledge of Allegiance was held.

No corrections or deletions to agenda were reported.

ACTION TAKEN: Chair Bullock thanked and honored all those that have served our nation, as well as those that participated in the Grass Valley Veteran's Day event.

CONSENT CALENDAR:**Behavioral Health Director: Phebe Bell**

1. [SR 24-1486](#) Resolution approving a subgrantee agreement between the County of Nevada and Foothill House of Hospitality, DBA Hospitality House for the construction of thirteen bed units of Behavioral Health Bridge Housing at 246 Glenbrook Road, Grass Valley CA, 95945, in the maximum amount of \$975,000, for the term of July 25, 2024, through October 1, 2025, authorizing the Chair of the Board of Supervisors to execute the agreement and directing the Auditor-Controller to amend the fiscal year 2024/25 Behavioral Health budget. (4/5 Affirmative vote required)

Adopted.

Enactment No: RES 24-563

2. [SR 24-1500](#) Resolution approving a contract between the County of Nevada and FREED Independent Living Center, DBA FREED for services related to providing a landlord liaison program to expedite housing individuals experiencing homelessness, in the total maximum amount of \$878,141, for the term of November 1, 2024, through June 30, 2025, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the fiscal year 2024/25 Behavioral Health budget. (4/5 Affirmative vote required)

Adopted.

Enactment No: RES 24-564

3. [SR 24-1508](#) Resolution approving Nevada County Behavioral Health's Mental Health Services Act Behavioral Health Services Act Implementation Innovation Plan for fiscal year 2024/25 through fiscal year 2026/27, and authorizing the Behavioral Health Director to submit the Plan to the Mental Health Services Oversight and Accountability Commission.

Adopted.

Enactment No: RES 24-565

Social Services Director: Rachel Peña

4. [SR 24-1366](#) Resolution approving an agreement between the County of Nevada and Evident Change for the provision of case management software services in the maximum amount of \$79,428.69, for the term of August 1, 2024, through July 31, 2029, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 24-566

5. [SR 24-1505](#) Resolution approving Nevada County’s annual Match Contribution funding pursuant to the Area 4 Agency on Aging Joint Powers Agreement, in the maximum amount of \$54,473, for fiscal year 2024/25.
Adopted.
Enactment No: RES 24-567
6. [SR 24-1465](#) Resolution approving Standard Agreement Number 24-5062 between the County of Nevada and the California Department of Social Services for the provision of legal consultations and legal representation on administrative appeals associated with the Resource Family Approval program of the County child welfare services agency, for the term of July 1, 2024, through June 30, 2027, and authorizing the Chair of the Board of Supervisors to execute the agreement.
Adopted.
Enactment No: RES 24-568
7. [SR 24-1495](#) Resolution approving Amendment No. 1 to the Contract between the County of Nevada and Sierra Family Therapy Centers, Inc. for the provision of psychotherapy services for the veteran population of Nevada County (Res. 24-381), revising Exhibit “B”, Schedule of Charges and Payments to reflect the additional rate schedule of \$155 for the intake and proper placement of clients, in the maximum amount of \$90,484, for the term of July 1, 2024, through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the amendment. (Veterans Services)
Adopted.
Enactment No: RES 24-569

Child Support Services and Housing Director: Mike Dent

8. [SR 24-1506](#) Resolution approving a contract between the County of Nevada and Sierra Roots pertaining to the provision of a warming shelter for Grass Valley and Nevada City, in the maximum amount of \$75,000, for the contract term of November 12, 2024, through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the contract. (Housing)
Adopted.
Enactment No: RES 24-570

9. [SR 24-1474](#) Resolution authorizing the execution of a Lease Rider Agreement to the Ground Lease Agreement between Nevada County and Grass Valley PSH Associates to comply with terms and conditions of No Place Like Home Funding as it pertains to County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA (APN 035-400-054), designated as the location of the Brunswick Commons affordable housing project (Res. 19-358), and authorizing the Nevada County Facilities Director to execute further riders or amendments to the Ground Lease Agreement. (Housing)
Adopted.
Enactment No: RES 24-571
10. [SR 24-1503](#) Resolution approving an application for funding and the execution of a grant agreement between the County of Nevada and the State of California for the 2024 funding year Community Development Block Grant Program in the amount of \$426,168, authorizing the Director of Health and Human Services to submit the application for funding and to execute the standard agreement and any amendments with the State of California for the purposes of this grant. (Housing)
Adopted.
Enactment No: RES 24-572
11. [SR 24-1507](#) Resolution approving Amendment No. 1 to the contract between the County of Nevada and California Professional Management for construction management services for the Brunswick Commons Resource Center (PESR4881), to increasing the maximum contract price to \$44,690, revising Exhibit “A”, Schedule of Services, revising Exhibit “B”, Schedule of Charges and Payments to reflect the increase in the maximum contract price and the extension of the expiration date for the term of July 1, 2024, through April 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the amendment. (Housing)
Adopted.
Enactment No: RES 24-573

District Attorney: Jesse Wilson

12. [SR 24-1504](#) Resolution approving an agreement between the County of Nevada and Axon Enterprise, Inc. for Axon Justice Premier Software System licensing, hosting, support and maintenance, in an amount not to exceed \$193,032, for the period of October 1, 2024, through September 30, 2029, authorizing the Chair of the Board of Supervisors to execute the agreement, and amending the fiscal year 2024/25 District Attorney budget. (4/5 Affirmative vote required)
Adopted.
Enactment No: RES 24-574
13. [SR 24-1466](#) Resolution accepting the CAL OES Emerging Family Justice Center Grant Award FE24022601, in the amount of \$210,305, for the period of October 1, 2024, through March 31, 2026, authorizing the District Attorney or their assignee to execute the grant agreement and all additional documents to fulfill the grant requirements, and directing the Auditor-Controller to amend the fiscal year 2024/25 District Attorney budget. (4/5 Affirmative vote required)
Adopted.
Enactment No: RES 24-575
14. [SR 24-1523](#) Resolution accepting the California Office of Emergency Services Grant Award VW24022601 for the Nevada County Victim Witness Assistance Program, in the amount of \$368,865, for the period of October 1, 2024, through September 30, 2025, and authorizing the District Attorney or their assignee to execute the grant agreement and all additional documents to fulfill the grant requirements, and directing the Auditor-Controller to amend the fiscal year 2024/25 Budget. (4/5 Affirmative vote required)
Adopted.
Enactment No: RES 24-576
15. [SR 24-1531](#) Resolution authorizing the Grant Award VV24022601 between the County of Nevada and California Office of Emergency Services for the Violence Against Women Vertical Prosecution Program, in the amount of \$202,545, for the period of January 1, 2025, through December 31, 2026, and authorizing the District Attorney and/or their designee to execute the grant agreement, subsequent grant sub award amendments and all additional documents to fulfill the grant requirements.
Adopted.
Enactment No: RES 24-577

Public Defender: Keri Klein

16. [SR 24-1498](#) Resolution approving the agreement between the County of Nevada and the State Bar of California for the acceptance of funding for the Public Defender to Represent Respondents in CARE Court (SB1338, Welfare and Institutions Code Sections 5970-5987, SB 35, AB 107), for the term of October 1, 2024, through January 1, 2026, and authorizing the Public Defender to execute the agreement.

Adopted.

Enactment No: RES 24-578

Public Works Director: David Garcia

17. [SR 24-1494](#) Resolution approving a Memorandum of Understanding between the County of Nevada and the City of Grass Valley to transfer \$1,500,000 in Rule 20A Credits for the La Barr Meadows Road Undergrounding Project and authorizing the County Executive Officer to execute the MOU. (Dist. III)

Adopted.

Enactment No: RES 24-579

18. [SR 24-1493](#) Resolution declaring exempt surplus property and approving the sale of a portion of County lands to the State of California for State Highway 49 improvements, approving the associated right-of-way contracts, and granting a temporary construction easement, all associated with Assessor's Parcel Numbers 022-160-038, 022-331-039, & 022-331-040, authorizing the Chair of the Board of Supervisors to execute the contract and all required documents.

(Dist. III)

Adopted.

Enactment No: RES 24-580

19. [SR 24-1520](#) Resolution approving submittal and acceptance of \$148,941 of Fiscal Year 2023/24 Low Carbon Transit Operations Program PUC 99313 and 99314 Funding Administered by the California Department of Transportation.

(Transit)

Adopted.

Enactment No: RES 24-581

20. [SR 24-1521](#) Resolution authorizing capital asset purchase and execution of a purchase order of two (2) 300kW Wireless Inground InductEV Charging Systems, in the amount of \$917,600, and authorizing the Purchasing Agent to execute the purchase order. (4/5 Affirmative vote required) (Transit)

Adopted.

Enactment No: RES 24-582

21. [SR 24-1518](#) Resolution approving a budget amendment to the fiscal year 2024/25 Transit Services budget in the amount of \$2,600,000. (4/5 Affirmative vote required) (Transit)
Adopted.
Enactment No: RES 24-583

Information and General Services Agency Director: Stephen Monaghan

22. [SR 24-1511](#) 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 24-584

Facilities Management Director: Justin Drinkwater

23. [SR 24-1452](#) Resolution approving Amendment No. 1 to the Professional Services Contract between the County of Nevada and Brandley Engineering, Inc. for Airport Engineering and Design Services, extending the contract through June 30, 2025, increasing the contract maximum not to exceed amount of \$560,000, authorizing the Director of Facilities Management to execute the amendment, and directing the Auditor-Controller to amend the fiscal year 2024/25 Airport budget. (4/5 Affirmative vote required) (Airport)
Adopted.
Enactment No: RES 24-585
24. [SR 24-1485](#) Resolution authorizing the acceptance of Caltrans state matching grant to fund the design of reconstruction of Ramp 4 and Ramp 4 taxilanes and access road at the Nevada County Airport, in the amount of \$4,163, and authorizing the Airport Manager to accept the grant and all related documents. (Airport)
Adopted.
Enactment No: RES 24-586

County Executive Officer: Alison Lehman

25. [SR 24-1499](#) Resolution authorizing examination of sales or transactions and use tax records, and superseding all previous resolutions, including Resolutions 01-476 and 18-040.
Adopted.
Enactment No: RES 24-587

Chief of Staff: Jeffrey Thorsby

26. [SR 24-1528](#) Resolution approving discretionary appointments to Special District Boards.
Adopted.
Enactment No: RES 24-588
27. [SR 24-1538](#) Resolution approving the appointment of Bernard Zimmerman to the Nevada Cemetery District Board of Trustees, to fill an unexpired four-year term beginning November 12, 2024 and ending July 1, 2028.
Adopted.
Enactment No: RES 24-589
29. [SR 24-1515](#) Appointment of Joe Naake as Board of Supervisors representative to the Area 4 Agency on Aging Advisory Council for an unexpired three-year term ending June 30, 2025.
Appointed.
30. [SR 24-1490](#) Reappointment of Michael Hill-Weld as Regular member to the Citizen's Oversight Committee of the Nevada County Library for a four-year term ending June 30, 2028.
Reappointed.
31. [SR 24-1514](#) Reappointment of Nicole Phillips to the Assessment Appeals Board as alternate member for a one-year term ending September 30, 2025.
Reappointed.
32. [SR 24-1519](#) Acknowledge Supervisor Scofield's acceptance of the resignation of Erin Sullivan from the South County Area Municipal Advisory Council, as effective March 1, 2024.
Acknowledged.
33. [SR 24-1536](#) Acceptance of the Board of Supervisors May 14, 2024, and May 28, 2024, meeting minutes.
Approved.

Approval of the Consent Agenda.

Adopted.

ACTION TAKEN: Chair Bullock introduced the consent calendar. Chair Bullock pulled agenda item no. 28 (SR 24-1573) for discussion. Chair Bullock provided an opportunity for public comment, public comment was received.

MOTION: Motion made by Supervisor Scofield and seconded by Supervisor Hoek to adopt the consent calendar, less agenda item no. 28 (SR 24-1573). On a roll call vote, the motion passed unanimously.

***ITEMS PULLED FROM THE CONSENT CALENDAR:**

Chief of Staff: Jeffrey Thorsby

28. [SR 24-1573](#) Accept the resignation of Gerald Bushore from the Nevada Cemetery District, effective November 12, 2024, from his unexpired 4-year term ending July 1, 2026.
Accepted.

ACTION TAKEN: Chair Bullock requested that agenda item no. 28 (SR 24-1573) be pulled from consent for discussion. Board comments ensued. Public comment was received.

MOTION: Motion made by Supervisor Swarthout and seconded by Supervisor Hall to accept the resignation. On a roll call vote, the motion passed unanimously.

PUBLIC COMMENT:

- [SR 24-1361](#) 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.

ACTION TAKEN: Chair Bullock provided the opportunity for the public to provide general public comment directed to the Board of Supervisors. Public comment was received.

***DEPARTMENT HEAD MATTERS:**

County Executive Officer: Alison Lehman

- 34. [SR 24-1532](#) Presentation to inform the Board of Supervisors on results of the 2024 Impact Assessment Study for Pioneer Community Energy.
Accepted.

ACTION TAKEN: Staff and representatives of Pioneer Community Energy provided a presentation on the results of the 2024 Impact Assessment Study for Pioneer Community Energy. Board members asked questions and staff provided additional information. Public comment was received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Hoek to accept the presentation. On a roll call vote, the motion passed unanimously.

Social Services Director: Rachel Peña

- 35. [SR 24-1497](#) Veterans Services Office informational presentation to the Board. (Veterans Services)
Accepted.

ACTION TAKEN: Staff provided a presentation on the Veteran's Services Office. Board comments and appreciation ensued. Public comment was received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Hoek to accept the presentation. On a roll call vote, the motion passed unanimously.

SCHEDULED ITEM: 10:00 AM**Planning Director: Brian Foss**

36. [SR 24-1529](#) Public Hearing to consider adoption of a Resolution to commence a 30-day public comment period for the County's Prohousing Designation Application starting on November 13, 2024, to December 12, 2024, and to authorize the Planning Department to submit the application to the State of California Department of Housing and Community Development after the expiration of the official 30-day public comment period.

Resolution of the governing body of the County of Nevada authorizing the submission of an application to and participation in the Prohousing Designation Program, authorizing the Director of Planning to execute and deliver the application and the program documents.

Adopted.

Enactment No: RES 24-590

ACTION TAKEN: Chair Bullock opened the public hearing related to the opening of the 30-day public comment period for the County's Prohousing designation Application. Staff provided a presentation. Board questions ensued. No public comment was received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarthout to adopt Resolution 24-590. On a roll call vote, the motion passed unanimously.

DEPARTMENT HEAD MATTERS:*Behavioral Health Director: Phebe Bell**

37. [SR 24-1492](#) Resolution approving acceptance of Behavioral Health Bridge Housing Round 3 funds and execution of an amendment to the subcontract agreement between the County of Nevada and Advocates for Human Potential, Inc. on behalf of the California Department of Health Care Services, in the maximum amount of \$6,601,814, for the contract term of June 23, 2023, through June 30, 2027, and authorizing the Director of Behavioral Health to execute the amendment.

Adopted.

Enactment No: RES 24-591

ACTION TAKEN: Staff provided a presentation on the Behavioral Health Bridge Housing Round 3 funds. Public comments were received.

MOTION: Motion made by Supervisor Scofield and seconded by Supervisor Hall to adopt Resolution 24-591. On a roll call vote, the motion passed unanimously.

38. [SR 24-1510](#) Resolution of the Board of Supervisors of Nevada County Behavioral Health Authorizing Application to and Participation in the Behavioral Health Continuum Infrastructure Program.

Adopted.

Enactment No: RES 24-592

ACTION TAKEN: Staff provided a presentation on Nevada County's participation in the Behavioral Health Continuum. Public comments were received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarhout to adopt Resolution 24-592. On a roll call vote, the motion passed unanimously.

Office of Emergency Services Director: Craig Griesbach

39. [SR 24-1516](#) Resolution accepting the USDA, United States Forest Service, Pacific Southwest Region, Fire and Aviation Management Grant for the Critical Evacuation Route and Hazardous Vegetation Removal Program (24-DG-11052012-174), in the amount of \$750,000 with \$750,000 of in-kind match. during the period August 29, 2024, through July 31, 2026, ratifying the execution of the grant agreement dated August 29, 2024, and authorizing the Director of Emergency Services to execute all additional documents required to fulfill the requirements of the grant on behalf of the County of Nevada.

Adopted.

Enactment No: RES 24-593

ACTION TAKEN: Staff provided a presentation on the Critical Evacuation Route and Hazardous Vegetation Removal Program. Board questions and feedback were provided. No public comment was received.

MOTION: Motion made by Supervisor Hoek and seconded by Supervisor Scofield to adopt Resolution 24-593. On a roll call vote, the motion passed unanimously.

Agricultural Commissioner: Chris de Nijs

40. [SR 24-1479](#) Acceptance of the 2023 Nevada County Annual Crop and Livestock Report.
Accepted.

ACTION TAKEN: Staff presented the 2023 Nevada County Annual Crop and Livestock Report. Board comments ensued. Public comment was received.

MOTION: Motion made by Supervisor Hoek and seconded by Supervisor Swarthout to accept the report. On a roll call vote, the motion passed unanimously.

***CLOSED SESSIONS:**

41. [SR 24-1557](#) Pursuant to Government Code § 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.
Closed Session held.

42. [SR 24-1563](#) Pursuant to Government Code section 54956.8, County Counsel is requesting a closed session regarding two real property negotiations. The negotiator for the County is Ryan Gruver, Director of Health and Human Services Agency, or his designee. The items under negotiation concern the price and terms of payment, and the property interest to be obtained.

The first item is a 0.17 vacant lot located at 12245 Sierra Drive East, Truckee CA (APN: 018-540-034-000). The negotiator for the property is owner, Craig Macdonald.

The second item is a single-family home on 1.54 acres located at 12875 Rattlesnake Road, Grass Valley CA (APN: 022-020-026-000). The negotiator for the property is Don Beskeen.

Closed Session held.

ACTION TAKEN: Katharine Elliott, County Counsel, read the Board into closed session. No public comment was received.

Recess for lunch

AFTERNOON SESSION 1:30 PM

ACTION TAKEN: Chair Bullock reconvened the meeting at 1:30 p.m. County Counsel read the Board out of closed session and reported that direction was given to staff.

SCHEDULED ITEM: 1:30 PM

Planning Director: Brian Foss

43. [SR 24-1530](#) Public hearing to consider the PLN24-0114, ORD24-1 project, a zoning ordinance amendment to section 12.03.300 and adding section 12.02.713 to the Nevada County Code to amend the County's Commercial Cannabis Cultivation Ordinance.

Public hearing held.

43a. [SR 24-1585](#) (Introduce/waive further reading/adopt) Ordinance to amend Zoning Ordinance section 12.03.300 (Commercial Cannabis) and adding section 12.02.713 Cannabis Exclusion Combining District (CE).

Adopted as amended.

Enactment No: ORD-2538

43b. [SR 24-1586](#) Resolution approving the adoption of the competitive application selection process for up to two retail storefront commercial cannabis dispensaries and the establishment of the Commercial Cannabis Dispensary Application Evaluation Committee.

Adopted as amended.

Enactment No: RES 24-594

ACTION TAKEN: Chair Bullock opened the public hearing related to the consideration of the zoning ordinance amendment to the Nevada County Code, amending the County's Commercial Cannabis Cultivation Ordinance. Staff provided a presentation. Board questions ensued and staff provided further information. The Board requested amendments to the items. Public comment was received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarthout to adopt Ordinance as amended ORD-2538. On a roll call vote, the motion passed unanimously.

MOTION: Motion made by Supervisor Hoek and seconded by Supervisor Swarthout to adopt Resolution as amended 24-594. On a roll call vote, the motion passed unanimously.

***DEPARTMENT HEAD MATTER:**

Chief of Staff: Jeffrey Thorsby

44. [SR 24-1540](#) Certificate of Recognition for Wade Laughter for his many years of civil discourse and steadfast commitment to cannabis education, awareness and wellness contributions to Nevada County.

Recognized.

ACTION TAKEN: Staff provided a presentation on the recognition of Wade Laughter. Board appreciation and comments ensued. Public comment was received.

MOTION: MOTION: Motion made by Supervisor Hall and seconded by Supervisor Hoek to recognize Wade Laughter. On a roll call vote, the motion passed unanimously.

***ANNOUNCEMENTS:**

ACTION TAKEN: Updates were provided by members of the Board, the County Executive Officer and the Chief of Staff.

Supervisor Scofield departed from the meeting at 4:17 p.m. (during the announcements and prior to adjournment).

ADJOURNMENT:

ACTION TAKEN: Chair Bullock adjourned the meeting at 4:29 p.m.

Signature and Attestation

Hardy Bullock, Chair of the Board of Supervisors

ATTEST:

By:

Claire Swanson, Deputy Clerk to the Board