

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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AGENDA

| <u>Date</u> | <u>Time</u> | <u>Location</u> |
|--------------------------------|----------------|--|
| Tuesday, March 23, 2021 | 9:00 AM | Remote Meeting Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California |

The Board of Supervisors welcomes you to their regular meeting.

Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors by remote. This meeting is broadcast live on Nevada County Media Channel 17 in Western County and on Suddenlink Channel 78 in Eastern County, and can be viewed live through the web at www.mynevadacounty.com/boardmeetings. Closed Captioning is available for hearing impaired viewers.

Members of the public who are unable to view the meeting on television or through the web may call 1 (415) 655-0001 to listen to the meeting live. You will be prompted to provide Meeting ID# 182 422 3183 & Password# 794 79 933.

Public comment for items not on the agenda will be taken following Agenda Item #31, or as soon thereafter as possible. Please refer to Pages #8 and #9 for information on how to participate in the meeting, as well as the various options being made available for members of the public to provide comment in both Western and Eastern County.

The Eric Rood Administrative Center is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. (TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.)

This agenda and certain supporting documents may be obtained at www.mynevadacounty.com/boardmeetings. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents. Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

REGULAR MEETING: 9:00 AM**STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

Moment of silence in memory of Ms. Madelyn Helling, former Nevada County Librarian.

CONSENT CALENDAR:

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

Health and Human Services Agency Director: Ryan Gruver

1. [SR 21-0141](#) Resolution approving submission of a non-binding letter of intent to the California Department of Healthcare Services communicating Nevada County's intent to transition to a County Organized Health System, and authorizing the Chair of the Board of Supervisors to sign the letter and any subsequent letters or documents required to enact the proposed transition.

Behavioral Health Director: Phebe Bell

2. [SR 21-0142](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and North Valley Behavioral Health, LLC for acute psychiatric inpatient services for County referred clients at the Contractor's Psychiatric Health Facility (Res. 20-242), increasing the maximum contract price from \$600,000 to \$900,000 to cover the increased number of placements, revising the agreement to reflect the increase in the maximum contract price, for the period July 1, 2020 to June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Behavioral Health budget. (4/5 affirmative vote required).

Public Health Director: Jill Blake

3. [SR 21-0225](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the California Government Operations Agency to provide for the vaccination of Californians in order to mitigate the continued spread of COVID-19, and authorizing the Chair of the Board of Supervisors to execute the MOU.

Director of Social Services: Rachel Roos

4. [SR 21-0104](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Sierra Nevada Children's Services for the administration of Stage 1 Child Care payments to fund the provision of child care services for CalWORKs participant families (Res. 19-272), increasing the maximum contract price from \$860,111 to \$1,260,111 due to an increase of kids in care and case projections through the rest of Fiscal Year 2020/21, revising Exhibit "B" Schedule of Charges and payments to reflect the increase in the maximum contract price, for the period July 1, 2019 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)

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

5. [SR 21-0143](#) Resolution approving a Residential Anti-Displacement and Relocation Assistance Plan as required by all grantees of Community Development Block Grant funds or Home Investment Partnership funds. (Housing)

Sheriff-Coroner/Public Administrator: Shannan Moon

6. [SR 21-0212](#) Resolution authorizing the Nevada County Sheriff to submit an application to the State of California Department of Alcoholic Beverage Control, Grant Assistance Program, to aid in the prevention and illegal use of alcohol by minors, for reimbursement in an amount not to exceed \$52,000, for the period July 1, 2021 to June 30, 2022.

Planning Director: Brian Foss

7. [SR 21-0204](#) Acceptance of the 2020 County of Nevada General Plan Annual Progress Report, substantially in the form attached, pursuant to California Government Code section 65400, and direction to staff to submit the Report to the Office of Planning and Research and the California Department of Housing and Community Development.

Director of Public Works: Trisha Tillotson

8. [SR 21-0189](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Vali Cooper and Associates, Inc., a TRC Company, to provide on-call construction management and inspection services for various projects (Res. 19-219), extending the contract expiration date from December 31, 2020 to December 31, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
9. [SR 21-0154](#) Resolution awarding and approving a contract between the County of Nevada and Ghirardelli Associates, Inc. to provide on-call construction management and inspection services for future projects, in an amount not to exceed \$3,000,000, for the period March 23, 2021 through March 23, 2026, and authorizing the Chair of the Board of Supervisors to execute the contract.

10. [SR 21-0155](#) Resolution awarding and approving a contract between the County of Nevada and HDR Construction Control Corporation to provide on-call construction management and inspection services for future projects, in an amount not to exceed \$3,000,000, for the period March 23, 2021 through March 23, 2026, and authorizing the Chair of the Board of Supervisors to execute the contract.
11. [SR 21-0156](#) Resolution awarding and approving a contract between the County of Nevada and Psomas to provide on-call construction management and inspection services for future projects, in an amount not to exceed \$3,000,000, for the period March 23, 2021 through March 23, 2026, and authorizing the Chair of the Board of Supervisors to execute the contract.
12. [SR 21-0157](#) Resolution awarding and approving a contract between the County of Nevada and Salaber Associates, Inc. to provide on-call construction management and inspection services for future projects, in an amount not to exceed \$3,000,000, for the period March 23, 2021 through March 23, 2026, and authorizing the Chair of the Board of Supervisors to execute the contract.
13. [SR 21-0188](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Deschaine Enterprises, Inc. for the 2019 McCourtney Road Landfill Leachate Management Improvements (Res. 19-527), with contract costs totaling \$392,388.78, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code section 9208.

Chief Information Officer: Stephen Monaghan

14. [SR 21-0210](#) Resolution authorizing the capital asset purchase of two Cisco Routers for increased security and performance reliability of County Internet connected services, in the amount of \$26,997, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Office of Emergency Services budget. (4/5 affirmative vote required) (Emergency Services)
15. [SR 21-0182](#) Resolution designating authorized agent(s) as required by the California Office of Emergency Services for future and open disasters resulting in damage to public and private infrastructure and facilities, effective for all open and future disasters up to three years following the date of approval. (Emergency Services)
16. [SR 21-0191](#) Resolution accepting the Fiscal Year 2020 Emergency Management Performance Grant (EMPG) from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, in the amount of \$144,900 with a 100% matching fund requirement, for use during the period July 1, 2020 through June 30, 2022, and authorizing the Director of Emergency Services, County Executive Officer, and Assistant County Executive Officer to fulfill the requirements of the FY 2020 EMPG. (Emergency Services)

17. [SR 21-0192](#) Resolution accepting the Fiscal Year 2020 Homeland Security Grant Program (HSGP) from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, in the amount of \$176,459, for use during the period September 1, 2020 through May 31, 2023, and authorizing the Director of Emergency Services, County Executive Officer, and Assistant County Executive Officer to fulfill the requirements of the FY 2020 HSPG. (Emergency Services)
18. [SR 21-0195](#) Resolution approving the bid construction documents and specifications for the Nevada County Eric Rood Administrative Center Generator Replacement located at 950 Maidu Avenue, Nevada City, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)
19. [SR 21-0201](#) Resolution awarding and approving a Standard Public Works Contract between the County of Nevada and Elevator Industries, Inc. for the Nevada County Administrative Building Elevator Modernization Project located at 950 Maidu Avenue, Nevada City (Res. 21-009), in the amount of \$131,279 plus a contingency of \$13,128 for a total contract amount of \$144,407, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)
20. [SR 21-0200](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Debra C. Thomas for Organizational Development and Leadership Development training services for the Community Development (CDA) and Health and Human Services (HHSA) Agencies (PESO4101), increasing the maximum contract amount from \$50,000 to \$95,000, for the current contract period ending 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 CDA and HHSA budgets. (4/5 affirmative vote required) (Purchasing)

County Executive Officer: Alison Lehman

21. [SR 21-0202](#) Resolution adopting the County of Nevada 2021 Legislative Platform.

County Counsel: Katharine L. Elliott

22. [SR 21-0184](#) Resolution approving Amendment 1 to Personal Services Contract PESO4162 between the County of Nevada and Meyers Nave, Riback, Silver & Wilson for the provision of legal services, increasing the maximum contract price by \$100,000 to a total of \$150,000, extending the term of the contract to June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 General Liability budget. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

23. [SR 21-0185](#) Certificate of Recognition for Raymond Butler for 33 years of dedicated public service to the citizens of Nevada County through his work as District V representative on the Fish and Wildlife Commission.
24. [SR 21-0168](#) Acknowledge of Supervisor Hardy Bullock's appointment of Mr. James Good as District V representative to the Nevada County Airport Commission.
25. [SR 21-0186](#) Acknowledgement of Supervisor Hardy Bullock's reappointment of Mr. Charles Faber as District V representative to the Building and Accessibility Standards Board of Appeals.
26. [SR 21-0190](#) Acknowledgement of Supervisor Hardy Bullock's appointment of Mr. Kevin Murphy as District V representative to the Fish and Wildlife Commission.
27. [SR 21-0196](#) Acknowledgement of Supervisor Hardy Bullock's reappointments of Mr. Bernard Zimmerman and Ms. Barbara Czerwinski as District V representatives to the Nevada County Historical Landmarks Commission.
28. [SR 21-0193](#) Acknowledgement of Supervisor Hardy Bullock's reappointment of Mr. William Greeno as District V representative to the Nevada County Planning Commission.
29. [SR 21-0173](#) Acceptance of the resignation from Mr. Greg Zirbel as a Trustee on the Truckee Cemetery District, effective June 1, 2020.
30. [SR 21-0220](#) Acceptance of Board of Supervisors summary minutes for March 9, 2021.

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

31. [SR 21-0227](#) Tahoe National Forest (TNF), 2021 Update. (Mr. Eli Ilano, Forest Supervisor, TNF)

PUBLIC COMMENT:

- [SR 21-0224](#) Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the options listed on pages #8 and #9.

SCHEDULED ITEM: 11:00 A.M.**Building Director: Craig Griesbach**

32. [SR 21-0198](#) Public hearing to consider amendments to Chapter II of Title 3 of the Nevada County Land Use and Development Code regarding Cannabis Cultivation and Administrative Enforcement in all zoning districts in the unincorporated areas of Nevada County.

(Introduce/Waive further reading/Adopt) An Ordinance amending Chapter II of Title 3 of the Nevada County Land Use and Development Code regarding Administrative Enforcement and Cannabis Cultivation.

***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.

Recess for lunch:**AFTERNOON SESSION:****SCHEDULED ITEM: 1:30 P.M.****Director of Human Resources : Steven Rose**

33. [SR 21-0099](#) Anti-Harassment training for the Board of Supervisors, as required by Government Code section 12950.1. (Liebert Cassidy Whitmore)

ADJOURNMENT:

**(The Board of Supervisors can discuss these items at any time during the meeting.)*

This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations:

- 1. Eric Rood Administrative Center; outside Board office, outside Board Chambers, and outside main entrance.*
- 2. Truckee Town Hall Administrative Center.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.*
- 4. Online at <https://nevco.legistar.com/Calendar.aspx> and <http://www.mynevadacounty.com/boardmeetings>.*

Posted: March 28, 2021.

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

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

PUBLIC COMMENT:

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda may raise their concerns to the Board members when the consent agenda is introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

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

WAYS TO WATCH AND LISTEN DURING THE MARCH 23, 2021 BOARD MEETING:

- 1) Listen outside the Eric Rood Administrative Center at the Outside Public Comment Kiosk
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID#: 182 422 3183 and the Password#: 794 79 933)
- 3) View at www.mynevadacounty.com/boardmeeting
- 4) View on Nevada County Media Channel 17 in Western County
- 5) View on Suddenlink Channel 78 in Eastern County

PROVIDE PUBLIC COMMENT BEFORE THE MARCH 23, 2021 MEETING BY:

- 1) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959
- 2) Emailing BOS.PublicComment@co.nevada.ca.us
- 3) Leaving an eComment at www.mynevadacounty.com/boardmeetings

PROVIDE PUBLIC COMMENT DURING THE MARCH 23, 2021 MEETING BY:

- 1) Virtual Kiosk:

Eric Rood Administrative Center: Members of the public can provide comment in-person at a virtual public comment kiosk outside at the Eric Rood Administrative Center on the right-side of the front entrance.

- 2) Over the Phone:

Members of the public can call (530) 270-3474 and will be placed in a call-in queue until they are permitted into the meeting for comment. (Please note that the 1 (415) 655-0001 number is only for listening to the meeting.)

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

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board. Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing.

However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. 6) In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack. 7) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.

ORDINANCES:

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.
- 4) Adoption of the ordinance is made by majority vote.
- 5) The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

INFORMATIONAL CORRESPONDENCE:

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

REFERENCES:

- Nevada County Resolution 17-084 (Public comment)
- Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)
- Nevada County Land Use Code Sec. L-II 5.12 (Appeals)