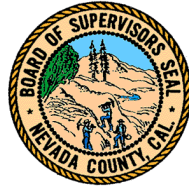


COUNTY OF NEVADA

STATE OF CALIFORNIA



BOARD OF SUPERVISORS

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SUMMARY MINUTES - Draft

Date	Time	Location
Tuesday, December 15, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

- UNLESS INDICATED, THE VOTE WAS UNANIMOUS -

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors attended by remote:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Susan Hoek, 4th District

Richard Anderson, 5th District

STANDING ORDERS:

Chair Hall called the meeting to order at 9:01 a.m.

Pledge of Allegiance held.

Corrections and/or deletions to agenda.

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

Chair Hall led the Board members in a moment of silence to honor of Nevada County resident Brigadier General Charles "Chuck" Yeager, the first man to break the sound barrier, and to remember the thirty residents of Nevada County whose lives were lost due to the COVID-19 pandemic.

INDIVIDUAL BOARD MEMBER ITEMS:**Supervisor Dan Miller, District III**

1. [SR 20-3650](#) Certificate of Recognition for City of Grass Valley Mayor and City Council Member Lisa Swarthout, recognizing her for 16 years of dedicated service to the citizens of Grass Valley and Nevada County.

ACTION TAKEN: Supervisor Miller recognized City of Grass Valley Mayor and Council member, Lisa Swarthout. He read an overview of her 16 years of community service and thanked her for her service. The Board members provided comments and thanked Ms. Swarthouth for her years of excellent service.

Supervisor Heidi Hall, District I

2. [SR 20-3628](#) Certificate of Recognition for District V Supervisor Richard Anderson for 8 years of dedicated service as Nevada County District V Supervisor and more than 8 years of public service on the Truckee Town Council before that, for a total of 16 years of public service as an elected official.

ACTION TAKEN: Chair Hall read the certificate of recognition into the record and thanked Supervisor Anderson for his years of dedicated service. The Board members provided comments regarding Supervisor Anderson's year of service to the Nevada County community, wished him success in his future endeavors, and congratulated him on his retirement.

CONSENT CALENDAR:

Health and Human Services Agency Director: Ryan Gruver

3. [SR 20-3599](#) Resolution approving Amendment One to the Agreement between the County of Nevada and Anthem Blue Cross ("PLAN") for coordination of services, as a requirement to implement the County's participation in a Rate Range Intergovernmental Transfer, a revenue agreement whereby Nevada County retroactively receives federal financial participation Medi-Cal funds to cover unreimbursed costs for previously provided, mandated services, for the period July 2019 through December 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 20-497

Behavioral Health Director: Phebe Bell

4. [SR 20-3587](#) Resolution approving Amendment 1 to the contract between the County of Nevada and California Psychiatric Transitions, Inc. for the provision of Mental Health Rehabilitation Center/Institute for Mental Disease services for mentally disordered persons (Res. 20-238), amending Section 20.3, Audit, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 20-498
5. [SR 20-3598](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the County of Nevada and County of Yolo, through its Health and Human Services Agency, for the Data Driven Recovery Project focusing on the behavioral health issues of those in the criminal justice system, with available funding in the amount of \$60,000, for the period October 19, 2019 through June 30, 2021, authorizing the County Executive Officer to execute the MOU, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Behavioral Health Department budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-499
6. [SR 20-3623](#) Resolution approving Standard Agreement 20-10190 between the County of Nevada and the State of California, 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, allowing the Behavioral Health Department to bill the State for up to \$5,000,000 per year for three years, for a potential maximum amount of \$15,000,000, for the period July 1, 2020 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the Agreement.
Adopted.
Enactment No: RES 20-500

Director of Social Services: Rachel Roos

7. [SR 20-3600](#) Resolution amending Resolution 20-426, pertaining to the award of Transitional Housing Program Grant funds in the amount of \$8,000, to reflect the 2020 budget year and statutory authority.
Adopted.
Enactment No: RES 20-501

8. [SR 20-3611](#) Resolution accepting the award of funding from the California Department of Social Services, Housing and Disability Advocacy Program, in the amount of \$150,000 for Fiscal Year 2020/21 to be used to support operations and integration of the SOARWorks Program into the Nevada County Continuum of Care, upon acceptance through June 30, 2021.
Adopted.
Enactment No: RES 20-502
9. [SR 20-3602](#) Resolution approving Amendment 1 to the contract between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program to eligible clients (Res. 20-293), increasing the maximum contract price from \$100,000 to \$239,764 due to an award of SOARWorks funding from the State Department of Social Services, for the period July 1, 2020 through June 30, 2021, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Social Services budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-503

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

10. [SR 20-3601](#) Resolution approving a 2-year Ground Lease Agreement between the County of Nevada and Nevada County Housing Development Corporation, a California Nonprofit Organization, pertaining to County-owned property located at 628 South Auburn St., Grass Valley, CA (APN 029-241-028-000) (Res. 20-466), designated as the location of the proposed HomeKey Interim Housing Complex, authorizing the Chair of the Board of Supervisors to execute the Ground Lease Agreement, and authorizing the Director of Housing and Community Services to sign and/or record any other documents required as part of the Lease Agreement.
Adopted.
Enactment No: RES 20-504

11. [SR 20-3567](#) Resolution approving renewal Standard Agreement 21F-4029 between the County of Nevada and the State Department of Community Services and Development (CSD) for funding of 2021 Community Services Block Grant (CSBG) Programs to support services to improve the conditions of low-income residents, in the maximum amount of \$279,667, for the period January 1, 2021 through May 22, 2022, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Health and Human Services Agency Director to sign any required documents associated with CSD notifications to allow for receipt of the CSBG funds.

Adopted.

Enactment No: RES 20-505

Sheriff-Coroner/Public Administrator: Shannan Moon

12. [SR 20-3603](#) Resolution accepting the award of grant funds in the amount of \$43,427 (Res. 20-167) and approving renewal Agreement G19-03-16-L01 between the County of Nevada and the State of California, Department of Parks and Recreation, pertaining to off-highway vehicle (OHV) patrols, for the project period of November 15, 2020 through November 14, 2021, and authorizing the Nevada County Sheriff to execute the Agreement.

Adopted.

Enactment No: RES 20-506

13. [SR 20-3633](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation, Division of Boating and Waterways, requesting reimbursement of boating safety enforcement costs in the amount of \$320,478.68, for the period July 1, 2021 to June 30, 2022.

Adopted.

Enactment No: RES 20-507

14. [SR 20-3637](#) Resolution approving a renewal contract between the County of Nevada and California Forensic Medical Group, Inc., pertaining to Medical, Mental Health, and Dental Services for the adult correctional facilities in Nevada County, in an amount not to exceed \$13,728,168, for the period January 1, 2021 through June 30, 2024, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Medical Correctional budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-508

Clerk-Recorder/Registrar of Voters: Gregory Diaz

15. [SR 20-3619](#) Resolution adopting the Certified Statement of Votes cast at the Presidential General Election on November 3, 2020 with the County of Nevada as certified by the Nevada County Clerk-Recorder/Registrar of Voters.

Adopted.

Enactment No: RES 20-509

16. [SR 20-3639](#) Resolution amending Resolution 20-412, requesting the Nevada County Board of Supervisors make Appointments in Lieu of the General Election held on November 3, 2020, revising Exhibit A to include the complete list of all qualified persons to be appointed.

Adopted.

Enactment No: RES 20-510

Agricultural Commissioner: Chris de Nijs

17. [SR 20-3634](#) Resolution approving renewal Agreement 20-0172 between the County of Nevada and the California Department of Food and Agriculture pertaining to County Pest Detection/Emergency Projects Trapping services, for a total contract amount not to exceed \$65,732, for the period July 1, 2020 to June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Agricultural Commissioner to execute additional documents necessary for implementation of the Program.

Adopted.

Enactment No: RES 20-511

Director of Public Works: Trisha Tillotson

18. [SR 20-3643](#) (Waive further reading/Adopt) An Ordinance amending Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers, and Duties.

Waived further reading and adopted.

Enactment No: ORD-2484

19. [SR 20-3621](#) Resolution certifying the County-Maintained Mileage for 2020, for a total of 561.574 miles of maintained County roads. (All Dists.)

Adopted.

Enactment No: RES 20-512

20. [SR 20-3615](#) Resolution accepting the Certification of Completion for improvements associated with Higgins Marketplace, Parcel Map 04-020, and authorizing the Clerk of the Board of Supervisors to release the subdivision bonds. (Dist. 2)

Adopted.

Enactment No: RES 20-513

21. [SR 20-3622](#) Resolution approving Amendment 4 to the Agreement between the County of Nevada and the Town of Truckee for snow removal services in the Glenshire/Hirschdale Area of Eastern Nevada County (Res. 17-568), for a revised amount not to exceed \$62,734.45 for services provided in the 2019/20 winter season, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. V)

Adopted.

Enactment No: RES 20-514

22. [SR 20-3620](#) Resolution approving an amendment to the Finance Letter increasing the preliminary engineering funding to a total amount of \$285,000 for Federal Aid Project Number HSIPL-5917(102) Guardrail Safety Audit Project - County Project No 225035. (Dists. I, II, III, IV and V)

Adopted.

Enactment No: RES 20-515

23. [SR 20-3466](#) Resolution approving Summary Vacation (Abandonment) of a portion of the real property and public road right-of-way for Nevada City Highway granted to the County of Nevada by the State of California on April 30, 1968, in that certain Deed in Volume 445 at Page 508, Official Records, while maintaining the overhead and/or underground Public Utility Easement rights, and directing the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation and Grant Deed to Cathy L. Dykstra, Trustee of the Cathy L. Dykstra 2011 Revocable Living Trust dated December 21, 2011 (Assessor's Parcel Number 035-221-010). (Dist. 3)

Adopted.

Enactment No: RES 20-516

Director of Human Resources : Steven Rose

24. [SR 20-3596](#) Resolution approving the Group Dental Application and Dental Administrative Services Contract between the County of Nevada and Delta Dental of California to provide dental insurance benefits to eligible enrollees, with dental insurance premiums continuing to be self-funded by the enrollees with the County being responsible for payment of administrative and claim services through Delta Dental at a monthly rate of \$10.02 per ensured enrollee, for the period January 1, 2021 through December 31, 2021, and authorizing the Human Resources Director to execute the contract.

Adopted.

Enactment No: RES 20-517

25. [SR 20-3597](#) Resolution approving the Application and Agreement for Vision Care Plan coverage between the County of Nevada and VSP to provide vision insurance benefits to eligible enrollees, with an administrative rate set at \$4.93 per enrollee per month for 2021, for the period January 1, 2021 through December 31, 2025, and authorizing the Human Resources Director to execute the application and all annual renewal documents during the term of the application period.

Adopted.

Enactment No: RES 20-518

Chief Information Officer: Stephen Monaghan

26. [SR 20-3590](#) (Waive further reading/Adopt) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a pilot program until the end of the declared fire season in 2021. (Office of Emergency Services)

Waived further reading and adopted.

Enactment No: ORD-2485

27. [SR 20-3577](#) Resolution approving the renewal of the Exclusive Negotiation Agreement between the County of Nevada and Koch & Koch, Inc. for a proposed development at the Nevada County Airport for ramp one aircraft storage hangars, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Airport)

Adopted.

Enactment No: RES 20-519

28. [SR 20-3614](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and George Roofing for the Nevada County Roof Restoration and Replacement Project at Various Locations 2020 for roof restoration at the Madelyn Helling Library located at 980 Helling Way, Nevada City (Res. 20-341), with contract costs totaling \$94,980, and directing the Clerk of the Board of Supervisors to record the Notice in accordance with Civil Code section 9208. (Facilities)

Adopted.

Enactment No: RES 20-520

29. [SR 20-3616](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Pacific Polymers, Inc., dba American Foam Experts for the Nevada County Roof Restoration and Replacement Project at Various Locations 2020 for roof restoration at the Grass Valley Library, located at 207 Mill Street, Grass Valley, and the Truckee Government Center, located at 10075 Levon Avenue. Truckee (Res. 20-342), with contract costs totaling \$150,225 and directing the Clerk of the Board to record the Notice in accordance with Civil Code section 9208. (Facilities)

Adopted.

Enactment No: RES 20-521

30. [SR 20-3642](#) Resolution approving Amendment 4 to the Lease Agreement between the County of Nevada and M.K.Blake Estate Company for 20,000 square feet of office space for the Nevada County Health and Human Services Agency at the Brighton Greens Business Park located at 988 McCourtney Road, Grass Valley (Res. 14-545), reflecting a rental rate in the amount of \$1.35 per square foot per month to be adjusted 3% annually, extending the Lease expiration date to January 31, 2031, effective February 1, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)

Adopted.

Enactment No: RES 20-522

31. [SR 20-3638](#) Resolution approving a renewal contract between the County of Nevada and PRIDE Industries One, Inc., for janitorial services at various County facilities, in an annual amount of \$250,000, for the period November 1, 2020 through October 31, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and authorizing the Purchasing Agent to make change orders up to an aggregate increase of ten percent as may be necessary to change the level or schedule of service to meet the needs of the County. (Facilities)

Adopted.

Enactment No: RES 20-523

County Counsel: Katharine L. Elliott

- 32a. [SR 20-3645](#) (Waive further reading/Adopt) An Ordinance repealing Articles 22 and 23 of Chapter II of Title 1 of the Administrative Code of the County of Nevada regarding the County's Conflict of Interest Code and the Conflict of Interest Code for the Nevada County Board of Supervisors.
Waived further reading and adopted.
Enactment No: ORD-2486
- 32b. [SR 20-3641](#) Resolution approving and adopting a County-wide Conflict of Interest Code, effective January 14, 2021.
Adopted.
Enactment No: RES 20-524
33. [SR 20-3625](#) Resolution approving Amendment 4 to contract between the County of Nevada and Angelo, Kilday & Kilduff for the provision of legal services (Res. 18-557), increasing the maximum contract amount to \$150,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 20-525

Clerk of the Board: Julie Patterson Hunter

34. [SR 20-3591](#) Designation of Supervisor Dan Miller to serve as delegate and Supervisor Sue Hoek to serve as alternate to the Rural County Representatives of California (RCRC) Board of Directors and the Golden State Finance Authority, and designating Supervisor Dan Miller to serve as delegate and David Garcia, Solid Waste Program Manager, to serve as first alternate and Trisha Tillotson, Public Works Director, to serve as second alternate, to the Rural Counties' Environmental Services Joint Powers Authority for 2021.
Designated.
35. [SR 20-3592](#) Adoption of the Nevada County Assessment Appeals Board Local Rules.
Adopted.
36. [SR 20-3648](#) Resolution to approve reappointment of Ms. Marcia Small as Member to the Kingsbury Greens Community Service District, for a term expiring December 6, 2024.
Adopted.
Enactment No: RES 20-526

37. [SR 20-3632](#) Acknowledge Supervisor Anderson's acceptance of resignation from Mr. Ray Butler as District V representative on the Fish and Wildlife Commission. (Dist. V)
Acknowledged.
38. [SR 20-3646](#) Acknowledge Supervisor Hoek's acceptance of resignation from Mr. Gordon Beatie as a member on the Municipal Advisory Council, Penn Valley Area. (Dist. IV)
Acknowledged.
39. [SR 20-3608](#) Acknowledge Supervisor Miller's acceptance of resignation from Mr. Paul Aguilar as District III representative on the Planning Commission. (Dist III)
Acknowledged.
40. [SR 20-3651](#) Appointment of Ms. Donna Tully as a regular/Family member to the Mental Health and Substance Use Advisory Board, for an unexpired term ending June 30, 2022.
Appointed.
41. [SR 20-3593](#) Appointment of Ms. Emily Rivenes as a Public Member for a three-year term ending June 30, 2022, and Ms. Nathalie Ennis as a Consumer Member to fill an unexpired term ending June 30, 2023, to the Nevada-Sierra Connecting Point Public Authority Governing Board.
Appointed.
42. [SR 20-3582](#) Acceptance of Board of Supervisors Summary Minutes for November 10 and 17, 2020.
Accepted.

ACTION TAKEN: Chair Hall introduced the consent calendar. No public comment was received regarding the consent calendar items.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to approve the consent calendar. On a roll call vote, the motion passed unanimously.

PUBLIC COMMENT:

[SR 20-3589](#) The following members of the public provided comments: Mr. Todd Wolfe, District III resident; Ms. Barbara Ravines, District 3 resident and Community Environmental Advocates representative; Mr. Rondal Snodgrass, District I resident; Tanya Telford, District III resident; Mr. Mike Shea, District III resident; Mr. Keith Overbey, District II resident and Senior Center, President, Board of Directors; Mr. Mike Miller, District V resident and Truckee River Outfitters Association representative; and Paulie Halstead, District I resident; Ms. Shirley Freriks, District III resident; and Ms. Monique Derenia, District I resident.

Correspondence was received from the following individuals: Mr. Justin Pfaffinger, District 1 resident; Ms. Nora Risen, County resident; and Ms. Lilia Frisher, District IV resident.

Public comment received.

DEPARTMENT HEAD MATTERS:*Clerk of the Board: Julie Patterson Hunter**

43a. [SR 20-3629](#) Resolution amending Resolution 69-102 updating the mission, duties, and function of the Nevada County Historical Landmarks Commission (NCHLC) pertaining to the designation of the County's local Historical Landmarks and Historical Resources, to promote and preserve their historical significance, and approving and ratifying the Restated Bylaws of the NCHLC.

Adopted.

Enactment No: RES 20-527

43b. [SR 20-3631](#) Resolution designating the McGlashan Butterfly Collection, currently on loan from the McGlashan Family to the Truckee-Donner Historical Society and housed by the Truckee-Donner Recreation and Park District located at 10981 Truckee Way, Truckee, CA 96161, as Nevada County Historical Resource NEV 20-05, and directing the Clerk of the Board of Supervisors to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office within ten days after the adoption.

Adopted.

Enactment No: RES 20-528

- 43c. [SR 20-3635](#) Resolution designating the St. Paul Lutheran Cemetery and Church Site, located at 18936 Saint Paul Place, Grass Valley, CA 95945 (APN 028-191-057), as Nevada County Historical Landmark NEV 20-06, and directing the Clerk of the Board of Supervisors to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office within ten days after the adoption.

Adopted.

Enactment No: RES 20-529

ACTION TAKEN: Following a short break, Chair Hall called the meeting back into order.

Mr. Jeffrey Thorsby, Senior Management Analyst, reviewed the staff report and a PowerPoint presentation regarding the updated bylaws for the Nevada County Historical Landmarks Commission, and two proposed designations of the McGlashan Butterfly Collection and St. Paul Lutheran Cemetery and Church Site. He reported that the purpose of the revised bylaws is to include designation of historical resources as a part of the Commission's scope and purpose, to preserve and promote the historical significance of both local landmarks and resources. Mr. Thorsby reviewed the history of the McGlashan Butterfly Collection, which is currently located at the Truckee-Donner Park and Recreation District, and reported on the historical significance of the St. Paul Lutheran Cemetery and Church Site.

Mr. Bernie Zimmerman, Chair, and Ms. Barbara Czerwinski, Vice Chair, provided comments regarding the historical resource and landmark. Mr. Zimmerman shared that the Commission also had an interest in an additional revision to their bylaws to allow the designation of historically significant individuals. The Commission agreed to wait until the coming year to further revise their bylaws in order to provide County staff time to review their request. Mr. Zimmerman and Ms. Czerwinski requested the Board designate the McGlashan Butterfly Collection as Nevada County Historical Resource NEV 20-05, and the St. Paul Lutheran Cemetery and Church Site as Nevada County Historical Landmark NEV 20-06.

SCHEDULED ITEM: 10:30 A.M.

Sheriff-Coroner/Public Administrator: Shannan Moon

44. [SR 20-3588](#) Public community forum, pursuant to Government Code section 7283.1(d) to provide information to the public about Immigration and Customs Enforcement (ICE) access to individuals and to receive and consider public comment.

Accepted.

ACTION TAKEN: Nevada County Sheriff Shannan Moon introduced Sheriff's Lieutenant Robert Bringolf who provided a PowerPoint presentation on the Truth Act, an acronym for the Transparent Review of Unjust Transfers and Holds, relating to the Sheriff's mandated roll with regards to the Immigration and Customs Enforcement's (ICE) process. Lt. Bringolf provided corrections data for the year 2019. He summarized the data, noting that in 2019 the Nevada County Sheriff's office served 15 ICE Request and Comply forms; 1 Consent for Interview form; and 1 Notification of Release form. Lt. Bringolf reviewed the demographics of the inmates and reported on the ICE statistics for 2019. Of those inmates that had some level of involvement with ICE, there were 20 bookings and 18 releases. He concluded his presentation.

(Ms. Julie Patterson Hunter, Clerk of the Board, later noted that no public provided comments were received in response to the Community Forum, and no members of the public were waiting to provide comments.)

MOTION: Motion made by Supervisor Miller, and seconded by Supervisor Scofield, to accept the report. On a voice vote, the motion passed unanimously.

***DEPARTMENT HEAD MATTERS:**

Director of Public Works: Trisha Tillotson

45. [SR 20-3618](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the City of Nevada City to transfer \$500,000 in Rule 20A Credits from Nevada County's Rule 20A credit allocation to Nevada City's Rule 20A credit allocation, and authorizing the County Executive Officer to execute the MOU. (Dist. I)

Adopted.

Enactment No: RES 20-530

ACTION TAKEN: Ms. Trisha Tillotson, Director of Public Works, provided a PowerPoint presentation regarding the proposed transfer of Nevada County's Rule 20A credits to the City of Nevada City, for the conversion of existing overhead electrical facilities to underground facilities, as well as the installation of new underground electrical lines. She reported that the City submitted a request for \$500,000 in Rule 20A credits to assist completion of the East/West Broad Street Intersection Undergrounding Project. Ms. Tillotson explained that staff will develop a long-term plan for the remaining 20A funds to incorporate projects into the Capital Improvement Plan, and/or suggest further Memorandum of Understandings with the Cities of Nevada and Grass Valley. She recommended the Board approve the transfer of Nevada County's credits.

Chair Hall provided an opportunity for public comment, and Ms. Erin Minett, Mayor, City of Nevada City, and Mr. Brian McAllister, Nevada City Engineer, both spoke in support of the transfer of the County's Rule 20A credits.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Miller, and seconded by Supervisor Anderson, to adopt Resolution 20-530. On a roll call vote, the motion passed unanimously.

46a. [SR 20-3617](#) Resolution authorizing Environmental Clearance for amendments to Chapter XVII of the Land Use and Development Code, Road Standards, and authorizing amendments to Ordinance sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 and L-XVII 3.12 of Chapter XVII of the Land Use and Development Code, Road Standards. (All Dists.)

Adopted.

Enactment No: RES 20-531

46b. [SR 20-3654](#) (Introduce/Waive further reading) An Ordinance amending sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 and L-XVII 3.12 of Chapter XVII of the Land Use and Development Code, pertaining to Road Standards.

First reading held.

ACTION TAKEN: Ms. Trisha Tillotson, Director of Public Works, provided a PowerPoint presentation regarding updates to the County's Road Standards to require the construction of telecommunication and broadband conduit, in areas where it makes sense such as along major roadways and within new subdivisions. She reported that staff met with County partners and interested parties, which resulted in significant changes to the proposed updates. The revisions specify general utility placement along County roads, and clarifies telecommunication and broadband conduit requirements and specifications. Ms. Tillotson recommended the Board approve the resolution authorizing environmental clearance for amendments to Chapter XVII of the Land Use and Development Code, Road Standards, and introduce/waive further reading of the proposed Ordinance.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Scofield, to adopt Resolution 20-531. On a roll call vote, the motion passed unanimously.

MOTION: Motion made by Supervisor Anderson, and seconded by Supervisor Miller, to introduce and waive further reading of the Ordinance. On a roll call vote, the motion passed unanimously.

County Executive Officer: Alison Lehman

47. [SR 20-3660](#) Resolution releasing Economic Development Infrastructure Assignment in the General Fund in the amount of \$100,000 in Fiscal Year 2020/21 to match community donations made through the Nevada County Relief Fund to provide Emergency Relief to support our local small businesses most impacted by the State Regional Stay at Home Order announced December 3, 2020, and Supplemental Order, signed December 6, 2020; authorizing the County Executive Officer to execute related documents; and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Housing and Community Services budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-532

ACTION TAKEN: Mr. Caleb Dardick, Project Administrator for the County Executive Office, provided a PowerPoint presentation regarding the Nevada County Relief Fund in coordination with Co-Chairs of the Community Advisory Council (CAC), Mr. Leo Granucci and Ms. Sherry Bertolucci, and Ms. Kristin York, Vice President, Sierra Business Council (SBC). Mr. Dardick reported that the "Small Business Winter Survival" campaign was launched on December 2, 2020 to raise desperately needed funds to support small, locally-owned businesses hardest hit by the COVID-19 pandemic. For-profit businesses who are complying with public health guidelines are eligible to apply for micro-grants up to an amount of \$5,000 to cover rent or other critical business expenses need to stay open through the winter.

Sierra Nevada Memorial Hospital Foundation (SNMHF) is serving as the Relief Fund's fiscal sponsor, which ensures that all donations made are tax deductible. SBC is partnering to administer the grant application process, and CAC provides oversight for the final award allocations. Staff is requesting authorization from the Board to provide a matching grant in the amount of \$100,000 to support the work of the Nevada County Relief Fund.

Board questioning and discussion ensued.

Chair Hall provided an opportunity for public comment, and Ms. Julie Patterson Hunter, Clerk of the Board, reported that the Board received letters of support from the following individuals: Ms. Melinda Booth, Executive Director, South Yuba River Citizens League; Ms. Julie Baker, Community Advisory Council member; and Ms. Lynn Saunders, President/CEO, Truckee Chamber of Commerce. There being no further members of the public waiting to provide comments, Chair Hall closed provide comment.

MOTION: Motion made by Supervisor Miller, and seconded by Supervisor Scofield, to adopt Resolution 20-532. On a roll call vote, the motion passed unanimously.

INDIVIDUAL BOARD MEMBER ITEMS:

Supervisors Heidi Hall, District I and Sue Hoek, District IV

48. [SR 20-3440](#) Resolution recognizing Nevada City Rancheria Nisenan Tribe's historical, cultural and continued significance to Nevada County and California, and supporting the restoration of Federal recognition of the Nevada City Rancheria Nisenan Tribe.

Adopted.

Enactment No: RES 20-533

ACTION TAKEN: Chair Hall was very excited that she and Supervisor Hoek were bringing this item forward, to recognize the historical, cultural, and continued significance of the Nevada City Rancheria Nisenan Tribe in Nevada County and the State of California, and to support the restoration of Federal recognition of the Nevada City Rancheria Nisenan Tribe. Supervisor Hoek spoke to the importance of the Nevada City Rancheria Nisenan Tribe's historical significance to the community.

Mr. Jeffrey Thorsby, Senior Management Analyst, provided a PowerPoint presentation providing history pertaining to the Tribe's journey to have their Federal recognition restored. The Nisenan were Federally recognized until its termination per implementation of the 1958 California Rancheria Termination Act. Mr. Thorsby reported that the Nisenan seeking judicial relief to restore its Federal recognition, and he reviewed the current steps being taken to move forward towards that restoration. He noted that a total of 888 letters urging the Board of Supervisors to support the restoration of Federal recognition for the Nisenan Tribe has been received, and both the Nevada County Historical Society and Nevada City City Council have adopted Resolutions supporting the Federal acknowledgement. Mr. Thorsby recommended the Board adopt the proposed Resolution supporting the restoration of Federal recognition of the Nevada City Rancheria Nisenan Tribe.

Ms. Shelley Covert, elected officer of, and spokesperson for, the Nisenan Tribal Council, spoke to the importance of Federal recognition. Ms. Covert spoke to the importance of protecting their sovereignty and right to self-govern their own people, stressing that it is paramount to the survival of the Nisenan culture. Responding to Board questioning, Ms. Covert clarified that the Tribe currently does not own property. She further clarified that the Tribe has no interest in, or plans to, open a casino.

Chair Hall provided an opportunity for public comment, and the following members of the public spoke: Ms. Janet Bullock, District III resident; Ms. Lindsay Bellows, District III resident; Ms. Daniella Fernandez, Nevada City Council member; Ms. Tracy Pepper, District III resident; and Nevada City Mayor Erin Minett. There being no more members of the public waiting to speak, Chair Hall closed public comment.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Scofield, to adopt Resolution 20-533. On a roll call vote, the motion passed unanimously.

Recess for lunch: 12:21 p.m.

AFTERNOON SESSION

SCHEDULED ITEM: 1:30 P.M.

Planning Director: Brian Foss

49. [SR 20-3607](#) Public hearing to consider the Nevada County Planning Commission's November 12, 2020 recommendation on a 3-1 (1 absent) vote for the Gray General Plan Amendment and Rezone project including: 1) adopt the Negative Declaration (EIS20-0002); 2) Approve the Petition for Exceptions to Driveway Standards (PFX20-0002); 3) approve the General Plan Land Use Designation Map amendment from Public (PUB) to Residential (RES) (GPA20-0002); and 4) approve a Zoning District Map Amendment to rezone the site from Neighborhood Commercial (C1) to Single Family Residential (R1) (RZN20-0003). (Dist. III)
- Public hearing held.**

ACTION TAKEN: Chair Hall called the meeting back into order, and Mr. Tyler Barrington, Principal Planner, provided a PowerPoint presentation regarding the proposed General Plan amendment and rezone for property owned by Mr. Ian Gray, located at 13115 Ridge Road, Grass Valley, CA 95945.

Mr. Barrington provided background concerning the property in question, which was formerly owned by the Nevada County Consolidated Fire District (NCCFD). In 2015, NCCFD Board of Directors came before the Board requesting a General Plan Amendment, proposing to change the zoning from Public to Commercial. At that time, the Board did not believe the proposed business was correct for the location, and took no action on the project.

Mr. Barrington reported that the current owner is requesting a General Plan Amendment, to change the zoning from Public to Residential, and a Zoning District Map Amendment, to change the zoning from Neighborhood/Commercial to Single Family Residential. In addition, a Petition for Exceptions to the County Driveway Standard is proposed to allow for a reduced driveway width. He Barrington added that the application was reviewed and approved by the Nevada County Planning Commission in November 2020. The property is located within the City of Grass Valley's sphere of influence and therefore the Project was first brought to the City to request as to whether or not they would like to annex it; the City chose not to annex it due to its distance from City infrastructure. Surrounding uses are primarily Residential in nature with a few pockets of Commercial, most notably the Alta Market. Mr. Barrington recommended the Board approve the Resolution for the Negative Declaration; General Plan Amendment; Zoning District Map Amendment; and Petition for Exceptions to the County Driveway Standard.

Board questioning and discussion ensued.

Chair Hall opened the public hearing for public comment, and no members of the public were waiting to speak. Chair Hall closed the public comment portion of the public hearing and asked for motions from the Board to adopt the proposed Resolutions and Ordinance.

49a. [SR 20-3655](#) Resolution adopting a Negative Declaration (EIS20-0002) for the proposed General Plan Land Use (GPA20-0002), Zoning District Map Amendment (RZN20-0002), and Petition for Exceptions (PFX20-0002) for Mr. Ian Gray (Applicant (APN 008-070-034).

Adopted.

Enactment No: RES 20-534

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 20-534. On a roll call vote, the motion passed unanimously

- 49b. [SR 20-3656](#) Resolution approving the Petition for Exceptions to the County Driveway Standard (PFX20-0002) to allow for a 15-foot wide driveway easement, associated with the Site Specific General Plan Land Use Map Amendment (GPA20-0002) and Zoning District Map Amendment (RZN20-0003) for property located at 13115 Ridge Road, Grass Valley, California, Assessor's Parcel Number 008-070-034 (Ian Gray, Applicant).

Adopted.

Enactment No: RES 20-535

MOTION: Motion made by Supervisor Anderson, Seconded by Supervisor Miller, to adopt Resolution 20-535. On a roll call vote, the motion passed unanimously

- 49c. [SR 20-3657](#) Resolution amending Nevada County General Plan Land Use Map Designation for Assessor's Parcel Number 008-070-034 from Public (PUB) to Residential (RES) (GPA20-0002).

Adopted.

Enactment No: RES 20-536

MOTION: Motion made by Supervisor Miller, and seconded by Supervisor Scofield, to adopt Resolution 20-536. On a roll call vote the motion passed unanimously.

- 49d. [SR 20-3658](#) (Introduce/Waive further reading/Adopt) An Ordinance amending 1) Zoning District Map 040a, to rezone Assessor's Parcel Number 008-070-034 located at 13115 Ridge Road Grass Valley, California from Neighborhood Commercial (C1) to Single Family Residential (R1) (Ian Gray, Applicant).

Waived further reading and adopted.

Enactment No: ORD-2487

MOTION: Motion made by Supervisor Scofield, and seconded by Supervisor Miller, to introduce, waive further reading, and adopt Ordinance 2487. On a roll call vote the motion passed unanimously.

DEPARTMENT HEAD MATTERS:*Planning Director: Brian Foss**

50. [SR 20-3578](#) Resolution approving the filing of Application(s) for Per Capita Grant funds.

Adopted.

Enactment No: RES 20-537

ACTION TAKEN: Brian Foss, Planning Director, introduced the agenda item regarding the Proposition 68 Per Capita Grant Program administered through the State of California Department of Parks and Recreation. Mr. Foss explained that staff would request the adoption of a Resolution agreeing to the terms of the Proposition 68 Per Capital Grant contract and direction from the Board regarding facilitation of a Request for Proposal (RFP) process for fund allocation and distribution.

Ms. Jake Jacobson, Western Nevada County Recreation Coalition consultant, provided a PowerPoint presentation regarding the Program. She reported that the Per Capita Grant Program originated from Proposition 68, a \$4 billion general obligation bond act that was passed by voters on June 5, 2018. Per Capita funds are awarded to eligible grantees on a population basis. The Cities of Grass Valley and Nevada City, the Town of Truckee, Bear River Recreation and Park District, Oak Tree Park and Recreation District, Truckee-Donner Recreation and Park District, and Western Gateway Recreation and Park District were all allocated the minimum amount of \$177,952. The County of Nevada was allocated the minimum amount of \$400,000. Funds are to be used for Capital Outlay Projects, and should result in local park rehabilitation, creation, and improvement.

Ms. Jacobson reviewed the Grant process timeline: 1) Pass the authorizing Resolution at today's meeting; 2) Submit the project application package(s) by December 2021; 3) Execute the contract by June 2022; and 4) Complete the project by December 2023. In July, staff prepared a list of potential projects, and the Grass Valley Veteran's Hall main floor (\$160,000) was identified as most qualified. Staff involved the Western Nevada County Recreation Coalition and the Town of Truckee to ensure there were no missed opportunities for collaboration or impact.

Staff recommended the Board approve the authorizing resolution; authorize staff to prepare a project application to replace the Grass Valley Veteran's Building main floor; provide direction on use of Per Capita funds for rebuilding the Independence Trail; and provide direction regarding the development of an RFP process to solicit requests from eligible grantees for the remaining County funds. Staff would provide a progress report the annual Board's Annual Workshop.

Board questioning and discussion ensued.

Chair Hall provided an opportunity for public comment, and the following members of the public spoke: Ms. Dawn Zydonis, Nevada City Parks and Recreation Manager; and Ms. Erika Seward, Co-Executive Director, Bear Yuba Land Trust. Julie Patterson Hunter, Clerk of the Board, reported that one email in support of the Project was received from Mr. Steve Randall, General Manager, Truckee-Donner Recreation and Park District. There being no further public comment, Chair Hall closed public comment.

Mr. Foss requested a recap of the direction from the Supervisors, and Chair Hall summarized that the Supervisors were in support of the RFP process, and were interested in moving forward with the Veterans Hall Project and the Independence Trail Project as proposed.

MOTION: Motion made by Supervisor Miller, and seconded by Supervisor Hoek, to adopt Resolution 20-537. On a roll call vote, the motion passed unanimously.

***CLOSED SESSIONS:**

[SR 20-3624](#) Pursuant to Government Code section 54956(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Brian Chaplin vs. County of Nevada, Nevada County Superior Court, Case No. CU18-083391.

Closed Session held.

[SR 20-3640](#) Pursuant to Government Code section 54956.9(1), County Counsel is requesting a closed session to discuss the following existing litigation matters: Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions, Public Utilities Commission Rulemaking No. 18-12-05, and Order Instituting Investigation on the Commission's Own Motion on the Late 2019 Public Safety Power Shutoff Events Public Utilities Commission Investigation No. I.19-11-013.

Closed Session held.

Chair Hall introduced the closed session, and Ms. Katherine Elliott, County Counsel, read the titles of the closed session items into the record, and the Board members entered into closed session.

Following closed session, County Counsel, reported that direction was given to staff.

***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.

ACTION TAKEN: Updates were provided by members of the Board.

ADJOURNMENT:

ACTION TAKEN: Chair Hall adjourned the meeting at 3:55 p.m.

Signature and Attestation

Dan Miller, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board