

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 - Final

<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

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors attended by remote:

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

STANDING ORDERS:

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

Pledge of Allegiance led by Anna Raymond, President, Kentucky Flat 4-H Club, and Tyler Bridwell, Junior Leader for Beef, Kentucky Flat 4-H Club.

No corrections and/or deletions to agenda were noted.

A moment of silence was held in memory of Madelyn Helling, former Nevada County Librarian.

CONSENT CALENDAR:**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.

Adopted.

Enactment No: RES 21-066

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).

Adopted.

Enactment No: RES 21-067

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.

Adopted.

Enactment No: RES 21-068

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)

Adopted.

Enactment No: RES 21-069

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)

Adopted.

Enactment No: RES 21-070

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.

Adopted.

Enactment No: RES 21-071

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.

Accepted.

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.

Adopted.

Enactment No: RES 21-072

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.

Enactment No: RES 21-073

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.

Adopted.

Enactment No: RES 21-074

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.

Adopted.

Enactment No: RES 21-075

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.

Adopted.

Enactment No: RES 21-076

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.
- Adopted.**
- Enactment No: RES 21-077

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)
- Adopted.**
- Enactment No: RES 21-078
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)
- Adopted.**
- Enactment No: RES 21-079
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)
- Adopted.**
- Enactment No: RES 21-080

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)
Adopted.
Enactment No: RES 21-081
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)
Adopted.
Enactment No: RES 21-082
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)
Adopted.
Enactment No: RES 21-083
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)
Adopted.
Enactment No: RES 21-084

County Executive Officer: Alison Lehman

21. [SR 21-0202](#) Resolution adopting the County of Nevada 2021 Legislative Platform.
Adopted.
Enactment No: RES 21-085

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)
Adopted.
Enactment No: RES 21-086

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.
Recognized.
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.
Acknowledged.
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.
Acknowledged.
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.
Acknowledged.
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.
Acknowledged.

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.
Acknowledged.
29. [SR 21-0173](#) Acceptance of the resignation from Mr. Greg Zirbel as a Trustee on the Truckee Cemetery District, effective June 1, 2020.
Accepted.
Accepted.
30. [SR 21-0220](#) Acceptance of Board of Supervisors summary minutes for March 9, 2021.
Accepted.

Approval of the Consent Agenda.

Adopted.

ACTION TAKEN: Chair Miller introduced the consent calendar. Referencing Agenda Items #23 through #28, Supervisor Bullock thanked the individuals who stepped up to community service by representing District V on various committees and commissions. He highlighted Raymond Butler's 33 years of dedicated public service through his work as the District V representative on the Fish and Wildlife Commission.

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

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)
Presentation provided.

ACTION TAKEN: Forest Supervisor Eli Ilano, Tahoe National Forest (TFN), provided a PowerPoint presentation on their activities in 2020, highlighting efforts to treat 20,000 acres of hazardous fuels. Activities planned for 2021 include a large scale restoration of Van Meadows; the Lady Bug Project, which straddles the Nevada County/Sierra County border; the California Route 20 Realignment Project; a watershed project along Boca Reservoir; the Western Nevada County Community Defense Project; and the PG&E Lake Fordyce Dam Seepage Mitigation Project.

Forest Supervisor Ilano reported that they experienced a 400% increase of visitors to TFN in 2020 due to the pandemic. A concern resulting from the renewed interest in camping was an increase in escaped and illegal campfires. To mitigate this for the upcoming camping season, plans are in place to increase education and patrol. He reported that in 2020 their Christmas tree permit program went online, resulting in the sale of 10,000 permits, and noted an increase in usage of Donner Summit's snow play areas. Plans are in place for proactive management of these areas moving forward.

Forest Supervisor Ilano reported on their activities with the South Yuba River Safety Cohort, which is working to manage increased usage along the Yuba River Corridor. Forest Supervisor Ilano mentioned TNF's work on expansion of the East Zone Connectivity Project and construction of the final portion of the Pines to Mines trail, which connects Nevada City to the Town of Truckee. He ended the presentation and welcomed the Board's questions.

Board discussion and questioning ensued.

Chair Miller provided an opportunity for public comment and Matthew Coulter, District III, provided comments. There being no further public comment on this item, Chair Miller closed public comment and thanked Forest Supervisor Ilano for his report.

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.

ACTION TAKEN: Chair Miller reviewed the process, explaining the various ways the public could reach out to the Board to provide comments. The following members of the public spoke: Kirk Farris, District III; Ken Paige, District II; Penelope Sullivan, District I; Nathaniel Tamio, District I; Denise Billberg, District III; Taylor Anderson, District IV; Lena Leevie(?), District III; Libby Woods, District IV; Reinette Senum, District I; Susan Frisbie, District I; Susan (?), District I; Kendra del Rio, District I; Holly Beardsley, District I; Matthew Coulter, District III; Menkin Nelson, District I; and Tyler Stewart, District II; William Matoon, District IV; Lydia and Matthew Watson, District II; Pam Custer, County resident; Sheri Fogarty, District II; Lorraine Reich, District I; Joy Brann, District I; Lynn Lumiere, District I; and Catherine Fish, District IV.

***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: Announcements were provided by the Board members.

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.

Continued.

ACTION TAKEN: Following a short break, Chair Miller called the meeting back into order, introduced the public hearing, and read the title of the proposed Ordinance into the record.

Craig Griesbach, Building Director, and Jeff Merriman, Code Compliance Program Manager, provided a PowerPoint presentation regarding the proposed amendments to Land Use and Development Code as it relates to Cannabis Cultivation and Enforcement. The proposed revisions include: 1) combining sections to centralize and streamline administrative enforcement; 2) modifying definition of the "Responsible Party" to make it broader and to include agents, employees and contractors; 3) clarifying authority for and timing of fines and penalties; 4) clarifying when a Notice of Violation is issued in conjunction with a fine or penalty; 5) modifying the administrative appeals procedures; 6) clarifying procedures related to administrative inspection warrants; 7) collection of delinquent fines, penalties, and abatement costs; and 8) removing the internal administration citation review. Jeff Merriman clarified that the Ordinance was originally adopted on May 14, 201; they have learned a lot during the first two years and staff is confident that the proposed changes will improve the process.

Following a short technical break, Chair Miller called the meeting back to order and opened the public hearing for public comment. The following members of the public provided comments: Sandy Bacon, District I; Matthew Coulter, District III; John Foley, District IV; Sarah Smale, District IV; Jeffrey Cameron, District II; Mark Shafer, District IV; Mike Ingram, District IV; Wade Laughter, District I; Diana Gamzon, Executive Director, Nevada County Cannabis Alliance; Gene Luster, District II; Debbie Porter, District II; and Maggie Phillipsborn, District IV. There being no further public comment, Chair Miller closed the public comment portion of the public hearing.

Staff responded to the Board's questions and concerns, and discussion ensued regarding the language in the proposed Ordinance.

After listening to public comment Supervisor Scofield suggested that the parties involved should come together one more time to have a second look at the Ordinance. He proposed two Supervisors be selected to meet with representatives from the Cannabis Alliance and other interested parties to review proposed changes. He suggested they focus on the egregious violators and illegal growers, and look at other ways to address enforcement.

Board discussion continued.

A recommendation was made for staff to: 1) work with Supervisors Hall and Scofield to refine the language in the Ordinance as discussed by the Board; and 2) return to the Board for discussion/direction relating to enforcement tools and priorities in order to address cannabis compliance and egregious violators.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, directing staff to work with Supervisors Hall and Scofield to refine the language in the Ordinance as discussed and return to the Board as soon as possible. On a voice vote the motion passed unanimously.

Recess for lunch:

ACTION TAKEN: Chair Miller recessed the meeting recessed at 12:36 p.m.

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)
Presentation provided.

ACTION TAKEN: Attorney Che Johnson of Liebert, Cassidy, Whitmore provided a PowerPoint presentation "Preventing Workplace Harassment, Discrimination and Retaliation," fulfilling the Board member's mandated AB1825 training requirements.

ADJOURNMENT:

ACTION TAKEN: Chair Miller adjourned the meeting at 3:19 p.m.

Signature and Attestation

Dan Miller, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board