

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 - Draft

<u>Date</u>	<u>Time</u>	<u>Location</u>
Friday, January 29, 2021	8:30 AM	Remote Meeting Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

BOARD WORKSHOP

Special Meeting: Estimated 8:30 a.m. to 4:30 p.m.

Rollcall. The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Dan Miller, 3rd District
Sue Hoek, 4th District
Hardy Bullock, 5th District

Chair Miller called the meeting back into order at 8:30 a.m.

County Executive Officer: Alison Lehman

I. [SR 21-0084](#) Welcome and Review

Ms. Lori Burkhart Frank, Facilitator, reviewed the agenda for the second day of the Board's Workshop, and provided clarification regarding Board questioning. She led a warm-up moment with the Board members and staff, and then reiterated the Board's meeting guidelines and expectations as agreed upon during the first day of the Workshop.

- II. [SR 21-0059](#) Community Development Presentation
- Cannabis Update
 - Housing Projects Update

Cannabis Update

Ms. Mali LaGoe, Interim Community Development Agency Director, introduced the item, and noted that five public comments have been received regarding the Cannabis process, which were provided to the Board. She stressed that the all comments would become part of the public record.

Mr. Jeff Merriman, Code Compliance Program Manager, provided a PowerPoint presentation regarding the Board's 2020 Priority A Objective, to maintain and continue to improve the Cannabis Permitting and Enforcement Program. Code Compliance received 87 Cannabis Cultivation applications in 2019, and 56 applications in 2020, for a total of 143. Mr. Merriman reported that total of 28 Cannabis Cultivation Permits have been approved. Cannabis cultivation is most prevalent in Western County, with most of the farms located within District IV.

Mr. Brian Foss, Planning Director, reviewed the permitting process, and reported on the four major policy updates, which include: 1) Agricultural Building Exemptions; 2) Cannabis Parking Permits; 3) Grading/Building Permits finalized prior to project approval; and 4) Portable Toilet Use/Permitting. Mr. Foss reported on the challenges staff has experienced during the second year of the permitting process, including: a lack of available and qualified design professionals as well as contractors; an unfamiliarity with state and local regulations; confusion regarding the plans-in-ground allowance, which allows applicants to begin planning prior to permit approval, resulting in farmers focusing on their plants rather than on completion of their permits. Mr. Foss explained that there are a total of 2,800 verified unpermitted grow sites, and he reported on the enforcement process. Staff is looking at modifications to the Cannabis Ordinance, and is investigating new tools to improve their enforcement efficiency and effectiveness.

Ms. Tina Vernon, Treasurer-Tax Collector, reported that in Fiscal Year 2019/20 her office collected \$173,000 in taxes, and so far in Fiscal Year 2020/21 they have collected \$80,000. Ms. Vernon estimated that the total for Fiscal Year 202/21 could be as much as \$300,000, and she projected that the County could receive a total of \$600,000 in Fiscal Year 2021/22. She reviewed the Cannabis Tax Measure, noting that the tax amount will increase to 2.55% as of July 1, 2021 in line with the Consumer Price Index (CPI).

Mr. Craig Griesbach, Building Director, reviewed discussion points, including: 1) additional license types; 2) Ordinance modifications; and 3) plants-in-ground allowance for the 2021 grow season.

Supervisor Hoek looked to supporting the County's enforcement team. She wanted to acknowledge the responsible growers who were really doing a great job and would like to find a way for the County to move forward with a compassionate use permit process. She stressed that plants in the ground should be tracked and traced for tax collection.

Supervisor Scofield shared his concerns regarding the illegal grows, and wanted to see more enforcement. He understood the concerns regarding the use of drones, but was interested in taking a closer look at their potential uses for enforcement purposes. He was interested in knowing more about the impacts of cultivation, including odor issues resulting from more plants in the ground, and traffic issues. Supervisor Scofield voiced his support for taking a look at additional licensing opportunities, looking to Nevada City as an example.

Supervisor Bullock mentioned that Cannabis cultivation was not a large concern in his District, although there are individuals growing indoors. He was in support of increased enforcement tools, believe it could help backfill some of the related costs that impact the County, and would push back on the industry to pressure illegal growers to come into compliance. Supervisor Bullock would also like to investigate the possibility of Cannabis events, along the line of Winegrowers events.

Supervisor Miller believed the County was subsidizing the growers who are not in compliance, but he shared his support of permitted gardens.

Mr. Griesbach explained that the transition period allowances work the same way as other Community Development Agency departments. If growers are making progress towards being permitted, they continue to work with them. Staff has found that this process provides incentive for growers to come into compliance.

Supervisor Hall was in support of micro-business, compassionate use, Cannabis events, and continued enforcement. She would like to increase the incentives for growers to come into compliance and asked staff to review the timing on any Ordinance modifications to provide time for the upcoming grow season.

Staff would return to the Board with recommendations for modifications to the Cannabis Ordinance, increasing enforcement; review the County's Plants-in-Ground process and return with findings; explore different license types and report back to the Board on the potential impacts and to provide recommendations.

Housing Projects Update

Mr. Mike Dent, Child Support Services, Collections, Housing and Community Services Director, and Mr. Gustavo Becerra, Executive Director, Regional Housing Authority, provided a PowerPoint presentation regarding Affordable Housing Projects in Nevada County, addressing the 2020 Board Objective to coordinate with local jurisdictions, developers and other partners to facilitate development of affordable and workforce housing development.

Grass Valley Terrace Apartments:

The apartments are located in Grass Valley and are expected to be completed in February 2021. This project is a rehabilitation of 70 multi-family units of affordable housing, with rent levels 30% to 60% of area median income.

Lone Oak Apartments:

The apartments are located in Penn Valley and are expected to be completed in Aril 2021. This project will provide 31 units of affordable senior 62+ housing, with rent levels 30% to 60% of area median income.

Artist Lofts:

The apartments are located in Truckee and are expected to be completed in April 2021. This project will provide 77 units total with 71 of those units reserved for affordable housing, with rent levels 30% to 80% of area median income.

Brunswick Commons:

This project is located in Grass Valley and is expected to be completed in December 2021. This project will provide 33 one-bedroom units, and 8 two bedroom units. Of the 41 units, 12 will target homeless individuals with a mental health disability and 28 will target the general homeless population. Rent levels will be 30% to 50% of area median income.

Cashin's Field:

The apartments are located in Nevada City and are expected to be completed in the summer of 2021. This project will provide 51 units of affordable workforce housing, with rent levels 30% to 60% of area median income.

Odyssey House:

This is a Community Development Block Grant 2017 Project expected to be completed in June 2021, which will double the square footage for increased capacity.

Ranch House:

No Place Like Home Round #2 Project, which will double the space from 3 to 6 tenants.

Homekey Project:

This project is the rehabilitation of the Former Coach-N-Four located in Grass Valley. The goal is to provide over 18 units of affordable housing focusing on families, seniors, and veterans.

CalOES Trailers:

9 trailers located at the fairgrounds for COVID-19 isolation, providing over 80 bed nights as of 1/23/2021. Plans are to utilize the trailers for permanent housing post-COVID by community organizations.

Potential Future Affordable Housing Projects:

Old California Highway Patrol site located in Truckee; Phase II of Lone Oak Senior Housing Project; and Phase II of Brunswick Commons.

Mr. Dent recommended the Board Objective continue for 2021.

Board questioning and discussion ensued.

III. [SR 21-0060](#) Homeless Program Presentation

Mr. Ryan Gruver, Health and Human Services Agency (HHS) Director, reviewed the Point in Time Count: total of 410 homeless individuals, including 249 unsheltered, 28 families, and 34 veterans. 2/3 of the total individuals have lived in Nevada County for more than a year, and 17% have lived in Foster Care. These individuals have service needs that overlap. Mr. Gruver and Ms. Phebe Bell, Behavioral Health Director, provided a status update, and reported on HHS's Plan Structure, which is apprised of five broad objectives:

1. Prevent Homelessness:

Family stabilization and support; youth mental health and support services; jail discharge planning and service connection.

2. Provide Emergency Shelter:

Utilized motel stays effectively; improved Bridges to Housing Program; maintained Recuperative Care and Low-Barrier Care; expanded Truckee capacity.

3. Expand Supportive Services:

Expanded care coordination services in Truckee; implemented the Proposition 47 Case Management Program; fully operationalized the HOME Team; added capacity in recovery residences.

4. Increase Affordable, Subsidized and Supported Housing:

Successfully applied for funding to support affordable and supportive housing projects; worked with developers and Rural Housing Authority to address financing and land use issues for project success; improved management of housing vouchers to maximize opportunities for rental support.

5. Enhance Communication Coordination, and Collaboration:

Expanded HMIS utilization; worked with Built for Zero to understand homelessness in Nevada County; provided leadership within the Community of Care to build a strong collaborative governance structure; and collaborated with local jurisdictions on specific interventions and needs.

Mr. Gruver and Ms. Bell reported HHSA's Pilot Navigation Strategy: a Navigation Center is a stable short-term living environment so that basic survival needs are met, provides for intensive case management, and is a client driven, strengths-based plan that includes specific housing goals. It moves away from 'brick and mortar navigation center towards a program-based model that will adapt to change needs, build on the strengths of the HOME Team, and can flex in size and scope as the community's needs evolve.

Staff was recommending no changes to the Board's Objective to address homelessness.

Board questioning ensued.

- IV. [SR 21-0073](#) County Facilities and Infrastructure Presentation**
- Capital Improvement Plan and Project Updates
 - Parks, Recreation, and Open Space

Capital Improvement Plan and Project Updates

Mr. Justin Drinkwater, Facilities Program Manager, and Mr. Steven Monaghan, Chief Information Officer, provided an update to the County Facilities and infrastructure Program.

Capital Facilities priorities are to continue to: provide safe, functional, and attractive County facilities that serve the needs of County employees and the community; preserve the physical integrity of the County's facilities and related capital assets; renovate existing and design new facilities as needed and directed; maximize the use of County-owned and leased property space; and incorporate cost-effective and sustainable practices into the management of capital facilities.

Facilities Management works with the Capital Facilities Sub-Committee to review, direct, and guide capital projects from project initiation through implementation. Information is gathered from Communities of Interest, and Facilities Management Teams, apprised of existing staff and outside experts, are used to oversee the planning, design and implementation of specific projects.

Facilities Management Goals:

1. Provide an adequate and safe animal sheltering facility to meet community needs.
2. Meet public safety departments changing and current facility needs.
3. Make critical County facilities resilient to Public Safety Power Shutoffs (PSPS).
4. Provide residents with more convenient, efficient, and cost-effective trash, recycling, and transfer services.
5. Reconfigure Truckee Joseph Center Campus to meet departments' current and future community needs.
6. Provide adequate facilities for County Health and Human Service Programs.
7. Enhance and add Library facilities to meet community needs and Measure A expense goals.
8. Provide for future County-owned office building needs 20+ years out.
9. Provide County departments with an affordable and secure storage space.
10. Redevelop Lot 6 for most beneficial use.
11. Assist with a modern and efficient Nevada City Courthouse facility.
12. Provide the Health and Human Services Agency with a consolidated campus.
13. Achieve 100% electric energy neutrality across County facilities.

The Capital Facilities Master Plan was last updated in 2012, and since then their accomplishments include: purchased and remodeled space for the District Attorney, Probation and Public Defender; completion of the Nevada County Operations Centers; and completion of the County-wide Solar Project. Moving forward, a five-year capital project list has been developed consisting of projects within the 3 categories. A draft Capital Facilities Master Plan was vetted by the Capital Facilities Sub-Committee, which will be brought forward to the Board of Supervisors for adoption in Spring of 2021.

Board questioning and discussion ensued.

Parks, Recreation, and Open Space

Following a short lunch break, Chair Miller called the meeting to order and Mr. Brian Foss, Planning Director, Mr. Jeffrey Thorsby, Senior Management Analyst, and Ms. Jake Jacobson, Consultant, provided a presentation regarding Parks, Recreation, and Open Space.

Mr. Foss reported that the Recreation and Open Space Elements can be found within the General Plan. The Recreation Element policies include: Encourage Regional, Local, and Neighborhood Facilities; Cooperate with Park Districts and Recreation providers for park and trail opportunities including a Countywide trail system; Land acquisition for Parks; Recognition of water-based recreational opportunities and the Yuba River Canyon; and Opportunities for visitors while maintaining rural character.

Mr. Foss provided the historical background of recreation in Nevada County, and he reported on the County's role. The County does not provide Park and Recreation services; is a Recreation Facility Manager, owning the Grass Valley Vets Hall and Tobiassen Park; provide financial support through mitigation of the AB1600 Recreation Mitigation Fee Program, State Per Capital funding, administration of the Dryden Wilson Bequest, and funded Ballot Initiatives. The County also provides facilitation through the Recreation Coalition, established in 2020, and Project coordination and management, for projects such as Sugarloaf Trail and Pines to Mines.

Mr. Thorsby reported on the Yuba River Public Safety Cohort, which links public safety efforts in Outdoor/Open Space Recreation. Stakeholder Projects include the Life Jacket Loaner Program, coordinated messaging and the Bandana Campaign, Trail Mile Marker Project, as well as mitigating visitor impacts.

Ms. Jacobson provided an overview of the Recreation Coalition, which was formed in March 2020. The Coalition meets on a quarterly basis, and has increased communication between jurisdictions. They have identified two distinct types of Recreation: Organized Recreation Programming and Outdoor/OpenSpace Recreation. She reported on the Proposition 68 Per Capital Grant, which provided funding in the amount of \$400,000 to Nevada County and \$177,952 to the Cities and Districts. The Board of Supervisors adopted Resolution 20-537, directing \$160,000 to improvements to the Grass Valley Veteran's Hall Floor, and approved a Request for Proposals (RFP) for the remaining funds.

Staff requested Board discussion and direction on moving forward regarding the County's role in Outdoor and/or Organized Recreation, including the creation of an Ad Hoc Committee to study the economic impacts and opportunities, exploration of public and private partnerships, and review of the Master Trails Plan.

Board questioning and discussion ensued. The Board members came to a consensus to establish an Ad Hoc Recreation Committee, appointing Supervisors Hall and Hoek as the Board's representatives.

V. [SR 21-0062](#) Legislative Update**Legislative Update:**

Ms. Karen Lange and Mr. Paul Yoder, of the Law Firm Shaw Yoder Antwih Schmelzer and Lange, provided the Legislative update, reporting on the State budget. Ms. Lange reported that the State's preliminary budget was released in January 2021, revealing a budget that is much different than expected due to AirBNB and Door Dash going public resulting in payment of their capital gains. She explained that California's Stay-at-Home order was lifted, and counties have returned to the Tier System. It is expected that the legislative process at State level will continue being held virtually for the upcoming year, and due to gun threats, public access is not allowed.

Mr. Yoder reported on the Evictions Moratorium, which is due to expire January 31, 2021. The Governor has proposed an extension, although funding to counties or State-run programs has been pushed out to the end of June 2021. The new evictions packet is expected to offer smaller counties a fairer share of the funding. It is believed that some landlords may decide not to participate; some of that resulting funding may be redistributed, which could mean even more for smaller counties. Clarification will become available after February 12.

Board questioning and ensued.

Redistricting 2021

Ms. Katherine Elliott, County Counsel, provided a PowerPoint presentation regarding the planned redistricting of County districts, which must take place every 10 years to redraw district lines to assure that they are nearly equal in population. Federal law directs equal protection and restrictions on racial gerrymandering. The State's criteria includes: districts be geographically contiguous; geographic integrity of local neighborhoods or communities of interest to minimize division; preservation of cities and Census-designated places must minimize division; easily identifiable natural and artificial boundaries that are understandable to residents; and geographical compactness.

Ms. Elliott explained that State law requires significant public outreach, including a minimum of four public hearings. In addition, numerous steps are required to encourage resident's participation in the process, including outreach to media organizations, outreach to government, civil rights, civil engagement, and community organizations that are active in the County, and live translation of a public hearing if requested 72 hours in advance; online publication of all public hearings at least 5 days in advance; online publication of a draft map at least 7 days before being adopted as a final map; receipt of maps or testimony from the public; available recordings or written summaries of each public hearing; and establishing and maintaining for at least 10 years after the adoption of new Supervisorial district boundaries, an internet web page dedicated to the redistricting.

Ms. Elliott reported that the Board may draw the boundaries by establishing one of the following: 1) a County staff advisory commission; 2) a citizen advisory commission; or 3) a hybrid redistricting commission. She reviewed the timeline or the redistricting process, noting that the Board must introduce and waive reading of an ordinance, and adopt the final map at the October 26, 2021 Board of Supervisors meeting.

Board questioning and discussion ensued.

- VI. [SR 21-0063](#) Wrap-Up and Review
- PG&E Settlement - Request for Further Guidance
 - Order and Decorum
 - Vision, Mission, Values Statements Review
 - Core Services Definition Review
 - Parking Lot Issues
 - 2021 Board Objectives

PG&E Settlement:

Mr. Steve Monaghan, Chief Information Officer, reported that the Pacific Gas and Electric (PG&E) was authorized in Spring 2020, and the resulting funds were receiving in July 2021. The Budget Sub-Committee met in November 2020 to discuss the settlement, and today staff is requesting direction and recommendations for use of the funds. The total amount received is \$3,352,000; options for use of the revenue include: Wildfire \$1,055,000 for communications and planning, vegetation management, updates to the Wildfire Preparedness Plan, and Fire Safe Council programming; Public Safety Power Shutoff (PSPS) \$1,297,000 for the purchase of generators for the Eric Rood Administrative Center, Wayne Brown Correctional Facility, and HHS buildings, roadside messaging signs, Search and Rescue radios, EOC wiring, and potential generator for KVMR (The County's Emergency Radio Channel); and Economic Development: Broadband (\$750,000) and Housing (\$250,000).

Board discussion and questioning ensued, and the Board members were in alignment with staff's recommendations.

Order and Decorum:

The Board members reviewed and discussed their Order and Decorum of Board Business, and no changes were made to the document for 2021

Vision, Mission, Values Statements Review

The Board reviewed and discussed the Vision, Mission, Value Statements. Supervisor Bullock suggested adding a sentence regarding cultural diversity. Supervisor Hall noted that as Chair in 2020 she established a Racial Justice and Cultural Equity Ad Hoc Committee, appointing herself and Supervisor Bullock as the Board's representatives. The Board members provided consensus for the Ad Hoc Committee, but agreed not to make revisions to the current Statement for 2021, and to review it again at the next Board Workshop.

Core Services Definition Review:

No changes made.

Parking Lot Issues:

None.

2021 Board Objectives:

The Board members finalized their Board Priorities for 2021:

A Priorities:

- Financial Stability
- Emergency Preparedness
- Economic Development
- Broadband (as a stand alone priority)
- Housing

B Priorities:

- Cannabis
- Homeless Programs

Ms. Alison Lehman, County Executive Officer, reported that staff would return with the Priorities at the next Board meeting for final adoption.

Ms. Lori Burkhart Frank, Facilitator, briefly reviewed the topics presented during the Board's 2-day Workshop; she believed the Board's expectations were met. The Board members provided comments regarding the Workshop, thanked staff for the excellent presentations, and shared their interest in having additional time set aside for discussion during future Workshops.

Chair Miller was very pleased with the seamless technology that the Board experienced throughout the Workshop. He thanked staff and Ms. Burkhart Frank for their efforts putting together all of the information for the Workshop. He commented that staff's leadership was really moving the County forward, resulting in decisions being made for what is best for the community.

ADJOURNMENT:

Chair Miller adjourned the remote meeting at 3:58 p.m.

Signature and Attestation

Dan Miller, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board