

EXHIBIT B

CHAPTER II – ADMINISTRATION

ARTICLE 1

~~IN GENERAL~~

RESERVED

Sections:

~~Sec. A II 1.1 Adoption of State Law Relating to Law Libraries~~

~~Sec. A II 1.2 Reserved~~

~~Sec. A II 1.3 Consolidation of Offices of Clerk and Recorder~~

~~Sec. A II 1.4 Reserved~~

~~Sec. A II 1.5 Consolidation of Offices of Sheriff, Coroner and Public Administrator~~

~~Sec. A II 1.6 Reserved~~

~~Sec. A II 1.7 Location and Hours of County Offices~~

~~Sec. A II 1.8 Reserved~~

~~Sec. A II 1.9 Adoption of State Law Relative to Qualifications of County Auditor~~

~~Sec. A II 1.10 Reserved~~

~~Sec. A II 1.11 Miscellaneous Delegations~~

~~Sec. A II 1.2 Reserved~~

~~Sec. A II 1.3 Consolidation of Offices of Clerk and Recorder~~

~~The offices of County Clerk and County Recorder are hereby consolidated, as per Cal. Gov't Code §24304, and the person hereafter elected or appointed shall qualify separately for each office, and office and shall receive the salaries pertaining thereto. Pursuant to Cal Elec. Elections Code Section § 320, the Clerk \_Recorder shall serve as the ex officio Elections Qofficer. (Ord. 308. (01/14/1965))~~

~~Sec. A II 1.4 Reserved~~

~~Sec. A II 1.5 Consolidation of Offices of Sheriff, Coroner and Public Administrator~~

~~The offices of Sheriff, Coroner, and Public Administrator are hereby consolidated, and the person holding such consolidated office by reason of election or appointment or~~

~~consolidation shall qualify separately for each office and shall receive the salaries pertaining thereto.~~

~~Animal Control is administratively delegated to the Sheriff. (Ord. 571)~~

~~Sec. A II 1.6 Reserved~~

~~Sec. A II 1.7 Location and Hours of County Offices~~

~~Except as may be otherwise provided by Resolution of the Board of Supervisors, or by direction of the County Executive Officer, all County offices shall be open for business continuously from 8:00 a.m. until 5:00 p.m. on each calendar designated working day, five days a week, excluding Saturdays, Sundays and holidays. In the event an office is not provided with a full time assistant or employee, the office may close from 12:00 p.m. to 1:00 p.m. (Ord. 2248; Ord. 2321)~~

~~Sec. A II 1.10 ——— Reserved~~

~~Sec. A II 1.9 Adoption of State Law Relative to Qualifications of County Auditor~~

~~A. — QUALIFICATIONS~~

~~The provisions of Article 4 of Chapter 4, Part 3, Division 2, Title 3 of the Government Code are hereby adopted and made applicable to the County. (See Gov't. Code Sections 26945, to 26946.) (Ord. 241.)~~

~~B. — CONSOLIDATION OF OFFICES OF AUDITOR AND CONTROLLER?~~

~~The positions of Auditor and Controller shall be consolidated. The person holding the consolidated office shall qualify separately for each office. Duties and Responsibilities of each office as described in Cal. Gov't. Code §§ 26800 – 26886 for the position of controller and Cal. Gov't Codes §§ 26900 – 26946 for the position of auditor.~~

~~C. — ELECTION~~

~~The position of Auditor-Controller shall be an elected position as per Cal. Gov't Codes § 24009.~~

~~Sec. A II 1.11 ——— Miscellaneous Delegations~~

~~Pursuant to Penal Code Section 1208.5, the Board of Supervisors authorizes the Chief Probation Officer to enter into agreements with other counties to transfer custody of eligible persons from the county in which the person is sentenced or confined to the custody of an appropriate administrator of a county in which the person is employed or resides. Any contract entered into by the Chief Probation Officer shall be approved by the County Counsel. (Ord. 1769)~~

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EXHIBIT B

CHAPTER II – ADMINISTRATION

ARTICLE 4

RESERVED

~~DONNER SUMMIT PUBLIC UTILITY DISTRICT~~

~~Sec. A II 4.1 Territory Situated in Placer County Sec. A II 4.2 Territory Situated in Nevada County~~

~~Sec. A II 4.3 Determination That Most of District is in Nevada County Sec. A II 4.4 Population of Units in District~~

~~Sec. A II 4.5 Territory in District Described Sec. A II 4.1 Territory Situated in Placer County~~

~~All the territory in the Donner Summit Public Utility District situated in the County of Placer is hereby designated as Placer County Unit No. 1. (Ord. 166)~~

~~Sec. A II 4.2 Territory Situated in Nevada County~~

~~All the territory in Donner Summit Public Utility District situated in the County of Nevada is hereby designated as Nevada County Unit No. 1. (Ord. 166)~~

~~Sec. A II 4.3 Determination That Most of District is in Nevada County~~

~~The Board of Supervisors is to determine the population of Placer County Unit No. 1 and of Nevada County Unit No. 1 of unincorporated territory within the District, and does determine that the greater portion of the District in point of population is situated in the County of Nevada. (Ord. 166)~~

~~Sec. A II 4.4 Population of Units in District~~

~~The Board of Supervisors does hereby determine that neither unit of the Donner Summit Public Utility District has a population of at least five thousand. (Ord. 166)~~

~~Sec. A II 4.5 Territory in District Described~~

~~The territory comprising Donner Summit Public Utility District is described as follows:~~

~~PLACER COUNTY UNIT:~~

~~In Township 17 North, Range 14 East:~~

~~Section 21—All in Placer County;~~

~~Section 22—All in Placer County in the West 3/4 of the South Half;~~

~~Section 24—All in Placer County of that part East of the C.P. Ry. Co. right of way; Section~~

~~25—All of North Half lying North of C. P. Ry. Co. right of way;~~

~~Section 26—South Half;~~

~~Section 28—Northwest Quarter and North Half of Southwest Quarter;~~

~~Section 29—West 1/3 of North Half of Northeast Quarter, except C. P. Ry. Co. right of way;~~

~~South Half of Southeast Quarter and Southwest Quarter, except any part lying within Lower Peak Lake or Upper Peak Lake (known as Cascade Lakes Reservoir) and also any part lying within Kidd Lake Reservoir;~~

~~Section 30—South Half of Southwest Quarter, except C. P. Ry. Co. right of way;~~

~~Section 32—All except East Half of Northeast Quarter and any part lying within Lower Peak Lake or Upper Peak Lake (known as Cascade Lakes Reservoir);~~

~~Section 34—South Half; Southwest Quarter of Northeast Quarter; South Half of Northwest Quarter; Northwest Quarter of Northwest Quarter;~~

~~Section 36—All;~~

~~In Township 17 North, Range 15 East:~~

~~Section 16—All in Placer County, except C. P. Ry. Co. right of way; Section 17—All of West Half in Placer County;~~

~~Section 20—Lots 1 and 2 of Northwest Quarter and West Half of East Half of Northwest Quarter; except C. P. Ry. Co. right of way;~~

~~Northwest Quarter of Northeast Quarter, except C. P. Ry. Co. right of way; East Half of Southeast Quarter, except C. P. Ry. Co. right of way;~~

~~Excepting from all of Section 22 any part with C. P. Ry. Co. right of way in Placer County.~~

~~Section 24—North Half of North Half; South Half, except C.P. Ry. Co. right of way and any part lying south thereof; also except any part in Placer County;~~

~~Section 29—That part in Nevada County of the West 1/3 of Northeast Quarter, except C.P. Ry. Co. right of way;~~

~~In Township 17 North Range 15 East:~~

~~Section 16—North Half of Northeast Quarter; Southwest Quarter of Northeast Quarter (except a strip of land 200 feet in width, the center line of which is 383.9~~

~~feet North of the center of Section 16 at its West end and 305.77 feet North of the Southeast corner of the Southwest Quarter of Northeast Quarter of Section 16 at its East end) Northwest Quarter of Southeast Quarter; South Half of Southeast Quarter (except any part in Placer County or in C.P. Ry. Co. right of way) South Half of Southwest Quarter (except any part in Placer County or in C.P. Ry. Co. right of way); North 3/4 of West Half;~~

~~Section 17—North Half, except parts described as beginning at a point 9.30 feet North of the Southeast Corner of Parcel No. 1 of the exceptions described in a deed, numbered 3006F, from the Southern Pacific Land Company, a California Corporation, to J.O. Jones, dated October 31, 1940, and found recorded in the office of the County Recorder of the County of Placer, in Book 415 of Official Records, at Page 8 et seq., thence North along the easterly boundary of said Parcel One of the exception a distance of 408 feet; thence South 78 deg. 25' East a distance of 1223.50 feet; thence South 11 deg. 35' West a distance of 400 feet; thence North 78 deg. 25' West 1141.80 feet, more or less, to the place of beginning, and containing approximately 4.40 acres; and a tract of land 801 feet East and West, 641 feet North and South, containing 11.71 acres, and being parts of Lots 2 and 3 in the Southeast Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter;~~

~~Lot 4 and Southeast Quarter of Southwest Quarter, except any part in Placer County.~~

~~(Ord. 2192, 12/13/05)~~

## EXHIBIT B

### ARTICLE 7 ELECTIONS

Section:

#### Sec. A-II 7.1          Electronic Filing of Campaign Statements

#### Sec. A-II 7.1 Electronic Filing of Campaign Statements

A. **Electronic Filing; Findings and Purpose.** The Board of Supervisors makes the following findings in support of requiring that political committees and candidates that meet certain financial thresholds file their campaign statements electronically:

1. Public access to campaign disclosure information is a vital and integral component of a fully informed electorate. Transparency in campaign financing is critical in order to maintain public trust and support of the political process.
2. State law requires candidates, persons supporting or opposing ballot measures and certain other types of committees to file campaign finance statements with the Nevada County elections official detailing the sources of contributions and purposes of expenditures. The intent of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contribution laws. **California Government Cal. Gov't.** Code **Section §** 84615 authorizes local jurisdictions to require the filing of campaign statements and reports solely in an electronic form, with specified exemptions. The purpose of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contributions laws.
3. Campaign statements and reports are often very lengthy and dozens of such reports are filed with the Nevada County elections official each reporting period. An electronic system reduces paper waste and time spent processing and storing paper filings, so that efforts can be focused on helping filers comply with filing requirements.
4. The County's electronic filing system shall operate securely and effectively, utilizing multiple safeguards to protect the integrity and security of the data.
5. An electronic system streamlines the process for filers, by storing information previously entered, calculating numbers, and helping to catch errors before filings are submitted.
6. An electronic filing system makes the filing process more efficient for County elections staff by automatically redacting address information for donors and uploading the filings to the internet for virtually real time access to the public.
7. Once the statements are placed online, they are easily accessible for public viewing

and allow the public to search reports by field, including, but not limited to, elections, candidate, date, contributor and expenditure. Online electronic filing facilitates review of the statements and maximizes the availability of this information to the public.

8. An electronic system is not unduly burdensome on candidates in that it reduces the need for candidates to print out and physically mail statements to the Nevada County elections office, and it eases the entry of contributors' information in that the electronic filing system will recognize repeat contributors and automatically populate their information.

B. Electronic Filing of Campaign Disclosures.

1. Whenever any candidate or committee is required to file campaign disclosure statements or reports with the Nevada County ~~E~~elections ~~O~~official in accordance with the California Political Reform Act, ~~Cal. Gov't Code §§ California Government Code Sections 84100 - 91014, et seq.~~, such statements or reports shall be filed electronically. Such statements shall include, but not be limited to, the following: pre-election campaign statements, an amended campaign statement, a supplemental pre-election campaign statement, a report disclosing a contribution received by or made to a candidate, local ballot measure or an independent expenditure made for or against a candidate or local ballot measure, or an independent expenditure made for or against a candidate or local ballot measure of an amount allowable as per the California Fair Political Practices Commission (FPPC) and California State statute \$1,000.00, or more, during an election cycle. The candidate or committee shall file the statement using the electronic filing system available on the Nevada County Elections office website, in accordance with procedures established by the Nevada County elections official. The street or address or building number of any persons or entity representatives listed on the statements or reports, or any bank account number, shall not be displayed online.

2. Elected officials who do not maintain a committee have the option of filing their semi-~~annual~~ annual campaign statement electronically.

3. Statements or reports that are filed electronically with the Nevada County elections official pursuant to this section need not also be filed in a paper format.

C. Exemptions.

1. In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report or other document is required to be filed with the Nevada County elections official, the filer is exempt from filing the statement electronically as provided by ~~Government Code Section~~ Cal. Gov't Code § 84615. However, the filer has the option of filing an electronic copy with the Nevada County elections official.

2. This requirement does not apply to any candidate who receives contributions totaling less than ~~\$1,~~\$2,000.00, and makes expenditures totaling less than ~~\$1,~~\$2,000.00, in a calendar year. (Ord. ~~2404.~~2404., ~~01/12/16~~)

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EXHIBIT B

ARTICLE 10

RESERVED

~~DELINQUENCY PREVENTION COMMISSION~~

~~Sec. A II 10.1 Delinquency Prevention Commission Established~~

~~Sec. A II 10.2 Reserved Sec. A II 10.3 Delinquency Prevention Commission: Juvenile Justice Commission~~

~~Sec. A II 10.1 Delinquency Prevention Commission Established~~

~~There is hereby established a Delinquency Prevention Commission of the County of Nevada. (Ord. 508)~~

~~Sec. A II 10.2 Reserved~~

~~Sec. A II 10.3 Delinquency Prevention Commission: Juvenile Justice Commission~~

~~In accordance with the provisions of Welfare and Institutions Code Section 233, the Juvenile Justice Commission of the County of Nevada shall serve as the Delinquency Prevention Commission. Appointments to the Commission shall be made by the presiding judge of the Superior Court in accordance with Welfare and Institutions Code Section 225. (Ord. 1752)~~



EXHIBIT B

ARTICLE 11

PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION

Sections:

- Sec. A-II 11.1 Purpose
- Sec. A-II 11.2 Authorization to Join Commission
- Sec. A-II 11.3 Membership of Commission
- Sec. A-II 11.4 Term of Office
- Sec. A-II 11.5 Committees
- Sec. A-II 11.6 Termination of Membership

Sec. A-II 11.1 Purpose

A. Partnership HealthPlan of California Commission (“Commission”) is a multi-county commission that has created a managed health care plan for Medi-Cal recipients. The purpose of this article is to authorize the County of Nevada to join the existing Commission. This will allow the implementation of a County organized health system in Nevada County as authorized by Cal. Welf. & Inst. Code~~Welfare and Institutions Code section §~~ 14087.54.

B. The Commission will negotiate an exclusive contract with the California Department of Health Care Services (DHCS) authorizing the expansion of the Partnership HealthPlan of California into Nevada County. This expansion is expected to occur on or about January 1, 2024. (Ord. 2494., (08/24/2021))

Sec. A-II 11.2 Authorization to Join Commission

Pursuant to Cal. Welf. & Inst. §~~Welfare and Institutions Code Section~~ 14087.54, the Nevada County Board of Supervisors hereby authorizes the County of Nevada to join the Commission. (Ord. 2494., (08/24/2021))

Sec. A-II 11.3 Membership of Commission

A. The Commission shall be comprised of commissioners appointed by the Board of Supervisors of each member county. Unless and until the commission, by formal action, establishes a different formula or system of membership, the Commission representation shall be based on the number of Medi-Cal beneficiaries enrolled in the HealthPlan in each

county, as determined by the Partnership HealthPlan of California's established formula.

B. The Commission members appointed by the Nevada County Board of Supervisors shall serve at the pleasure of the Board and shall include an employee of the County within Health and Human Services and may include the following:

1. Local healthcare and medical providers who provide services to Medi-Cal beneficiaries;
2. Medi-Cal beneficiaries;
3. Family members of Medi-Cal beneficiaries.

C. Individuals may be appointed to the Partnership Health Plan Commission by the Nevada County Board of Supervisors, with recommendations from the Nevada County Chief Executive Officer and the Nevada County Health and Human Services Agency Director. (Ord. 2494., (08/24/2021))

#### Sec. A-II 11.4 Term of Office

The term for the Commission members shall be for two-year periods. Nothing herein shall prohibit a person from serving more than one term. Each Commission member shall remain in office at the conclusion of that member's term until a successor member has been selected and installed into office. An office shall become vacant if a Commission member discontinues to live or work in the area from which appointed or fails to attend three meetings in a row of the Commission. (Ord. 2494., (08/24/2021))

#### Sec. A-II 11.5 Committees

In collaboration with Partnership Health Plan, the County may establish a local managed care committee that may include any members of the Commission, and that would inform the County members on the Partnership HealthPlan Commission, on behalf of Nevada County, of local health needs, priorities and issues. Individuals on this local committee shall be nominated by Nevada County ~~Director of~~ Health and Human Services Director or designee. (Ord. 2494., (08/24/2021))

#### Sec. A-II 11.6 Termination of Membership

The Commission shall continue to represent Nevada County until such time as the Nevada County Board of Supervisors terminates the representation. To terminate the representation, the Nevada County Board of Supervisors, or its designee, shall provide a ninety-day notice to other participating counties and the State Department of Health Care Services, as specified in Cal.

Welf. & Inst. Code § ~~Welfare and Institutions Code section~~ 14087.54(g). (Ord. 2494.,  
(08/24/21))

EXHIBIT B

ARTICLE 12

BOARDS, COMMITTEES, COMMISSIONS, COUNCILS AND SPECIAL DISTRICTS ESTABLISHED BY RESOLUTION<sup>\*</sup>

Sections:

<u>Sec. A-II 12.1</u>	<u>Authority of Board of Supervisors to Establish</u>
<u>Sec. A-II 12.2</u>	<u>State Mandated Boards, Committees, Commissions, Councils, or Special Districts</u>
<u>Sec. A-II 12.3</u>	<u>Boards</u>
<u>Sec. A-II 12.4</u>	<u>Commissions</u>
<u>Sec. A-II 12.5</u>	<u>Committees</u>
<u>Sec. A-II 12.6</u>	<u>Councils</u>
<u>Sec. A-II 12.7</u>	<u>Special Districts</u>
<u>Sec. A-II 12.8</u>	<u>Miscellaneous Advisory Entities</u>
<u>Sec. A-II 12.9</u>	<u>Adoption of State Law Relating to Law Libraries</u>

Sec. A-II 12.1 Authority of Board of Supervisors to Establish

~~\* EDITOR'S NOTE: A list of the Boards, Commissions, Committees, and Councils that have been established by Resolutions promulgated by the Board of Supervisors and are, as of January 1, 1972, active and functioning, is on file with the Clerk of the Board of Supervisors. These Boards, Commissions, Committees, and Councils and may Special Districts may be established by Resolution of the Board of Supervisors. were~~  
\*These entities are created for the purposes of advising the Board of Supervisors and of performing specific functions designated by the Board in their respective areas of expertise. Each Board, Commission, Committee, and Council and Special District shall be governed by Resolutions specifying the composition, functions, rules and procedures. A full list of these various Boards, Commissions, Committees, and Councils and Special Districts are on file in the office of the Clerk of the Board of Supervisors. THE LIST OF BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS MAY BE OBTAINED FROM THE CLERK OF THE BOARD OF SUPERVISORS.

Sec. A-II 12.2

State mandated Boards, Committees, Commissions, Councils, or Special Districts, include,

but are not limited to:

Abandoned Vehicle Abatement Program – County Service Authority;

Air Quality Management District Board;

Area 4 Agency on Aging Advisory Council;

Area 4 Agency of Aging Governing Board;

Assessment Appeals Board;

Board of Trustees of the Law Library;

Citizen’s Oversight Committee of the Nevada Country Library;

County Oversight Board for the County of Nevada;

First 5 Nevada County Children and Families First Commission;

Juvenile Justice/Delinquency Prevention Commission;

Local Agency Formation Commission (LAFCo);

Local Planning Council for Child Development for the County of Nevada (LPC);

Mental Health & Substance Use Advisory Board (Nevada County);

Nevada-Sierra Connecting Point Public Authority Governing Board;

Remote Access Network (RAN);

Solid and Hazardous Waste Commission (Nevada County);

Sec. A-II 12.3 Boards

Boards include, but are not limited to:

Area 4 Agency of Aging Governing Board;

Assessment Appeals Board;

Board of Trustees for the Law Library; Building and Accessibility Standards Board of Review;

Countywide Oversight Board for the County of Nevada;

Mental Health & Substance Use Advisory Board (Nevada County);

Nevada-Sierra Connecting Point Public Authority Governing Board.

Sec. A-II 12.4 Commissions

Commissions include, but are not limited to:

Adult and Family Services Commission;

Agricultural Commission;

Airport Land Use Commission;

Farm Commission;

First 5 Nevada County Children and Families First Commission;

Fish and Wildlife Commission;

Historical Landmarks Commission;

Juvenile Justice/Delinquency Prevention Commission;

Local Agency Formation Commission (LAFCo);

Planning Commission;

Nevada County Transportation Commission;

Planning Commission;

Solid and Hazardous Waste Commission (Nevada County);

Transit Services Commission.

Sec. A-II 12.5 Committees

Committees include, but are not limited to:

Citizen's Oversight Committee of the Nevada County Library;

City Selection Committee;

Emergency Medical Care Committee;

Nevada County sanitation District No. 1 Advisory Committee;

Roll Correction Review Committee.

Sec. A-II 12.6 Councils

Councils include, but are not limited to:

Area 4 Agency on Aging Advisory Council;

Local Planning Council for Child Care Development for County of Nevada (LPC);

Multi-Agency Juvenile Justice Coordinating Council/Local Planning Council;

Operational Area Emergency Services Council (Nevada County);

Penn Valley Area Municipal Advisory Council;

South County Area Municipal Advisory Council.

Sec. A-II 12.7 Special Districts

Special Districts include, but are not limited to:

Air Quality Management District Hearing Board;

Industrial Development Authority;

Donner Summit Public Utility District;

Underground Utility Districts.

Sec. A-II 12.8 Miscellaneous advisory entities

Other advisory entities include, but are not limited to:

Abandoned Vehicle Abatement Program – County Service Authority;

Grand Jury;

Nevada County Finance Authority;

Northern Rural Training Employment Consortium (NORTEC);



Regional Housing Authority;

Remote Access Network; Sewage Disposal Technical Advisory Group.

Sec. A-II 12.9 Adoption of State Law Relating to Law Libraries

Adoption of State Law Relating to Law Libraries

All of the provisions of Chapter 5 of Division 3 of the Business and Professions Code of the California State regarding law libraries shall be, and the same are, hereby made applicable to the County. ( ~~Business and Professions Code~~ Cal. Bus. & Prof. Code §§ 6300 to 6364.) (Ord. 206. (12/01/1955))

EXHIBIT B

ARTICLE 13

TRAVEL EXPENSES AND COMPENSATION OF COMMITTEES AND COMMISSIONS

Section:

Sec. A-II 13.1 Rates Established Generally

Sec. A-II 13.2 Paid Meetings Authorized for Planning Commission

Sec. A-II 13.3 Juvenile Justice/Delinquency Prevention Commission

Sec. A-II 13.4 Authorized Meeting, Defined

Sec. A-II 13.5 Reserved

Sec. A-II 13.6 Reserved

Sec. A-II 13.7 Drawing of Warrants

Sec. A-II 13.8 Reserved

Sec. A-II 13.9 Grand Jury Compensation and Mileage - Grand Jury Sessions

Sec. A-II 13.10 Reserved

Sec. A-II 13.11 Assessment Appeals Board

Sec. A-II 13.1 Rates Established Generally

There is hereby established in the County mileage rates for authorized meetings attended by members of committees, commissions, or boards which have been established by the Board of Supervisors. Such mileage rates shall be in accordance with the provisions of the Resolution or Ordinance establishing the Committee, Commission, or Board, or if such travel expenses are budgeted. (Ord. 1713. [\(06/04/1991\)](#); Ord. 1861. [\(05/17/1994\)](#); Ord. 1944. [\(07/22/1997\)](#))

Sec. A-II 13.2 Paid Meetings Authorized for Planning Commission

There is hereby established in the County of Nevada, for the Planning Commission, the sum of \$75.00 per authorized half-day meeting and \$140.00 per authorized full-day meeting to be paid to each member, and the sum of \$85.00 per authorized half-day meeting and \$160.00 per authorized full-day meeting to be paid to the Chair for each meeting attended.

The Nevada County Planning Commission is authorized to hold as many paid meetings per month, up to a maximum of four (4) times per month, as is necessary to conduct the business of the Commission. The Board of Supervisors may authorize additional meetings

upon the request of the Chair of the Commission. (Ord. 1677. (11/06/1990); Ord. 1831. (05/18/1993); Ord. 2036. (09/26/2000))

#### Sec. A-II 13.3 Juvenile Justice/Delinquency Prevention Commission

In lieu of reimbursement for mileage or any other actual or necessary expenses incurred in the performance of their duties, members of the Juvenile Justice/Delinquency Prevention Commission shall receive a stipend for attendance at meetings in the sum of \$25.00 per authorized meeting to be paid to each member. The stipend may be paid for up to two authorized meetings per month. (Ord. 2393. (04/28/2015))

#### Sec. A-II 13.4 Authorized Meeting, Defined

For purposes of this Article, the term “authorized meeting” shall mean a noticed regular or special meeting of the appointed board or commission to address matters within its jurisdiction. ~~which is held in accordance with the Brown Act.~~ Authorized meetings shall not include subcommittee meetings, working group meetings or any other meetings at which less than the full board or commission is expected to attend. (Ord. 2393. (04/28/2015))

#### Sec. A-II 13.5 Reserved

#### Sec. A-II 13.6 Reserved

#### Sec. A-II 13.7 Drawing of Warrants

The Chair of each committee or commission eligible for travel expenses and compensation shall establish with the ~~County Auditor~~ Auditor-Controller the number of miles between the committee or commission member’s residence and the normal meeting place. Immediately after the normal meeting date, the chair of each committee or commission shall file with the ~~County Auditor~~ Auditor-Controller, following written approval by the department head responsible for budget unit on forms provided, a listing of all persons in attendance at the meeting(s) who are entitled to compensation under this ~~Article~~ Chapter, and the Auditor shall draw warrants in the amounts established herein by Nevada County Personnel section 7 payable to said persons entitled to compensation. (Ord. 1012. (06/02/1981); Ord. 1944. (07/22/1997))

#### Sec. A-II 13.8 Reserved

#### Sec. A-II 13.9 Grand Jury Compensation and Mileage - Grand Jury Sessions

A. The Foreperson, or Business Manager, of the County Grand Jury shall establish with the County Auditor the number of miles between the County Administrative Center and each Grand Juror’s residence. The Auditor is hereby directed, upon presentation of official

mileage claims, to compensate Grand Jurors for mileage actually traveled to and from meetings of the County Grand Jury or any committee thereof at the rate as established by the County as the mileage reimbursement rate.

B. The Auditor is further directed to reimburse Grand Jurors a sum to be adopted, from time to time, by resolution of the Board of Supervisors for attendance as Grand Jurors at all committee or full panel meetings of the Grand Jury, up to a maximum of twelve (12) meetings per month except the Foreperson, or Pro Tem, who shall be reimbursed for up to a maximum of twenty (20) meetings per month.

C. The Foreperson of the Grand Jury is authorized to appoint one of the members of the Grand Jury as Business Manager to perform clerical and financial services and other functions as are deemed necessary and appropriate by the Foreperson. The member acting in such capacity, or at the discretion of the Foreperson the Full Panel Recorder, shall be compensated at an hourly rate in effect for an Office Assistant I and in no event shall such compensation exceed \$5,000 during the term of the Grand Jury; provided, however, that such work shall not exceed 20 hours per week nor more than 1,000 hours during any fiscal year. Alternatively, at the commencement of the term the Foreperson may request the County Executive Officer to authorize the filling of a temporary, part-time position to provide services under the same terms and conditions as described above. (Ord. 1792; Ord. 1820; Ord. 2252; Ord. 2395; Ord. 2514, 8/23/22)

Sec. A-II 13.10 Reserved

Sec. A-II 13.11 Assessment Appeals Board

A. Members of the Assessment Appeals Board shall receive compensation for attendance at meetings as set forth by resolution of the Nevada County Board of Supervisors.

B. The Clerk of the Assessment Appeals Board shall establish with the County Auditor the number of miles between each Assessment Board member's residence and the normal meeting place, and the Auditor is hereby directed to reimburse those members at the rate as established by the Internal Revenue Service as the prevailing mileage reimbursement rate and to include this on the per diem rate for each of the members. (Ord. 2509, 6/14/22)

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## EXHIBIT B

### ARTICLE 14 COUNTY VEHICLES

#### Sections:

Sec. A-II 14.1 Legislative Intent

Sec. A-II 14.2 Application

Sec. A-II 14.3 General Rules and Regulations

Sec. A-II 14.4 Fleet Services Manager Responsibilities

Sec. A-II 14.5 Department Head Responsibilities

Sec. A-II 14.6 Driver's Responsibilities

Sec. A-II 14.7 Temporary and/or Permanent Retention of County Vehicles

Sec. A-II 14.8 Reporting of Vehicle Accidents

Sec. A-II 14.9 Use of Private Vehicles on County Business

Sec. A-II 14.10 Violations

#### **Sec. A-II 14.1 Legislative Intent**

The Board of Supervisors enacts this Article to accomplish the following purposes:

- A. To institute uniform rules and regulations governing the use and operation of County vehicles;
- B. To assign Fleet Services Manager, department head and driver responsibilities pertaining to County vehicles;
- C. To establish a uniform policy regarding permanent retention and/or temporary retention of County vehicles;
- D. To establish a formal policy for reporting vehicle accidents; and
- E. To establish uniform policies regarding the use of private vehicles on County business.

#### **Sec. A-II 14.2 Application**

Each department head of the County of Nevada shall be responsible for assuring that all employees and volunteers within ~~his or her~~ their department who drive vehicles on County business are thoroughly aware of and comply with these rules and regulations.

### **Sec. A-II 14.3 General Rules and Regulations**

- A. Responsibility for County vehicles shall be centralized under the direction of the County Fleet Services Manager.
- B. County vehicles shall be operated only by an authorized County employee, officer, volunteer or agent possessing a valid driver's license of proper class for the vehicle being operated.
- C. Use of County vehicles for any purpose other than County business is prohibited.
- D. Use of a County vehicle for transportation to home or a restaurant, for meals, is prohibited unless the following conditions exist:
  - 1. The employee is enin route while on field duty or attending a meeting on official County business; or
  - 2. The permanent or temporary retention of a County vehicle is authorized.
- E. Transportation of any person not connected with County business shall be prohibited in County vehicles except where (1) with prior approval of the department head that such transportation is in furtherance of County business, or (2) in situations imposing immediate personal danger an employee or volunteer may assist any such person to another location. This policy does not permit the transport of individuals to non-work-relatedwork-related destinations or for non-work purposes.
- F. Members of the Board of Supervisors and their spouses may attend local, regional or state meetings by travel in County vehicles. With the written approval of the appropriate department heads, County employees may transport their spouses to local, regional or state meetings by travel in County vehicles; provided, however, that there shall be no additional costs incurred by the County by such travel, and no County employee shall be displaced from travel in a County vehicle by the application of this Section.
- G. Seat belts shall be worn while operating or riding in County vehicles. The driver of the vehicle shall be responsible for passenger adherence to this rule.
- H. Smoking in County vehicles is prohibited.
- I. Use of cell phone while driving a County vehicle must comply with Cal. Veh. Code §23123.5, allowing for hands free operation and specific handheld exceptions. Any other usage is prohibited. (Ord. 2005. (09/14/1999))
- J. Use of a County vehicle to haul any material or pull a trailer for any other purpose than County business, is prohibited.

### **Sec. A-II 14.4 Fleet Services Manager Responsibilities**

The Fleet Services Manager shall plan, organize and direct all facets of the County vehicle program including, but not limited to, the following:

- A. Scheduling, coordinating and supervising all maintenance and repair activities;
- B. Establishing and maintaining a maintenance and repair cost program ~~in coordination with Information Systems;~~
- C. Preparing recommendations and specifications for replacement and/or new vehicles;
- D. Transferring vehicles between departments;
- E. Preparing surplus vehicles for disposal in coordination with the Purchasing Agent;
- F. Preparing new and/or replacement vehicles for service;
- G. Managing all facets of a centralized motor pool; and
- H. Performing related duties as required. (Ord. 2028. (05/02/2000))

### **Sec. A-II 14.5 Department Head Responsibilities**

Each department head shall:

- A. ~~Submit proposed~~ Approve usage for ~~pre-approval to County Executive Officer~~ for temporary employees or volunteers;
- B. Be responsible for the enforcement of rules and regulations contained in this ~~Article~~Chapter;
- C. Be responsible for the effective utilization of County vehicles;
- D. ~~Aggressively s~~Support the concept of defensive driving;
- E. Review accident reports and assure corrective action is taken;
- F. Maintain a current listing of employees' and volunteers' drivers' license and vehicle insurance expiration dates;
- G. ~~Ensure that County drivers using fleet vehicles record the quantity of fuel, quantity of oil and mileage reading at the time of dispensing fuel, and that such records are accurate;~~
- ~~G.H.~~ Be responsible for registration of employees and volunteers with the Department of Motor Vehicles Pull Notice System, where the employee or volunteer is required to maintain a Class A or B license for the operation of County vehicles. A Class A or B driver's license is required when employees operate passenger vans with seating capacity of 10 or more passengers, including the driver, as well as heavy truck operators (those operating vehicles with gross vehicle weight of 26,001 pounds or more);
- ~~I.H.~~ Be responsible for obtaining a completed certification as required in ~~Sec. A-II 14.6~~ this eCode for temporary employees and volunteers authorized to operate a County vehicle or privately-owned vehicle on County business;
- ~~J.I.~~ Department heads to whom vehicles have been assigned shall submit monthly mileage and fuel reports to the Fleet Services Manager.

## Sec. A-II 14.6 Driver's Responsibilities

All County employees and volunteers, when using any vehicle on County business, shall:

A. Operate vehicles in a safe, reasonable manner consistent with the intended use of the vehicle, and behave or conduct one's self in a manner that is professional and in the best interests of the County.

B. Observe all traffic laws, rules and regulations. Fines and penalties imposed for violation of traffic laws, rules and regulations while on County business, other than those due to County equipment violations or to over-length or over-width County vehicles, are the responsibility of the driver.

C. Whenever possible, inspect the assigned vehicle to ensure its safe operating condition.

1. Inspection shall include inspection of stop, turn and ~~tail light~~taillights, head lamps, windshield wipers, tires and seat belts. In addition, engine oil and coolant levels shall be checked. Departments may designate one employee to inspect all assigned vehicles.

2. If there is evidence of accident damage, it shall be reported immediately to the supervisor before leaving the parking area.

D. County officers, employees, volunteers, and members of boards, commissions and committees, prior to using any vehicle on County business, shall certify that:

1. The driver and any privately-owned vehicle to be used on County business are currently licensed, that such licenses have not been revoked or suspended, and that restrictions concerning any license will be met by the driver;

2. The driver and any privately-owned vehicle used on County business are insured by a company authorized to do business in the State of California in the minimum amounts specified by law; and

3. The driver has read ~~Chapter II, Article 14 of the Administrative~~ all articles pertaining to vehicles in the Code of the County of Nevada and will faithfully abide thereby.

Said certification shall be made on a form provided by the Human Resources Department.

## Sec. A-II 14.7 Temporary and/or Permanent Retention of County Vehicles

When not being used on County business, all County vehicles shall be kept on County property except as herein provided.

Temporary or permanent retention of a County vehicle may be authorized when, in the opinion of the Fleet Services Manager, storage facilities for the vehicle are not adequate due to lack of security of space, and/or the interests of the County are best served by permitting permanent or temporary retention.

A. PERMANENT RETENTION shall constitute the ongoing retention of a County vehicle by a County employee or officer at ~~his or her~~ their place of residence, as authorized



under this Section. In no event shall permanent retention be authorized for any period longer than one year.

1. An application for authorization for the permanent retention of each vehicle shall be submitted by the department head to the Fleet Services Manager. Justification for permanent retention shall be based on the following criteria:

a. The employee must respond to emergencies requiring immediate attention during off-duty hours for the protection of persons or property specifically requiring their presence in a supervisory or technical capacity. Such emergencies must require immediate travel to the emergency scene; or

b. Retention is necessary for programs required by State law for operation of a 24 hour Emergency Response System.

2. All permanent retention applications shall be submitted on forms provided by the Fleet Services Manager.

3. All approved permanent retention requests shall automatically terminate on the succeeding July 1st.

#### B. TEMPORARY RETENTION

Department heads shall be authorized to grant temporary retention of vehicles to employees based on the following criteria:

1. When an employee is scheduled for standby duty outside of normal working hours due to conditions arising from adverse weather; or

2. ~~When snow conditions create vehicle accessibility problems; or~~

3.2 - When an employee is returning from an officially authorized trip after 5:00 p.m. or leaving before 8:00 a.m..

C. Any employee authorized to permanently or temporarily retain a County vehicle shall not use said vehicle for any private purpose while the vehicle is within ~~his or her~~ their possession.

### Sec. A-II 14.8 Reporting of Vehicle Accidents

A. Any employee or volunteer using a County vehicle or a private vehicle on County business who is involved in any type of a vehicle accident, whether or not visible damage is apparent, shall report the accident on the County's accident report form as soon as appropriate emergency action has been taken. The accident report form can be found in the glove compartment of each County vehicle or may be obtained from the employee's or volunteer's department head or the Risk Manager. The completed form is to be given to the employee's or volunteer's department head or the department head's designee. If the employee or volunteer involved in a vehicle accident is not physically able to complete the report form, it shall be the responsibility of the department head, or their designee, to arrange to have the employee or volunteer interviewed and the accident report form completed. When possible, pictures should be taken to accompany the report. The

department head, or department head's designee, shall review the form to ensure it is properly completed and shall forward copies of the form to the Risk Manager, the Fleet Services Manager and the Human Resources Department for inclusion in the employee's file.

B. At no time shall an employee or volunteer discuss any accident or facets related thereto with anyone other than investigative law enforcement officers, the employee's or volunteer's immediate supervisor, department safety officer, department head, the Risk Manager or County Counsel, without approval of the Risk Manager or County Counsel. All inquiries shall be referred to the Risk Manager.

### **Sec. A-II 14.9 Use of Private Vehicles on County Business**

A. By mutual consent of the County and employee or volunteer, the use of privately- owned vehicles on County business may be allowed when such use is determined to be in the best interest of the County. However, prior to use of a private vehicle on County business, all of the following conditions must be met:

1. Use of the privately-owned vehicle shall be authorized by the individual's department head; ~~..~~
2. A valid driver's license shall be in the driver's possession at all times;.
3. Vehicles shall be adequately insured. The liability insurance coverage on any private vehicle used in County business must conform to the minimum requirements for financial responsibility, as set forth in ~~California Vehicle Code Section~~ Cal. Veh. Code §1602; ~~..~~
4. The vehicle shall be in sound mechanical condition adequate for providing required transportation in a safe manner; ~~..~~
5. The vehicle shall be equipped with, and each occupant will be required to use, seat belts; ~~..~~

B. The cost of damage and/or wear and tear to a privately owned vehicle used on County business is the responsibility of the owner of the vehicle. (Ord. 2005. (09/14/1999))

C. Only conventional automobiles equipped with four or more wheels and steel or fiberglass doors shall be used on County business. Motorcycles, mopeds, scooters, bicycles or similar vehicles may not be used to conduct County business. ~~(Ord. 2005)~~

### **Sec. A-II 14.10 Violations**

A violation of this Article shall not be a misdemeanor or infraction but may be cause for disciplinary action pursuant to the Nevada County Personnel Code.

EXHIBIT B

ARTICLE 15  
PUBLIC DEFENDER

Sections:

Sec. A-II 15.1 Office Established

Sec. A-II 15.2 Appointment of the Public Defender

Sec. A-II 15.3 Duties and Responsibilities of the Office of Public Defender ~~Applicability of Certain State Law to Office of Public Defender~~

Sec. A-II 15.1 Office Established

There is hereby established the Office of Public Defender for the County. (Ord. 252 (08/01/1961))

Sec. A-II 15.2 Appointment of the Public Defender

The Public Defender shall be appointed by, and shall serve at the pleasure of, the Board of Supervisors as per Cal. Gov't Code § 27703 ~~County Executive Officer. (Ord. 252 (08/01/1961) ; Ord. 1299(05/13/1985)).~~ The Public Defender shall meet all of the qualifications found in Cal. Gov't Codes §§ 27700 – 27711.

Sec. A-II 15.3 ~~Applicability of Certain State Law to Office of Public Defender~~ Duties and Responsibilities of the Office of Public Defender

Except as herein otherwise provided, all of the provisions of ~~Chapter 13, Part 3, Division 2, Title 3, of the Cal. Gov't Code §§ Government Code, commencing with Sections 27700 – 27711,~~ as the same now are or as they may hereafter be amended, shall apply to the Office of Public Defender. (Ord. 252 (08/01/1961)), including but not limited to, upon request of the defendant or order of the court, defend any person not able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior courts, with applicable statutory restrictions.

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EXHIBIT B

ARTICLE 17

COUNTY EXECUTIVE OFFICER (COUNTY ADMINISTRATOR)

Sections:

Sec. A-II 17.1	Position Created
Sec. A-II 17.2	Appointment and Removal - Residence
Sec. A-II 17.3	Salary and Benefits
Sec. A-II 17.4	Administrative Powers and Duties
Sec. A-II 17.5	General Administration
Sec. A-II 17.6	Budgetary Matters
Sec. A-II 17.7	Departmental Supervision - Appointment and Removal
Sec. A-II 17.8	Functional Responsibilities
Sec. A-II 17.9	Duties, Responsibilities and Authorities of Predecessor Position
Sec. A-II 17.10	Reserved
Sec. A-II 17.11	Donations to the County of Nevada
Sec. A-II 17.12	Contracting Authority
Sec. A-II 17.13	Ex Officio District Administrator for Nevada County Sanitation District No. 1
Sec. A-II 17.14	Settlement Authority

Sec. A-II 17.1 Position Created

There is hereby created in the exempt service of Nevada County the position of County Administrator, who shall be called the County Executive Officer (CEO). The CEO is the County's administrative officer pursuant to Cal. ~~Govt. Code Section~~ Gov't Code § 24000(t), except as otherwise provided by the Board of Supervisors. The County Executive Officer shall be a County officer exempt from the provisions of the Personnel Code, and shall be classified as a confidential employee, except to the extent the Board of Supervisors may desire to make some or all of said provisions applicable to the position.

Sec. A-II 17.2 Appointment and Removal - Residence

The County Executive Officer shall:

A. Be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of public budgeting, personnel, labor relations, finance, and organization. This requirement may normally be met by a combination of education and experience equal to a master's degree in public administration, plus five or more years of experience in a highly responsible administrative position in a public agency.

B. Be appointed and serve at the pleasure of the Board of Supervisors; and may be removed from office by majority vote of the Board of Supervisors upon 45 days' written notice of such removal; except that the County Executive Officer shall not be removed during the first 120 days following any change in membership of the Board of Supervisors except upon four-fifths vote of said Board of Supervisors. Such notice of removal shall be given at a regular meeting of the Board. Upon such removal, the Assistant County Executive Officer shall perform as the Acting County Executive Officer until a permanent successor is selected.

C. Maintain residence within the County during his/her tenure in office, but he/she need not

be a resident of the County at the time of appointment. (Ord. 1726, ~~(06/12/1963)~~)

#### Sec. A-II 17.3 Salary and Benefits

The salary and other compensation of the County Executive Officer shall be established by the Board of Supervisors and shall be paid by the Auditor-Controller in the same manner as the salaries and benefits of other County employees are paid.

#### Sec. A-II 17.4 Administrative Powers and Duties

The County Executive Officer shall be the Chief Administrative Officer of the County and shall be responsible to the Board of Supervisors for the proper and efficient administration of all County offices, departments, institutions, and special districts under the jurisdiction of the Board of Supervisors. To this end, the County Executive Officer shall have those powers and duties set forth in this Article and as reasonably implied therefrom, and shall be authorized to assign or delegate the administration of these duties to any department or person under the Board's control, subject to the limitations imposed by law. The County Executive Officer shall have such other powers and duties as the Board of Supervisors may assign hereafter by motion, Resolution, or Ordinance.

The Board of Supervisors and its members shall normally provide nonpolicy, administrative direction to the various departments and divisions only through the County Executive Officer's office.

#### Sec. A-II 17.5 General Administration

The County Executive Officer shall:

- A. Administer and enforce policies established by the Board of ~~Supervisors, and~~ Supervisors ~~and~~ promulgate rules and regulations as necessary to implement Board policies.
- B. Refer policy matters and other matters beyond his/her authority to resolve to the Board of Supervisors for determination, direction, or authorization.
- C. Investigate the affairs of the County or any department or division thereof; investigate all complaints in relation to matters concerning the administration of the government of the ~~County,~~ and County and see that all franchises granted by the County are faithfully observed.
- D. Be notified of and attend all meetings of the Board of Supervisors unless excused; make reports to the Board on County matters; evaluate departmental and other requests to determine if such requests should be submitted to the Board; and make recommendations to the Board on agenda items.
- E. Propose necessary revisions of the County Codes in conjunction with the County Counsel.
- F. Implement the Board of Supervisors' legislative advocacy program, including the initiation of legislation approved by the Board of Supervisors that will benefit the County and County government; in co-ordination with County Counsel, provide analysis of proposed State and Federal legislation; make recommendations to the Board of Supervisors for positions on proposed legislation; review all department head requests involving legislative activities.
- G. Produce, or cause to be produced, such records, documents and related information as may be necessary to permit the Board of Supervisors, or contractual agent of the Board of Supervisors, to conduct a management audit of his office or any other office or department in the County service, as the said Board shall deem necessary.
- H. Negotiate or supervise the negotiation of, and execute contracts, on behalf of the Board of

Supervisors, subject to the limitations and procedures established by State law and those which have been authorized by the Board by Resolution and/or through budget adoption.

I. Supervise the County's insurance programs and advise the Board of Supervisors of recommended changes.

J. In conjunction with the Auditor-Controller and Purchasing Agent, maintain or supervise the maintenance of inventories of all the County's real and personal property, and undertake activities to prevent the misuse, loss, theft, or damage of County property.

K. Conduct research in administrative practices so as to bring about greater efficiency and economy in County government; develop and recommend to the Board of Supervisors long-range plans to improve County operations and to prepare for future County growth and development.

L. Exercise control of County government in extreme emergencies when there is not sufficient opportunity for the Board of Supervisors to act, as per provisions outlined in "Emergency Services" contained within this eCode. In such an instance, the County Executive Officer or Chair of the Board shall have the authority to hire necessary extra personnel, purchase necessary supplies and equipment, and take other actions necessary to meet such emergencies.

M. Provide oversight and supervision to the Environmental Health Department insofar as Environmental Health functions as the Local Enforcement Agency (LEA) for solid waste. (Ord. 1606, (12/28/1989); Ord. 2267, (06/10/2008))

#### Sec. A-II 17.6 Budgetary Matters

The County Executive Officer shall keep the Board of Supervisors advised of the financial condition and future needs of the ~~County, and~~County and make recommendations as may be deemed desirable.

#### Sec. A-II 17.7 Departmental Supervision - Appointment and Removal

The County Executive Officer shall:

A. Supervise and evaluate the performance of County departments, within the limitations established by State law or the Board of Supervisors, by directing the establishment of standards, goals, and objectives for quality and quantity of departmental performance, and the measure of the performance of individual departments against those standards and goals; assign projects to departments and scrutinize departmental expenditures to assure that they are necessary and proper.

B. Evaluate all proposed departmental programs and recommend those to the Board of Supervisors that he/she feels should be approved or modified; periodically evaluate existing departmental programs and recommend changes to the Board where they are indicated.

C. Evaluate departmental organization on a continuous basis; subject to the limitations of State law or the directives of the Board of Supervisors, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted, including authorizing the transfer of equipment be-tween departments; assign space to County departments in County facilities, and authorize budgeted travel and County business expenses in accordance with rules and regulations prepared, based upon policies established by the Board; recommend to the Board of Supervisors the transfer of positions between departments and the consolidation or combining of County offices, departments, positions, or units.

D. Evaluate the performance of all nonelective department ~~heads, and~~heads and approve merit step salary increases in accordance with demonstrated performance and provisions of the

Personnel Code; confer with department heads as necessary to discuss any shortcomings noted and to suggest remedial action.

E. Except as otherwise specifically required by law, appoint, transfer, discipline, and dismiss all nonelective department heads; such department heads shall serve at the pleasure of the County Executive Officer. In those cases where the County Executive Officer is not the appointing authority under this Ordinance, the County Executive Officer shall: (1) recommend to the Board of Supervisors appointment of a qualified candidate to fill any vacancy occurring in that department head position, and (2) recommend to the Board of Supervisors, for their consideration and determination, the transfer, discipline, or dismissal of such department head, when appropriate.

F. When necessary or upon a department head's request, assist department heads in solving problems which inhibit efficient operation within a department or create friction between departments.

G. Provide management training and develop leadership qualities among department heads as necessary to build a County management team that can plan for and meet future challenges.

H. Periodically review permanent and limited-term personnel positions to assure that the positions are required and that funds are available; authorize advanced-step recruitment upon recommendation and justification of a department head; authorize and control the use of extra help and payment for over-time within available funds; approve overfilling an authorized position upon proper justification.

I. Be responsible for orientation and training of new County Supervisors.

J. Exercise general supervision over all public buildings and property, whether leased or owned by the County; assign all reserved parking spaces. (Ord. 1726, (06/12/1963))

#### Sec. A-II 17.8 Functional Responsibilities

In addition to the foregoing, the County Executive Officer shall supervise or provide for the supervision, of such divisions and services as the Board may assign by Resolution or motion, and he shall be the appointing authority of all personnel assigned thereto.

#### Sec. A-II 17.9 Duties, Responsibilities and Authorities of Predecessor Position

In addition to the foregoing, all duties, responsibilities, and authorities heretofore assigned or delegated, by motion, Resolution, Ordinance, or the Personnel Code, to the Director of Administration and Personnel shall hereby be assigned or delegated to the County Executive Officer.

Sec. A-II 17.10 Reserved  
(~~Ord. 2468, 6/11/19; Ord. 1484~~)

#### Sec. A-II 17.11 Donations to the County of Nevada

The County Executive Officer shall have the power to accept donations of any kind on behalf of the County of Nevada so long as the value of the donation does not exceed Twenty-Five Thousand Dollars (\$25,000), in accordance with ~~Government Code Section~~ Cal. Gov't Code § 25355. The County Executive Officer shall submit notification to the Clerk of the Board of all approved donations. (Ord. 2468 ~~-(06/11/2019)~~; Ord. 1571, (05/02/1989))

Sec. A-II 17.12 Contracting Authority

A. The County Executive Officer is authorized to enter into and to execute all contracts or agreements which are Twenty-Five Thousand Dollars (\$25,000) or under and which are not contracts that fall within ~~Public Contract Code Section~~ Cal. Pub. Cont. Code § 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements, and contracts which must be awarded after public notice and competitive bidding.

B. The County Executive Officer is authorized to enter into and to execute all grant or revenue contracts or agreements which are Twenty-Five Thousand Dollars (\$25,000) or less. (Ord. 2468~~8~~, (06/11/2019); Ord. 1936, (04/15/1997))

Sec. A-II 17.13 Ex Officio District Administrator for Nevada County Sanitation District No. 1

The County Executive Officer of the County of Nevada shall be the ex officio District Administrator for the Nevada County Sanitation District No. 1. The County Executive Officer is authorized to enter into and to execute all contracts or agreements on behalf of the Nevada County Sanitation District No. 1 that are Twenty-Five Thousand Dollars (\$25,000) or under and which are not contracts that fall within ~~Public Contract Code Section~~ Cal. Pub. Cont. Code § 20131 relating to the authority granted to purchasing agents, contracts for construction of public improvements, and contracts which must be awarded after public notice and competitive bidding. (Ord. 2468~~8~~, (06/11/2019); Ord. 1936, (04/15/1997))

Sec. A-II 17.14 Settlement Authority

The County Executive Officer is hereby authorized to approve claims and legal settlements up to and including Fifty Thousand Dollars (\$50,000), with the concurrence of County Counsel. (Ord. 2468~~8~~, (06/11/2019))



EXHIBIT B

ARTICLE 19

CLERK OF THE BOARD OF SUPERVISORS

Sections:

Sec. A-II 19.1 Office Established

Sec. A-II 19.2 Deputies Authorized

Sec. A-II 19.3 Duties Established

Sec. A-II 19.4 Reserved

Sec. A-II 19.5 Reserved

~~Sec. A-II 19.6 Transcription Fees~~

Sec. A-II 19.1 Office Established

There is hereby created the Office of the Clerk of the Board of Supervisors. The Clerk of the Board of Supervisors shall serve under the general direction and at the pleasure of the Board of Supervisors. (Ord. 1786. (06/16/1992))

Sec. A-II 19.2 Deputies Authorized

The Clerk of the Board of Supervisors may appoint deputies as authorized by the Board of Supervisors to assist the Clerk in the performance of ~~his or her~~ their duties. The Clerk of the Board shall have sole responsibility for the management and control of any such deputies.

Sec. A-II 19.3 Duties Established

The Clerk of the Board of Supervisors shall perform those duties prescribed by law for the County Clerk as Ex Officio Clerk of the Board of Supervisors and such other duties as may be assigned by the Board of Supervisors. Additionally, the Clerk of the Board of Supervisors shall:

Attend each session of the Board of Supervisors and attend committee meetings when requested to do so.

A. Keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all Resolutions and all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.

- B. Immediately after each meeting of the Board, deliver to, and leave with the Auditor, all demands allowed for the payment of money.
- C. File and preserve, or dispose of pursuant to law, all petitions, applications, and other papers and records deposited with ~~him or her~~ them.
- D. Authenticate with ~~his or her~~ their signature and the seal of the Board, and file each Ordinance passed by the Board.
- E. Take acknowledgments and administer and certify oaths in the performance of such person's official duties.
- F. Perform such other functions of such person's office as may be required by law. (Ord. 1786. (06/16/1992))

Sec. A-II 19.4 Reserved

Sec. A-II 19.5 Reserved

#### ~~Sec. A II 19.6 Transcription Fees~~

~~The Clerk of the Board of Supervisors shall be the custodian of all recordings of the official proceedings of the Board of Supervisors. The general public shall have the right to listen to or view these recordings and to transcribe the proceedings recorded thereon subject to the following conditions:~~

~~A. — That the listening, transcribing, viewing, or reproduction of the proceedings recorded shall only be done at a time which is reasonably convenient to the Clerk of the Board of Supervisors.~~

~~B. — That only the Clerk of the Board of Supervisors or an authorized deputy shall be allowed to operate said equipment for the purpose of allowing the general public to either listen, transcribe, or reproduce the proceedings recorded thereon.~~

~~C. — That the person requesting the privilege of transcribing the proceedings shall pay to the Clerk of the Board of Supervisors an advance deposit in an amount to be established by Resolution of the Board of Supervisors, which sum shall be applied to the total cost of preparing the transcript. The cost of transcribing the proceedings as set forth herein shall be calculated at the rate established by Resolution of the Board of Supervisors.~~

~~D. — The Clerk of the Board of Supervisors shall be responsible for, and for and collect the advance deposit and all fees authorized herein. All proceeds derived therefrom shall be paid to the County General Fund. (Ord. 1658. (08/07/1990); Ord. 2389. (10/28/2014))~~

## EXHIBIT B

### CHAPTER II: ADMINISTRATION

#### ARTICLE 20

#### RESERVED

#### ~~CORRECTIONAL PEACE OFFICER STANDARDS AND TRAINING~~

##### Sections:

~~Sec. A II 20.1 — Qualifying for State Aid~~

~~Sec. A II 20.2 — Compliance with CPOST Standards~~

~~Sec. A II 20.3 — Compliance with Corrections Standards Authority Standards~~

~~Sec. A II 20.4 — Adherence to Standards~~

~~Sec. A II 20.1 — Qualifying for State Aid~~

~~The County declares its desire to qualify for aid from the State of California under the provisions of Title 3, Chapter 1 of Title 4, Part 4, of the California Penal Code (commencing with Section 13510, et seq.).~~

~~Sec. A II 20.2 — Compliance with CPOST Standards~~

~~Pursuant to the provisions of Sections 13510, 13522, 13524 and 13525 of the Penal Code, the County, while receiving aid from the State pursuant to Chapter 1 of the Penal Code, will adhere to the standards for recruitment and training established by the California Commission on Correctional Peace Officer Standards and Training (CPOST), now called the Corrections Standards Authority.~~

~~Sec. A II 20.3 — Compliance with Corrections Standards Authority Standards~~

~~While receiving any State aid pursuant to Article 3, commencing with Penal Code Section 6035, et seq., the County of Nevada will adhere to the standards for recruitment and training established by the Corrections Standards Authority.~~

~~Sec. A II 20.4 — Adherence to Standards~~

~~Pursuant to Penal Code Section 13512, the Authority and its representatives shall make such inquiries as deemed appropriate by the Authority to ascertain that Nevada County's public safety dispatcher personnel and investigators of the District Attorney's office adhere to standards for selection and training established by the CPOST. (Ord. 1564; Ord. 2053)~~

EXHIBIT B

ARTICLE 24  
FEES

Sections:

Sec A-II 24 Consolidated Fee Schedule

Sec. A-II 24.1 Coroner Fees

Sec. A-II 24.2 Elections Department Fees

Sec. A-II 24.3 ~~Reserved~~ Concealed Firearm License Fee

Sec. A-II 24.4 ~~Reserved~~ Fingerprinting Fee Required

Sec. A-II 24.5 ~~Reserved~~ Fees for Transportation of Trees, Shrubs and Boughs

Sec. A-II 24.6 Reserved

Sec. A-II 24.7 Reserved

Sec. A-II 24.8 County Clerk-Recorder Fees

Sec. A-II 24.9 Reserved

Sec. A-II 24.10 Reserved

Sec. A-II 24.11 Reserved

Sec. A-II 24.12 Probation Department Fees

Sec. A-II 24.13 Reserved

Sec. A-II 24.14 Reserved

Sec. A-II 24.15 Fee for Explosives Permit

Sec. A-II 24.16 Identification Photographs

Sec. A-II 24.17 Reserved

Sec. A-II 24.18 Geographic Information System

Sec. A-II 24.19 Credit Cards Accepted

Sec. A-II 24.20 Library Fines and Fees

Sec. A-II 24.21 Transcription and Duplication Fees by the Clerk of the Board of Supervisors

Sec. A-II 24 Consolidated Fee Schedule

The Board of Supervisors, shall, from time to time, adopt by resolution, fees. To provide greater transparency and ease of accessibility, fees may be listed within a County consolidated fee schedule. Additional fees may be established as permissible by state law and passed by Resolution of the Board of Supervisors.

#### Sec. A-II 24.1 Coroner Fees

In accordance with Cal. Gov't Code §§ Government Code Sections 27472 and 54985, the Coroner of the County of Nevada shall charge and collect a fee, the amount which reflects the actual expense incurred by the Coroner, for the removal of a body from the place of death and/or the keeping of a body until its release or interment. Such fee shall be set by resolution of the Board of Supervisors and shall be imposed in accordance with the Cal. Gov't Code § ~~Government Code section~~ 27472. (Ord. 2244. (06/26/2007); Ord. 2413., (06/28/2016))

#### Sec. A-II 24.2 Elections Department Fees

A. The Elections Department is hereby authorized to charge and collect fees for the following services, the amount of which shall be adopted by Resolution of the Board of Supervisors of the County of Nevada.

1. Voter registration index.
2. Voter registration/street list by district (digital or printed).
3. Voter registration/street list County-wide (digital or printed).
4. Voter registration list proposed territory/district.
5. Absentee ballot voter list (digital or printed).
6. Absentee voter mailing labels.
7. Certified copy of voter's affidavit of registration.
8. Election results digital (County-wide only); 1999 on or available online; pre-1999 printed (County-wide or a portion thereof).
9. Filing a County initiative (fee is refundable if measure qualifies for the ballot).
10. Maps: 8 1/2" x 11"; 11" x 14"; 34" x 44".
11. Preprinted supervisorial district maps.

12. Other such fees as are adopted by Resolution of the Board of Supervisors or allowable by state or federal law.

B. The fee for certifying a copy of any paper, record or document, the original of which is on file in the County Elections Office. (Ord. 2056. (05/08/2001); Ord. 2108. (02/11/2003); Ord. 2346. (01/24/2012))

#### Sec. A-II 24.3 ~~Reserved Sec. G-IV 9.1~~ Concealed Firearm License Fee

The Sheriff is authorized and directed to charge and collect a fee for each concealed firearm license issued by the Sheriff's Office, and a sum for each renewal of said permit, in an

amount to be determined by resolution of the Board of Supervisors. (Ord. 2413..., (06/28/2016))

Sec. A-II 24.4 ~~Reserved~~ ~~Sec. G-IV-10.1~~ Fingerprinting Fee Required

Any person desiring to be fingerprinted by the Sheriff's Office shall pay a fee in an amount set by the Board of Supervisors, which the Sheriff shall deposit in the General Fund of the County. Said fee shall be in addition to any amount required by the State of California.

Sec. A-II 24.5 ~~Reserved~~ ~~Sec. G-III-2.1~~ Fees for Transportation of Trees, Shrubs and Boughs Fees

The Sheriff is authorized and directed to collect a fee in an amount set by the Board of Supervisors for each application filed with the Sheriff's Office for tags for the transportation of trees, shrubs, and boughs as required by California Penal Code Section 384e. The Sheriff is also authorized and directed to collect an additional fee in the amount to be set by the Board of Supervisors for each transportation tag issued. ~~pursuant to Penal Code Section 384e.~~ -

Sec. A-II 24.6 Reserved

Sec. A-II 24.7 Reserved

Sec. A-II 24.8 County Clerk-Recorder Fees

The Clerk-Recorder is hereby authorized to charge and collect, as provided by ~~Government Code Sections~~ Cal. Gov't Code §§ 27366, 27397, and 54985, and the ~~Fish and Game Code Section~~ Cal. Fish & Game § 711.4, fees for the following services, and others, in the amount of which shall be adopted by Resolution of the Board of Supervisors of the County of Nevada:

1. Application for and issuance of a marriage license.
2. Application for and issuance of a confidential marriage license.
3. Duplicate marriage license.
4. Keepsake marriage license.
5. Issuance of authorization to marry and oath.
6. Marriage ceremony (in-house, on-duty); wedding ceremony witness.
7. Marriage ceremony solemnization.
8. Environmental impact report, clerk's fee.
9. Filing of a fictitious business name statement; first fictitious name; each additional

fictitious name; each additional owner; abandonment; withdrawal.

10. Power of attorney for an admitted surety insurer; each subsequent name.
11. Bond of a notary public.
12. Notary signature certification, first signature and subsequent signatures.
13. Involuntary liens (mailed notice); 20-day preliminary notice.
14. Official records duplication, first page and subsequent pages.
15. Official records recordation, first page per document for social security number truncation program.
16. Records search, archival and files search.
17. Maps, first page and subsequent pages.
18. Certification; conformed copies.
19. Mailing and packaging (plus actual postage costs).
20. Fax charge, first page and subsequent pages.
21. Internet subscription service.
22. CD-ROM with one day's images.
23. CD-ROM with one week's images.
24. CD-ROM with one month's images.
25. CD-ROM with archival images.
26. CD-ROM with map images.
27. Complete set of Nevada County recorded maps on electronic format DVD (1865 - ).
28. Quarterly update map in electronic format DVD\*.
29. Clerk's filing fee for California Environmental Quality Act documents.
30. Official Records Recordation, First Page Per Document Recording Fee, Submitter Agreement Fee, and Vendor Fee for Electronic Recording Delivery Act of 2004.

\* You cannot purchase just the electronic update DVD without first purchasing the complete set.

~~(Ord. 1641, 6/22/90; Ord. 1892, 12/19/95; Ord. 2018, 1/25/00; Ord. 2042, 12/12/00; Ord. 2056, 5/8/01; Ord. 2263, 4/8/08; Ord. 2333, 2/8/11; Ord. 2346; Ord. 2444, Adopt. 12/12/17, Eff. 1/11/18)~~

Sec. A-II 24.9 Reserved

Sec. A-II 24.10 Reserved

Sec. A-II 24.11 Reserved

Sec. A-II 24.12 Probation Department Fees

The Probation Department is hereby authorized to charge and collect fees for the investigation and preparation of presentencing reports for the Superior Courts, and for probation supervision services, in accordance with the provisions of Cal. Penal Code Section § 1203.1b. The amount of such fees shall be adopted by Resolution of the Board of Supervisors of the County of Nevada. (Ord. 1763. (03/17/1992))

Sec. A-II 24.13 Reserved

Sec. A-II 24.14 Reserved

Sec. A-II 24.15 Fee for Explosives Permit

In accordance with ~~Health and Safety Code Sections~~ Cal. Health & Safety §§ 12101 - 12401, et seq., the Sheriff's Office is hereby authorized to charge and collect a fee or fees for the application for, and issuance of, an explosives permit. Such fees shall be set by rResolution of the Board of Supervisors and shall be imposed in accordance with the provisions of ~~Health and Safety Code Sections~~ Cal. Health & Safety §§ 12101 - 12401, et seq. (Ord. 1847. (10/26/1993); Ord. 2413., (06/28/2016))

Sec. A-II 24.16 Identification Photographs

The Sheriff's Office is hereby authorized to charge and collect a fee in an amount to be determined by Resolution of the Board of Supervisors upon request for and receipt of an identification photograph. (Ord. 1847. (10/26/1993))

Sec. A-II 24.17 Reserved

Sec. A-II 24.18 Geographic Information System

In accordance with ~~California Government Code Section~~ Cal. Gov't Code §6254.9, the County of Nevada shall charge and collect fees for maps, data, analyses, reports, and other such related information services and/or use of the Geographic Information System (GIS). A schedule of such fees shall be adopted by Resolution of the Board of Supervisors provided, however, that only the actual cost associated with the copying of any map or report shall be charged with regard to any such map or report that was originally provided



by the GIS system for any County purpose. (Ord. 1898. 03/26/1996)

#### Sec. A-II 24.19 Credit Cards Accepted

In accordance with ~~Government Code~~ Cal. Gov't Code § 6159 and ~~Revenue and Taxation Code~~ Cal. Rev. & Tax. § 2511.1, the Board of Supervisors hereby authorizes County departments to accept credit cards as payment ~~for the purposes listed below~~. However, no credit card shall be accepted as payment until a contract between the County of Nevada and the card issuer has been executed which contains the terms and provisions set forth in subdivision (d) of ~~Government Code~~ Cal. Gov't Code § 6159. Upon execution of such a contract, credit cards will be accepted as payment for the following purposes:

A. Payment for the deposit of bail or for any fine for any offense not declared to be a felony. ~~B. — Payment of a filing fee or other court fee.~~

BC. Payment of any towage or storage costs for a vehicle that has been removed from a highway, or from public or private property, as a result of parking violations.

CD. Payment of child, family, or spousal support, including reimbursement of public assistance, related fees, costs, or penalties.

DE. Payment for services rendered by the County.

EF. Payment of any fee, charge, or tax.

No officer or employee of the County of Nevada who has or had access to credit card information provided to the County under this ~~S~~section shall disclose such information or use such information for any unauthorized purpose. Any violation of this ~~S~~section shall be a misdemeanor. (Ord. 2012. 01/11/2000)

#### Sec. A-II 24.20 Library Fines and Fees

In accordance with ~~Education Code sections~~ Cal. Educ. Code §§ 18700 to 18767 et seq., and ~~Government Code section~~ Cal. Gov't Code § 54985, the Nevada County Community Library is authorized to charge and collect fees and fines to ensure adequate services are provided. Such fees and fines shall be set by resolution of the Board of Supervisors. (Ord. 2438. 06/27/17; Ord. 2294. 08/11/2009)

#### Sec. A-II ~~19.61-24.21~~ Transcription Fees and Duplication Fees by the Clerk of the Board of Supervisors

The Clerk of the Board of Supervisors shall be the custodian of all recordings of the official proceedings of the Board of Supervisors. Most current proceedings are available online. The general public shall have the right to listen to or view these recordings and to request a written transcription transcribe or digital recording, or accessibility to recordings to create their own ~~transcription~~ transcription of the proceedings recorded thereon subject to the following conditions:

A. That the ~~listening~~, transcribing, ~~viewing~~, or reproduction of the proceedings recorded shall only be done at a time which is reasonably convenient to the Clerk of the Board of Supervisors.

B. That only the Clerk of the Board of Supervisors, or ~~their designee~~ authorized deputy, shall be allowed to operate said equipment for the purpose ~~of producing a certified allowing the general public to either listen,~~ transcription be, or reproduction ~~ee of~~ of the proceedings. ~~recorded thereon.~~

C. That the person requesting the ~~privilege of transcribing~~ transcription or recording of the proceedings shall pay to the Clerk of the Board of Supervisors an advance deposit in an amount to be established by Resolution of the Board of Supervisors, which sum shall be applied to the total cost of preparing the transcript. The cost of transcribing the proceedings as set forth herein shall be calculated at the rate established by Resolution of the Board of Supervisors.

D. The Clerk of the Board of Supervisors shall be responsible for and collect the advance deposit and all fees authorized herein. All proceeds derived therefrom shall be paid to the County General Fund. (Ord. 1658, (08/07/1991); Ord. 2389, (10/28/2014))

~~As far as the public transcribing, they are free to transcribe the recording— however, we would only certify transcriptions that are completed by COB staff. If we don't do the transcribing, we would then have to listen to the recording and confirm that the transcription was fully correct— we would charge for the service.~~

...

EXHIBIT B

ARTICLE 25 ~~RESERVED~~  
COUNTY OFFICES AND DEPARTMENTS

Sections:

Sec. A-II 25 .1 Office of Assessor

Sec. A- II 25.2 Office of Auditor-Controller

Sec. A-II 25.3 Office of County Clerk and County Recorder

Sec. A-II 25.4 Elections Office

Sec. A-II 25.5 Office of the District Attorney

Sec. A-II 25.6 Office of the Sheriff

Sec. A-II 205.6.1 Qualifying for State Aid

Sec. A-II 205.6.2 Compliance with CPOST Standards

Sec. A-II 205.6.3 Compliance with Corrections Standards Authority Standards

Sec. A-II 205.6.4 Adherence to Standards

Sec. A-II 25.7 Office of the Coroner

Sec. A-II 25.8 Office of Public Administrator

Sec. A-II 25.9 Office of Treasurer

Sec. A-II 25.10 Office of Tax Collector

Sec. A-II 25.1 Office of Assessor

There is hereby established in the County of Nevada the Office of Assessor.

Sec. A-II 25 .2 Office of the Auditor-Controller

There is hereby established in the County of Nevada the Office of Auditor-Controller.

Sec. A-II 25.3 County Clerk and County Recorder Office

There is hereby established in the County of Nevada the Office of County Clerk and County Recorder. These offices are combined pursuant to the authority of Cal. Gov't Code § 24300 (e).

Sec. A-II 25.4 Elections Office

There is hereby established in the County of Nevada the Office of Elections. This office is combined with the Office of the County Clerk-Recorder.

Sec. A-II 25.5 Office of the District Attorney

There is hereby established in the County of Nevada the Office of District Attorney.

Sec. A-II 25.6 Sheriff's Office

There is hereby established in the County of Nevada the Sheriff's Office.

Sec. A-II ~~205~~ 6.1 Qualifying for State Aid

The County declares its desire to qualify for aid from the State of California under the provisions of Title 3, Chapter 1 of Title 4, Part 4, of the California Penal Code (commencing with Section 13510, et seq.).

Sec. A-II ~~205~~ 6.2 Compliance with CPOST Standards

Pursuant to the provisions of Sections 13510, 13522, 13524 and 13525 of the Cal. Penal Code, the County, while receiving aid from the State pursuant to Chapter 1 of the Penal Code, will adhere to the standards for recruitment and training established by the California Commission on Correctional Peace Officer Standards and Training (CPOST), now called the Corrections Standards Authority.

Sec. A-II ~~205~~ 6.3 Compliance with Corrections Standards Authority Standards

While receiving any State aid pursuant to Article 3, commencing with Penal Code ~~Section~~ § 6035, ~~et seq.~~, the County of Nevada will adhere to the standards for recruitment and training established by the Corrections Standards Authority.

Sec. A-II ~~205~~ 6.4 Adherence to Standards

Pursuant to Cal. Penal Code ~~Section~~ § 13512, the Authority and its representatives shall make such inquiries as deemed appropriate by the Authority to ascertain that Nevada County's public safety dispatcher personnel and investigators of the District Attorney's office adhere to standards for selection and training established by the CPOST. (Ord. 1564. .(02/28/1989)., ÷ Ord. 2053. (04/11/2001))

Sec. A-II 25.7 Office of Coroner

There is hereby established in the County of Nevada the Office of Coroner. This office is combined with the Office of the Nevada County Sheriff under the authority of Cal. Gov't Code § 24300 (n).

Sec. A-II 25.8 Office of Public Administrator

There is hereby established in the County of Nevada the Office of Public Administrator. This office is combined with the Coroner's Office pursuant to the authority granted in Cal. Gov't Code § 24300 (k)

Sec A-II 25.9 Treasurer

There is hereby established in the County of Nevada the Office of Treasurer.

Sec. A-II 25.10 Tax Collector

There is hereby established in the County of Nevada the Office of Tax Collector. This office is combined with the Office of Treasurer pursuant to the authority of Cal. Gov't Code § 24300 (g).

EXHIBIT B

ARTICLE 26  
AMENDMENT TO PERS CONTRACT

Sections:

Sec. A-II 26.1 Amended PERS Contract

Sec. A-II 26.2 Execution of Amended PERS Contract Authorized

Sec. A-II 26.1 Amended PERS Contract

An amendment to the Contract between the Board of Supervisors and the Board of Administration, California Public Employee's Retirement System is hereby authorized, a copy of which is on file with the Human Resources Department, and by such reference made a part hereof as though herein set out in full.

Sec. A-II 26.2 Execution of Amended PERS Contract Authorized

The Chair of the Board of Supervisors is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency. (Ord. 694. (11/06/1974); Ord. 697. (01/07/1975); Ord. 747. (04/27/1976); Ord. 792. (06/21/1997)) -

EXHIBIT B  
ARTICLE 28  
~~RESERVED~~  
ELECTED COUNTY OFFICERS

Sections:

- Sec. A-II 28            Elected Officers
- Sec. A-II 28.1        Assessor
- Sec. A-II 28.2        Auditor and Controller
- Sec. A-II 28.3        County Clerk-Recorder And Elections Official
- Sec. A-II 28.4        District Attorney
- Sec. A-II 28.5        Sheriff-Coroner-Public Administrator
- Sec. A-II 28.6        Treasure-Tax Collector

Sec. A-II 28            Elected Officers

The following officers are elected:

1.       Assessor
2.       Auditor-Controller
3.       County Clerk-Recorder and Lections Officer
4.       District Attorney
5.       Sheriff
6.       Treasure-Tax Collector

Sec. A-II 28.1        Assessor

The Official filing the position of Assessor for the County of Nevada shall comply with the provisions of Cal. Gov't Code §24002.5.

A. Position of Assessor

The position of Assessor shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.2        Auditor – Controller

Sec. A-II 1.9 – A. Position of County Auditor – Controller

The Official filling the position of County Auditor – Controller shall meet the provisions

of Article 4 of Chapter 4, Part 3, Division 2, Title 3 of the Government Code are hereby adopted and made applicable to the County. (See Cal. Govt. Code Sections §§ 26945 to & 26946.) (Ord. 241. (01/03/1961))

B. Consolidation of Offices of Auditor and Controller

The positions of Auditor and Controller shall be consolidated. The person holding the consolidated office shall qualify separately for each office. Duties and Responsibilities of each office as described in Cal Gov't Code §§26800 -26886 for the position of controller and Cal. Gov' Code §§ 26900 – 26946 for the position of auditor.

C. Election

The position of Auditor – Controller shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.3 County Clerk – Recorder And Elections Official

A. Position of County Clerk – Recorder

The Official filling the position of County Clerk shall meet the qualifications and perform all the duties as provided for in Cal. Gov't Code §§ 26801-26861, including those of Registrar of Voters.

Sec. A-II 1.3.2 B. Consolidation of Offices of Clerk and Recorder

The offices of County Clerk and County Recorder are hereby consolidated, as per ~~Cal. Gov't~~California Government Code §24304, and the person hereafter elected or appointed shall qualify separately for each office, and office and shall receive the salaries pertaining thereto. Pursuant to California Elections Code ~~Section~~ § 320, the Clerk -Recorder shall serve as the ex officio Elections officer. (Ord. 308. (01/14/1965)) (~~For State law as to consolidation of County offices, see Govt. Code Sections 24300 to 24308.~~)

C. Election

The position of County Clerk – Recorder is an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.4 District Attorney

A. Position of District Attorney

The Official filling the Position of District Attorney shall meet all requirements for this office include, including, but not limited to, being admitted to practice in the Supreme Court of the State, in accordance with California Government Code ~~Section~~ § 24002.

B. Election

The position of District Attorney is an elected position as per Cal. Gov't Code § 24009.



Sec. A-II 28.5 Sheriff – Coroner- Public Administrator

A. Position of Sheriff

The Official filing the Position of Sheriff shall meet all the qualifications and perform all the duties outlined by state statute, including but not limited to Cal. Gov't Code §§24002 – 24004.5.

~~Sec. A-II 1.5 B.~~ Consolidation of Offices of Sheriff, Coroner and Public Administrator  
The offices of Sheriff, Coroner, and Public Administrator are hereby consolidated, and the person holding such consolidated office by reason of election or appointment or consolidation shall qualify separately for each office and shall receive the salaries pertaining thereto.

Animal Control is administratively delegated to the Sheriff. (Ord. 571. (02/01/1972))

C. Position of Sheriff as an Elected Position

The position of Sheriff - Coroner shall be an elected position as per Cal. Gov't Code § 24009.

Sec. A-II 28.6 Treasurer-Tax Collector

A. Position of Treasurer – Tax Collector

The Official filling the position of Treasurer-Tax Collector shall meet all the qualifications and perform all the duties required by state law.

~~Sec. A-II 37.1~~ B. Consolidation of Offices of Treasurer and Tax Collector

The County Treasurer shall be ex officio County Tax Collector and shall perform the duties thereof. The offices of Treasurer and Tax Collector are hereby consolidated and the Treasurer hereafter (July 26, 1984) elected shall qualify separately for the office held ex officio and shall receive the salaries pertaining thereto; provided, that in addition to the salary provided by law, the Tax Collector shall receive the fees allowed for collecting all licenses levied and imposed by this Code or other County Ordinances.

~~Sec. A-II 37.2~~ C. Eligibility for Office of County Treasurer and Tax Collector

No person shall be eligible for election or appointment to the office of Treasurer and Tax Collector unless that person meets the criteria provided for in California Government Code section § 27000.7, including but not limited to, at least one of the following criteria:

1. The person has served in a senior financial management position in a county, city, or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years, including, but not limited to, treasurer, tax collector, auditor, auditor-controller, or the chief deputy or an assistant in those offices.

2. The person possesses a valid baccalaureate, masters, or doctoral degree from an accredited college or university in any of the following major fields of study: business administration, public administration, economics, finance, accounting, or a related field, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.

3. The person possesses a valid certificate issued by the California State Board of Accountancy pursuant to Chapter 1 (commencing with Section 5000) of Division 3 of the California Business and Professions Code, showing that person to be, and a permit authorizing that person to practice as, a certified public accountant.

4. The person possesses a valid charter issued by the Institute of Chartered Financial Analysts showing the person to be designated a Chartered Financial Analyst, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.

5. The person possesses a valid certificate issued by the Treasury Management Association showing the person to be designated a Certified Cash Manager, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.

#### D. Position of Treasurer – Tax Collector as an Elected Position

The position of Treasurer – Tax Collector shall be an elected position as per Cal. Gov't Code § 24009.

EXHIBIT B

ARTICLE 33

INFORMATION AND GENERAL SERVICES AGENCY DEPARTMENT

Sections:

Sec. A-II 33.1 Department Established

Sec. A-II 33.2 Duties and Responsibilities

Sec. A-II 33.3 Information and General Services Agency Director ~~Chief Information Officer~~ Sec. A-II 33.4 Information and General Services Appointed Positions ~~General Services Manager~~

Sec. A-II 33.5 Reserved ~~Director of Emergency Services~~

Sec. A-II 33.6 Revenue Collection Services

Sec. A-II 33.1 Department Established

There is hereby created in the County the Information and General Services ~~Department~~ Agency. The Information and General Services Agency Department is a comprehensive ~~Department~~ Agency which consolidates the former Information Systems Department and the Department of General Services.

Sec. A-II 33.2 Duties and Responsibilities

The Information and General Services ~~Department~~ Agency shall be responsible for the following:

- A. Provide voice data, and video communication services to County departments and other agencies as warranted.
- B. Centralizing all information system services and all IT staffing positions for all County departments.
- C. Provide office automation, data sharing, and support services among County departments/offices.
- D. Providing business analysis, application programming and business systems consultation services to County departments.
- E. Developing, supporting, and protecting all County information systems assets, data, and infrastructure, by establishing, implementing, and enforcing County information security best practices, policies, and procedures.
- F. Develop and enforce County-wide information technology security policies and procedures.

- G. Developing County-wide information systems strategic plans and policies.
- H. Administer and oversee all franchises awarded by the County.
- I. Provide for the maintenance and remodeling of County buildings and grounds and perform any and all other services of a general nature for the upkeep, preservation and function of County property that may be ordered by the CEO or the Board of Supervisors.
- J. Provide for capital development and construction of new and existing facilities, including project management related to such development activities.
- K. Provide for central services to include mail handling, printing, and related support services.
- L. Repealed by Ord. 2260. (07/13/2010).
- M. Perform such other services, duties, and responsibilities as the Board of Supervisors or the CEO may assign. (Ord. 2321. 07/13/2010)
- N. Management all Airport Activities O. Oversee County Library Activities

Sec. A-II 33.3 Information and General Services Agency Director ~~Chief Information Officer~~

Under the general direction of the County Executive Officer (CEO) EO, the Information and General Services (IGS) Director ~~Chief Information Officer (CIO)~~ shall be the administrative head of the Department Agency. The ~~CIO~~ IGS Director shall report directly to the CEO and shall serve at the will and pleasure of the CEO.

Sec. A-II 33.4 ~~General Services Manager~~ Information and General Services Appointed Positions The Information and General Services Director shall appoint the following positions:

A. Chief Information Officer;

The Chief Information Officer shall be appointed by the IGS Director and shall lead and manage the Information Systems department.

B. Facilities Director;

The Facilities Director shall be appointed by the IGS Director and shall lead and manage the Facilities Management Department and Capital Facilities budget, and other operations as assigned.

C. Purchasing Program Manager;

The Purchasing Program Manager shall be appointed by the IGS Director and shall lead and manage the Purchasing operations and act as the County Purchasing Agent.

~~County Purchasing Agent shall be appointed by the CIO and perform, pursuant to State law, Chapter IV provisions of the Nevada County Administrative Code, and such other County Ordinances and Resolutions as may from time to time be adopted.~~

Sec. A-II 33.5

D. Director of Emergency Services.

The Director of Emergency Services shall be appointed by the CIO IGS Director and shall perform under the provisions of Emergency Services Chapter III of the Nevada County Administrative Code.

Sec A-II 33.5 Reserved

Sec. A-II 33.6 Revenue Collection Services

Information and General Services shall be responsible for managing the County's revenue collection services.

EXHIBIT B

ARTICLE 35

HUMAN RESOURCES DEPARTMENT

Sections:

Sec. A-II 35.1 Human Resources Department Created

Sec. A-II 35.2 Responsibilities and Duties

Sec. A-II 35.3 Director of Human Resources

Sec. A-II 35.4 Adoption of Personnel Rules by Resolution

Sec. A-II 35.1 Human Resources Department Created

There is hereby created in the County ~~a Department of~~ Human Resources Department. (Ord. 2192 (12/13/2005)) ~~4726~~)

Sec. A-II 35.2 Responsibilities and Duties

A. The ~~Department of~~ Human Resources Department shall be responsible to the County Executive Officer for the administration and operation of the County's personnel functions and systems in accordance with County Ordinances and State and Federal laws, rules, and regulations. The Department's responsibilities shall include recruitment, selection, organizational development, job standards and qualifications, classification and pay, performance evaluation and discipline, personnel actions, equal employment opportunity, employment benefit programs, and such other related functions as the County Executive Officer or the Board of Supervisors may assign.

B. The Department shall keep and maintain the official personnel records of County employees, shall administer the County's Personnel Code and the Memoranda of Understanding with the bargaining units, and shall provide assistance to the County's negotiators in contract negotiations, as needed. (Ord. 2192 (12/13/2005)) ~~4726~~)

Sec. A-II 35.3 ~~Director of~~ Human Resources Director

The ~~Director of~~ Human Resources Director shall be the administrative head of the ~~Department of~~ Human Resources Department and shall be responsible for the proper administration of the Department. The Director shall be appointed by and serve at the will and pleasure of the County Executive Officer. (Ord. 2192 (12/13/2005)) ~~4726~~)

#### Sec. A-II 35.4 Adoption of Personnel Rules by Resolution

Except where prohibited by law, the Board of Supervisors may establish, by Resolution, such rules and regulations as it deems necessary: to provide for equitable levels and types of employee classification, compensation and fringe benefits; to provide for the development of effective recruitment, selection, placement, training, evaluation and promotion programs; to afford assurance of equal employment opportunity of persons consistent with merit principles and without regard to race, national origin, politics, religion, age, sex, or other non-merit factors; to develop and administer an effective employer-employee relations program; to allocate positions to various departments; and to establish such other personnel rules, regulations and practices as it may deem necessary.

EXHIBIT

ARTICLE 36

MOTOR VEHICLE IN LIEU FEES

Sections:

- Sec. A-II 36.1 Segregation of Funds
- Sec. A-II 36.2 Dedication of Funds
- Sec. A-II 36.3 Intent; Reduction in Road Funding Prohibited
- Sec. A-II 36.4 Reporting Requirements
- Sec. A-II 36.5 Commencement of Limitation

Sec. A-II 36.1 Segregation of Funds

All funds received by the County of Nevada from the State of California from the various ~~Mmotor Vvehicle in-Llieu Taxes~~ (Motor Vehicle License Fee Law Funds "VLF") as defined in California Constitution Article XI ~~Ssection~~ 15 and Cal. Rev. & Tax. Code §§ California Revenue & Taxation Code Sections §§ 10701 – 11053, ~~et seq.~~, shall be segregated into a separate accounting fund.

Sec. A-II 36.2 Dedication of Funds

One-half, or more, of such funds received in each fiscal year shall be expended only upon public roads, ways and highways (as defined in California Streets & Highway Code Sections §§ Cal. Sts. & High. Code §§ 23, 23.5 and 25) for the following purposes: maintenance (as defined in California Streets & Highway Code Section § Cal. Sts. & High. Code § 27), repair, circulation enhancement, general road safety, and fire access.

Sec. A-II 36.3 Intent; Reduction in Road Funding Prohibited

The people of the County of Nevada declare that their intention is to increase the funds available for the maintenance, upkeep and safety of our County road system. Therefore, the Board of Supervisors shall not reduce other funding for roads without an express finding that said reduction will not negatively impact the public road system of the County of Nevada ~~County~~.

Sec. A-II 36.4 Reporting Requirements

Within ninety (90) days after the end of each fiscal year, the County Executive Officer, or such other County official as the Board of Supervisors may from time to time designate,



shall prepare a report showing in-come received from the State of California from motor vehicle in lieu taxes and the County expenditures thereof, by budget category, showing the percentage of each. Said report shall be available for public scrutiny for at least five (5) years thereafter.

Sec. A-II 36.5            Commencement of Limitation

This limitation shall comment with the next fiscal year beginning after the adoption of this initiative Ordinance.

## EXHIBIT B

### ARTICLE 37

#### TREASURER AND TAX COLLECTOR

Sections:

<u>Sec. A-II 37.1</u>	<u><del>Consolidation of Offices of Treasurer and Tax Collector</del> Reserved</u>
<u>Sec. A-II 37.2</u>	<u><del>Eligibility for Office of County Treasurer and Tax Collector</del></u> <u>Reserved</u>
<u>Sec. A-II 37.3</u>	<u>Continuing Education Requirements</u>
<u>Sec. A-II 37.4</u>	<u>Reserved</u>
<u>Sec. A-II 37.5</u>	<u>Delegation of Authority to Invest County Funds</u>
<u>Sec. A-II 37.6</u>	<u>Fee for Payment of Delinquent Taxes in Installments</u>
<u>Sec. A-II 37.7</u>	<u>Tax Separation Application Fee</u>
<u>Sec. A-II 37.8</u>	<u>Title Report Costs</u>

#### ~~Sec. A II 37.1~~ — ~~Consolidation of Offices of Treasurer and Tax Collector~~

~~The County Treasurer shall be ex officio County Tax Collector and shall perform the duties thereof. The offices of Treasurer and Tax Collector are hereby consolidated and the Treasurer hereafter (July 26, 1984) elected shall qualify separately for the office held ex officio and shall receive the salaries pertaining thereto; provided, that in addition to the salary provided by law, the Tax Collector shall receive the fees allowed for collecting all licenses levied and imposed by this Code or other County Ordinances.~~

#### ~~Sec. A II 37.2~~ — ~~Eligibility for Office of County Treasurer and Tax Collector~~

~~No person shall be eligible for election or appointment to the office of Treasurer and Tax Collector unless that person meets at least one of the following criteria:~~

- ~~A. The person has served in a senior financial management position in a county, city, or other public agency dealing with similar financial responsibilities for a continuous period of not less than three years, including, but not limited to, treasurer, tax collector, auditor, auditor controller, or the chief deputy or an assistant in those offices.~~
- ~~B. The person possesses a valid baccalaureate, masters, or doctoral degree from an accredited college or university in any of the following major fields of study: business administration, public administration, economics, finance, accounting, or a related field, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.~~

- ~~C. The person possesses a valid certificate issued by the California State Board of Accountancy pursuant to Chapter 1 (commencing with Section 5000) of Division 3 of the Business and Professions Code, showing that person to be, and a permit authorizing that person to practice as, a certified public accountant.~~
- ~~D. The person possesses a valid charter issued by the Institute of Chartered Financial Analysts showing the person to be designated a Chartered Financial Analyst, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.~~
- ~~E. The person possesses a valid certificate issued by the Treasury Management Association showing the person to be designated a Certified Cash Manager, with a minimum of 16 college semester units, or their equivalent, in accounting, auditing, or finance.~~

Sec. A-II 37.3 Continuing Education Requirements

The County Treasurer and Tax Collector shall, beginning in 2000, complete a valid continuing course of study as prescribed in this Section and shall, on or before June 30, of each two-year period, render to the State Controller a certification indicating that the Treasurer and Tax Collector has successfully completed a continuing education program consisting of, at a minimum, 24 hours or an equivalent amount of continuing education units within the discipline of treasury management or public finance or both, offered by a recognized state or national association, institute, or accredited college or university that provides the requisite educational programs prescribed in this Section.

Sec. A-II 37.4 Reserved

Sec. A-II 37.5 Delegation of Authority to Invest County Funds

- A. The Treasurer and Tax Collector is hereby delegated the authority to invest or reinvest the funds of the County and the funds of other depositors in the County Treasury, or to sell or exchange securities so purchased, pursuant to Government Code Section 53600, et seq.
- B. The authority delegated herein shall automatically expire one year subsequent to delegation. Subject to review, the Board of Supervisors may annually renew the delegation by Resolution.
- C. The Treasurer and Tax Collector shall make monthly reports during the term of each delegation period duly authorized herein.

Sec. A-II 37.6 Fee for Payment of Delinquent Taxes in Installments

Pursuant to Cal. Rev. & Tax. Code Section 4217, the Treasurer/Tax Collector is hereby authorized to charge and collect the following sums for the processing of delinquent tax installment payments: (1) \$50 for property on the secured roll; (2) \$50 reinstatement fee

for property on the secured roll; and (3) \$50 per year for property on the unsecured roll.

Sec. A-II 37.7 Tax Separation Application Fee

The Treasurer/Tax Collector of the County of Nevada is hereby authorized to charge and collect, as provided by Section 2821 of the Revenue and Taxation Code Section 2821 of the State of California, the sum of \$61.00 per parcel, per applicable fiscal year, for the processing of applications for the separate valuation of any parcel on the current tax roll.

Sec. A-II 37.8 Title Report Costs

The Treasurer/Tax Collector of the County of Nevada is hereby authorized to collect an amount not to exceed \$700.00 the actual cost, to be computed annually, for the purpose of reimbursing the County of Nevada (General Fund) for the cost of obtaining a title report prior to a tax-defaulted property sale. Such title report is obtained by the Treasurer/Tax Collector in order to assist the Treasurer/Tax Collector in determining the names and addresses of the parties who have a legal interest in the tax-defaulted property which is being sold by the County of Nevada, so that the appropriate parties can receive the legal notices the Treasurer/Tax Collector is required to provide regarding the impending tax sale.

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EXHIBIT B

CHAPTER II – ADMINISTRATION ARTICLE 38

RESERVED

~~FIRST 5 NEVADA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION~~

~~Sec. A-II 38.1 Creation of Commission Sec. A-II 38.2 Definitions~~

~~Sec. A-II 38.3 Purpose of Commission Sec. A-II 38.4 Duties of Commission Sec. A-II 38.5  
Composition~~

~~Sec. A-II 38.6 Appointment—Terms Sec. A-II 38.7 Compensation~~

~~Sec. A-II 38.8 Bylaws~~

~~Sec. A-II 38.9 Meetings Subject to Brown Act Sec. A-II 38.10 Establishment of Fund~~

~~Sec. A-II 38.11 Staff Support Sec. A-II 38.12 Severability~~

~~Sec. A-II 38.1 Creation of Commission~~

~~There is hereby created and established a First 5 Nevada County Children and Families  
First Commission, pursuant to the authority granted under the California Children and  
Families First Act of 1998 (Proposition 10), adopted by the voters of the State of California  
on November 3, 1998.~~

~~Sec. A-II 38.2 Definitions~~

~~A.—ACT means the California Children and Families First Act of 1998.~~

~~B.—STATE COMMISSION means the State Commission established in accordance with  
Health and Safety Code Section 130110.COMMISSION means the First 5 Nevada County  
Children and Families First Commission, established pursuant to Health and Safety Code  
Section 130140.~~

~~C.—COUNTY STRATEGIC PLAN means the plan adopted by the County Commission  
and submitted to the State Commission pursuant to Health and Safety Code Section  
130140.~~

~~D.—TRUST FUND means the First 5 Nevada County Children and Families First Trust  
Fund established pursuant to Health and Safety Code Section 130105.~~

~~Sec. A-II 38.3 Purpose of Commission~~

~~The Commission shall have as its specific purpose to promote, support and improve the early development of children from the prenatal stage to five (5) years of age. These purposes shall be accomplished through the establishment, institution and coordination of appropriate standards, resources and integrated and comprehensive programs emphasizing community awareness, education, nurturing, child care, social services, health care and research.~~

#### ~~Sec. A II 38.4 Duties of Commission~~

~~A.— Adopt a strategic plan for the support and improvement of early childhood development within the County of Nevada which is consistent with and in furtherance of the purposes of the California Children and Families First Act of 1998, and consistent with guidelines adopted by the Children and Families First Commission of the State of California.~~

~~B.— To administer the funds in the First 5 Nevada County Children and Families First Commission Trust Fund.~~

~~C.— To submit the adopted County strategic plan to the State Commission and the Board of Supervisors.~~

~~D.— Hold at least one public hearing on the Commission's proposed strategic plan prior to the adoption of the plan.~~

~~E.— To prepare and adopt an annual audit pursuant to Health and Safety Code Section 130150 and conduct at least one public hearing prior to adopting any annual audit and report, and issue a written report on the implementation and performance of its functions during the preceding fiscal year.~~

~~F.— To exercise all powers, duties and functions prescribed by the Act, the Board of Supervisors and State Commission.~~

~~G.— Review the County strategic plan annually and revise such plan as necessary or appropriate. H.— Adopt a budget. (Ord. 2020, 3/7/00)~~

#### ~~Sec. A II 38.5 Composition~~

~~The First 5 Nevada County Children and Families First Commission shall consist of five (5) members, as follows:~~

~~A.— One member from among the following Nevada County Department Heads: Public Health Department Director;~~

~~Behavioral Health Department Director; Social Services Department Director.~~

~~B.— Director of the Nevada County Health and Human Services Agency.~~

~~C.— One member of the Board of Supervisors.~~

~~D.—One member from the Greater Truckee Area representing the interests of children as referenced in the Act.~~

~~E.—One member representing the interests of local school districts. (Ord. 2406, 1/26/16; Ord. 2216)~~

#### ~~Sec. A-II 38.6 Appointment—Terms~~

~~The Board of Supervisors shall appoint the members to the Commission, with the exception of the Director of the Health and Human Services agency who shall serve ex-officio. Appointed members shall serve for two year terms at the will and pleasure of the Board of Supervisors and may be removed at any time, without cause, by the Board of Supervisors. The member from the Behavioral Health, Public Health, or Social Services Department Head position shall be selected by the County Chief Executive Officer and appointed by the Board of Supervisors. (Ord. 2216)~~

#### ~~Sec. A-II 38.7 Compensation~~

~~Members of the Commission shall not be compensated for their services, except they shall be paid actual and necessary cost of transportation for attending meetings and reasonable expenses incurred in discharging other official responsibilities as authorized by the Commission, subject to those limits and procedures as may apply to County officers and employees, from time to time.~~

#### ~~Sec. A-II 38.8 Bylaws~~

~~The Commission shall adopt and amend bylaws subject to the approval of the Board of Supervisors.~~

#### ~~Sec. A-II 38.9 Meetings Subject to Brown Act~~

~~The Commission's meetings are subject to the open meeting laws contained in the Ralph M. Brown Act, Government Code Section 54950, et seq.~~

#### ~~Sec. A-II 38.10 Establishment of Fund~~

~~The Auditor Controller shall establish a separate interest bearing trust fund entitled "First 5 Nevada County Children and Families First Commission Trust Fund."~~

#### ~~Sec. A-II 38.11 Staff Support~~

~~Ten percent (10%) of the annual fund allocation shall be set aside for staff support to the Commission.~~

~~Sec. A II 38.12 Severability~~

~~If any section of this Article or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other section or application of this Article which can be given effect without the invalid or unconstitutional provision or application and to this end the provisions of this Ordinance are severable.~~



EXHIBIT B  
ARTICLE 42  
COMMUNITY DEVELOPMENT AGENCY

Sections:

Sec. A-II 42.1	Agency Established
Sec. A-II 42.1.1	Duties and Responsibilities
Sec. A-II 42.1.2	Director of the Community Development Agency
Sec. A-II 42.2	Environmental Health Department Established
Sec. A-II 42.2.1	Environmental Health Department Transfer of Powers and Duties
Sec. A-II 42.2.2	Director of the Environmental Health Department
Sec. A-II 42.2.3	Fees for Environmental Health Department Services
Sec. A-II 42.3	Building Department Established
Sec. A-II 42.3.1	Building Department Duties and Responsibilities
Sec. A-II 42.3.2	Director of the Building Department
Sec. A-II 42.4	Planning Agency Established
Sec. A-II 42.4.1	Planning Agency Powers and Duties
Sec. A-II 42.4.2	Reserved
Sec. A-II 42.5	Planning Commission Established, Composition and Member Appointment
Sec. A-II 42.5.1	Planning Commission Jurisdiction, Powers and Duties
Sec. A-II 42.6	Planning Department Established, <del>County Surveyor</del>
Sec. A-II 42.6.1	Planning Department Duties and Responsibilities
Sec. A-II 42.6.2	Director of the Planning Department
Sec. A-II 42.6.3	Land Use Applications and Submittals
Sec. A-II 42.6.4	<del>County Land Surveyor</del> <u>Reserved</u>
Sec. A-II 42.6.5	<del>Record of Survey</del> <u>Reserved</u>
Sec. A-II 42.7	Office of Zoning Administrator Established
Sec. A-II 42.7.1	Zoning Administrator Jurisdiction, Power and Duties
Sec. A-II 42.8	<del>Housing and Community Services Established</del> <u>Reserved</u>
Sec. A-II 42.8.1	<del>Responsibilities and Duties</del> <u>Reserved</u>
Sec. A-II 42.9.1	Creation and Composition of Agricultural <del>Advisory Commission</del> <u>Department and County Sealer of Weights and Measures</u>
<u>Sec. A-II 42.9.2</u>	<u>Agricultural Department and Duties and Responsibilities</u>
<u>Sec. A-II 42.9.3</u>	<u>Agricultural Commissioner and Sealer of Weights and Measures</u>

Sec. A-II 42.9.4 The Agricultural Advisory Commission

Sec. A-II 42.9.25 Ex Officio Members

Sec. A-II 42.9.36 Terms, Appointments, Vacancies Sec. A-II 42.9.47 Regular Meetings

Sec. A-II 42.9.58 Members - Compensation Sec. A-II 42.9.69 Staff Functions

Sec. A-II 42.9.710 ——— Purpose, Powers and Duties

Sec. A-II 42.9.811 Agricultural Commissioner Fees

Sec. A-II 42.10 Public Works Department Established

Sec. A-II 42.10.1 Public Works Department Duties and Responsibilities

Sec. A-II 42.10.2 Director of the Public Works Department

Sec. A-II 42.10.3 Road Commissioner

Sec. A-II 42.10.4 Repair of Damage Caused by County of Nevada to Private Property

Sec. A-II 42.10.5 Director of Public Works Authorized to Acquire Real Property for County; Value Not to Exceed \$50,000

Sec. A-II 42.10.6 County Surveyor

Sec. A-II 42.10.7 Record of Survey

**Sec. A-II 42.1 Agency Established**

There is hereby created in the County of Nevada a Community Development Agency which is a comprehensive local agency for coordination of County policies and regulations concerning County land use, planning and regulation, building, environmental health, ~~aAgriculture~~ ~~al Commissioner services,~~ public works and sanitation. The titles of departments within the Agency shall be known as Environmental Health, Building, Planning, Agriculture ~~al Commissioner,~~ Code and Cannabis Compliance and Public Works. (Ord. 2337. (05/24/2011))

**Sec. A-II 42.1.1 Duties and Responsibilities**

The Community Development Agency (CDA) shall act to provide administration and coordination with respect to the efforts, powers and duties of the Environmental Health Department, Building Department, Planning Department, ~~Building Department,~~ ~~Environmental Health Department,~~ Agricultural Department ~~Commissioner,~~ Code and Cannabis Compliance Department and Public Works ~~Department of Public Works,~~ with the exception of responsibilities of the Environmental Health Department functioning as the Local Enforcement Agency (LEA) for solid waste.

Employees who perform LEA functions will not be within the CDA but will instead be within the oversight and supervision of the ~~Director of~~ Environmental Health Director and the County Executive Officer. The CDA Director shall not conduct a performance review,

discipline or terminate any employees of the CDA who are assigned LEA functions and responsibilities. Should any LEA employee have job duties split between a position within CDA and LEA, ~~he or she~~ they shall only discuss substantive LEA issues with the ~~Director of Environmental Health~~ Director, LEA employees, or employees of the CEO's Office.

The Community Development Agency shall furnish engineering, surveying, and ~~design, and mapping~~ services to all County agencies as ordered by the Board of Supervisors or

County Executive Officer, and shall perform any and all other services that may be ordered. (Ord. 2267. (06/10/2008); Ord. 2337. (05/24/2011))

### **Sec. A-II 42.1.2 Director of the Community Development Agency**

The Community Development Agency shall be administered by a County officer to be known as the Community Development Agency Director. The Community Development Agency Director shall carry out general policies of the County Executive Office and the Board of Supervisors, and shall plan, organize, and direct all activities of the Agency in accordance with State and County laws and regulations, with the exception of Law Enforcement Agency (LEA) functions performed by Environmental Health Department employees pursuant to this Code Section A-II 42.1.1. The CDA Director shall have no power to control or direct the activities of the ~~Director of Environmental Health~~ Director or any employee of that office regarding LEA duties. The Community Development Agency Director shall serve at the will and pleasure of the County Executive Officer. (Ord. 2267. (06/10/2008))

### **Sec. A-II 42.2 Environmental Health Department Established**

There is hereby created an Environmental Health Department within the Community Development Agency in and for the County of Nevada.

#### **Sec. A-II 42.2.1 Environmental Health Department Transfer of Powers and Duties**

The Environmental Health Department is created as a comprehensive environmental agency as defined in the California Code of Regulations, Title 17, ~~s~~Section 1351, and shall be a component of the Community Development Agency. The Environmental Health Department has transferred to it, pursuant to this ~~s~~Section, with the concurrence of and appropriate delegation of authority from the County Health Officer, and upon the concurrence of the Director of Health Services of the California State Department of Health Services, as authorized by Cal. Health & Safety §Health and Safety Code Section 101275, the function of providing environmental health and sanitation services.

#### **Sec. A-II 42.2.2 Director of the Environmental Health Department**

The Environmental Health Department shall be administered by a County officer to be

known as the Director of Environmental Health. Under the general administrative direction of the Community Development Agency Director (CDA Director), the ~~Director of Environmental Health~~ Director shall be the sole appointing authority and shall plan, direct, supervise and coordinate all programs of the Environmental Health Department including implementation of the LEA program for solid waste; however, general administrative direction shall be conducted by the County Executive Officer (CEO) rather than the CDA Director in the LEA program. Neither the CDA Director nor any department head within the CDA, other than the Environmental Health Director, may direct, control, hire or fire any employees of the LEA or those employees who are performing split duties between the LEA and the CDA. Nor shall the CDA ~~D~~irector evaluate or contribute to the evaluation of the ~~Director of Environmental Health~~ Director insofar as that evaluation is based in whole or in part on the performance of the functions of the LEA. The CDA Director is authorized to conduct a performance evaluation on all other aspects of the Environmental Health Department Director's duties that are not related to LEA functions. The Environmental Health Department Director shall serve at the will and pleasure of the Community Development Agency Director. (Ord. 2267. (06/10/2008))

### **Sec. A-II 42.2.3 Fees for Environmental Health Department Services**

#### **A. IN GENERAL**

The Environmental Health Department is hereby authorized to charge and collect fees for services provided by the Environmental Health Department, including but not limited to fees for enforcement and emergency response. A schedule of fees shall be adopted by Resolution of the Board of Supervisors unless otherwise provided for under State or Federal law.

~~Fees shall be paid to the Environmental Health Department at the time an application is submitted for any permit, or in the case of matters requiring no permit, within thirty (30) days after the date of billing. Any fees not paid within such thirty (30) day period shall be subject to a late fee in the amount of ten percent (10%) of the established fee. Any Certificate of Operation invoices shall be paid no later than one hundred twenty (120) days from the date of the invoice. Any Certificate of Operation fee which is not paid within one hundred twenty (120) days from the date of the invoice shall be subject to a late fee in the amount of ten percent (10%) of the established fee. The total of the fee plus the late fee as described herein shall accrue interest at the rate of one percent (1%) per month for each month the fees remain unpaid. Any fee which remains unpaid ninety (90) days after the due date shall be referred to the Nevada County Treasurer and Tax Collector for collection purposes and may be subject to other legal actions or remedies.~~

~~In the case where an individual or business performs work or operates for business without a valid permit, that individual shall pay to the Environmental Health Department a late fee in the amount of ten percent (10%) of the permit fee at the time of permit application. The total of the fee plus the late fee shall accrue interest at the rate of one percent (1%) per month for each month the fees remain unpaid. Any fee which remains unpaid ninety (90)~~

~~days after the due date shall be referred to the Nevada County Treasurer and Tax Collector for collection purposes and may be subject to other legal actions or remedies.~~

~~All fees may be appealed in writing to the Director of Environmental Health within thirty (30) days after the date the Environmental Health Department mails the bill. If such fee or fees are appealed it will stay the due date on the billing for a period of fifteen (15) days during which time the Director shall review the matter and enter a decision. Within fifteen (15) days of the date of mailing of the Environmental Health Director's written decision, the fees shall either be paid by the party or they may file a further appeal with the Board of Supervisors. The appeal shall be promptly presented to the Chair of the Board or such other member of the Board as the Chair designates, which person shall render a decision on the appeal within 15 days of the date of the filing thereof. The fees shall then be due fifteen (15) days after the date of the mailing of the Board decision.~~

~~Failure to pay the fees within this time shall subject the fees to the late fees and interest charges referred to above.~~

#### **B. FEES FOR ENFORCEMENT ACTIVITIES**

~~The Environmental Health Department is responsible for enforcing local, State and Federal codes and regulations. In the process of such enforcement actions, the Department is authorized to recover its costs for enforcement services. These costs shall include, but not be limited to, time (calculated at the Department's hourly rate), equipment, materials and supplies. A schedule of fees shall be adopted by Resolution of the Board of Supervisors unless otherwise provided for under State or Federal law. In no event shall the Department seek to recover such fees in excess of the amount of five thousand dollars (\$5,000.00). These fees shall be paid to the Environmental Health Department within thirty (30) days after the date of billing. Any fees not paid within such 30 day period shall be subject to a late fee in the amount of ten percent (10%) of the established fee. The total of the fee plus the late fee as described herein shall accrue interest at the rate of one percent (1%) per month for each month the fees remain unpaid. Any fee which remains unpaid 90 days after the due date shall be referred to the Nevada County Treasurer and Tax Collector for collection purposes and may be subject to other legal actions or remedies.~~

~~All fees may be appealed in writing to the Director of Environmental Health within the time limits and in the manner more fully described in Section A II 24.11.A.~~

#### **C. FEES FOR EMERGENCY RESPONSE**

~~The Environmental Health Department is at times called upon to make emergency responses to situations which potentially threaten the health, safety and welfare of the citizens of Nevada County. The Environmental Health Department is hereby entitled to recover its costs for emergency responses. Such costs shall include, but not be limited to, time (calculated at the Department's hourly rate), equipment, materials and supplies. A schedule of fees shall be adopted by Resolution of the Board of Supervisors unless otherwise provided for under State or Federal law. These fees shall be paid to the Environmental Health Department within thirty (30) days after the date of billing. Any fees not paid within such 30 day period shall be subject to a late fee in the amount of ten percent~~

~~(10%) of the established fee. The total of the fee plus the late fee as described herein shall accrue interest at the rate of one percent (1%) per month for each month the fees remain unpaid. Any fee which remains unpaid ninety (90) days after the due date shall be referred to the Nevada County Treasurer and Tax Collector for collection purposes and may be subject to other legal actions or remedies. All fees may be appealed in writing to the Director of Environmental Health within the time limits and in the manner more fully described in Subsection A.~~

## **Sec. A-II 42.3 Building Department Established**

There is hereby created a Building Department within the Community Development Agency in and for the County of Nevada.

### **Sec. A-II 42.3.1 Building Department Duties and Responsibilities**

The Nevada County Building Department shall include, but not necessarily be limited to, those functions, powers, and duties designated by the Board of Supervisors by resolution or ordinance.

### **Sec. A-II 42.3.2 Director of the Building Department**

The Building Department shall be administered by a County officer to be known as the ~~Director of Building~~ Department Director. Under the general administrative direction of the Community Development Agency Director, the ~~Director of Building~~ Department Director shall be the building official as defined in Cal. Health & Safety Code Section §18949.27, vested with the responsibility for overseeing local building standards and housing enforcement activities, including administration of the Building Department, interpretation of code requirements, and direction of the code adoption process. The ~~Director of Building~~ Department Director shall serve at the will and pleasure of the Community Development Agency Director.

## **Sec. A-II 42.4 Planning Agency Established**

There is hereby created a Planning Agency in and for the County of Nevada, pursuant to Article 1, Chapter 3, Division ~~23~~ of Title 7 of the Government Code of the State of California, Cal. Gov't Code §§ 66451 – 66472.1. Pursuant to ~~Section~~ Cal. Gov't Code § 65100 of the Government Code, the Planning Agency shall include, but not necessarily be limited to, a Nevada County Planning Commission, Zoning Administrator, and Planning Department. The Planning Department is a component department within the Community Development Agency.

### **Sec. A-II 42.4.1 Planning Agency Powers and Duties**

The Nevada County Planning Agency Commission shall include, but not necessarily be

limited to, those functions, powers and duties set forth in the Government Code of the State of California relating to planning as well as those functions, powers and duties designated by the Board of Supervisors by Resolution or Ordinance.

## **Sec. A-II 42.4.2 Reserved**

### **Sec. A-II 42.5 Planning Commission Established, Composition and Member Appointment**

Pursuant to the provisions of the Planning and Zoning Law, ~~Title 7~~ of the ~~California Government Code~~ Cal. Gov't Code, §§ 65000 – 66499.58, there is hereby established a Planning Commission in and for the County of Nevada. The Nevada County Planning Commission shall consist of five (5) members of the Nevada County Planning Agency; one (1) to be appointed by each Supervisor from his/her their supervisorial district. Such appointee shall serve at the pleasure of the appointing Supervisor.

#### **Sec. A-II 42.5.1 Planning Commission Jurisdiction, Powers and Duties**

The Nevada County Planning Commission shall have jurisdiction over and shall review and consider and make recommendations to the Board of Supervisors to approve or disapprove all of the following:

1. All General Plan amendments;
2. All amendments to the Nevada County Zoning Ordinance;
3. All subdivisions requiring the approval and filing of a final map and parcel maps creating more than four lots and all major use permits and site plans as provided in the zoning ordinance. (Ord. 2484. (12/15/2020)) -

### **Sec. A-II 42.6 Planning Department Established, ~~County Surveyor~~**

There is hereby created a Planning Department within the Community Development Agency in and for the County of Nevada. ~~The Planning Department consists of a Land Use Division is included in the Planning Department., a Code Compliance Division and a Housing Division. The County Surveyor shall be located in the Planning Department.~~

#### **Sec. A-II 42.6.1 Planning Department Duties and Responsibilities**

The Planning Department shall serve as liaison between the Planning Agency and the Board of Supervisors. The Planning Department shall perform all duties as provided by law, and such other duties may be assigned to the department from time to time. ~~The Department shall furnish engineering, surveying design, and mapping services to all County agencies as ordered by the Board of Supervisors or County Executive Officer, and shall perform any and all other services that may be ordered.~~

### **Sec. A-II 42.6.2 Director of the Planning Department**

The Planning Department shall be administered by a County officer to be known as the ~~Director of Planning Department~~ Director. Under the general administrative direction of the Community Development Agency Director, the ~~Director of Planning Department~~ Director shall plan, organize, direct and coordinate the planning functions of the County. The Planning Department Director shall serve at the will and pleasure of the Community Development Agency Director.

### **Sec. A-II 42.6.3 Land Use Applications and Submittals**

The Nevada County Department of Planning shall charge and collect a fee for the processing and review of those land use applications and submittals as are designated by Resolution of the Board of Supervisors. The amount of such fee shall be set by Resolution of the Board of Supervisors and shall be based upon the estimated staff time required to process such land use applications and submittals. ~~Such staff time shall include two reviews by Department of Planning personnel.~~

Whenever any land use application and/or submittal requires more than two reviews by Department of Planning personnel, the applicant shall be charged an additional hourly fee, at the rates as set by Resolution of the Board of Supervisors, for all of the additional time spent by the Department of Planning personnel in reviewing any such land use application and/or submittal.

### ~~Sec. A II 42.6.4 County Land Surveyor~~

~~County land surveyor functions shall be performed within the Department of Planning by a County officer to be known as the County Land Surveyor. Under the general administrative direction of the Director of Planning, the County Land Surveyor shall plan, organize, direct and coordinate the land surveying functions of the County. The County Land Surveyor shall be appointed by the Board of Supervisors and shall serve at the will and pleasure of the Board of Supervisors.~~

### ~~Sec. A II 42.6.5 Record of Survey~~

~~In accordance with Government Code sections 27601 and 54985, the Nevada County Department of Planning County Land Surveyor may charge a reasonable fee for examining a record of survey. In addition, Business and Professions Code section 8766.5 allows the fee to exceed one hundred dollars if it is adopted by ordinance pursuant to a staff report demonstrating that the cost of providing the examination service actually exceeds one hundred dollars (\$100.00) per record of survey.~~

~~A staff report has been prepared and filed in the office of the County Surveyor demonstrating that the cost of providing the examination service exceeds one hundred~~



~~dollars (\$100.00) per record of survey. The amount to be determined by resolution of the Board of Supervisors. (Ord. 2437, 6/27/17)~~

### **Sec. A-II 42.7 Office of Zoning Administrator Established**

There is hereby created the office of Zoning Administrator, pursuant to ~~Government Cal. Gov't Code Section §§ 65900, et seq. 65909.5.~~ The ~~Director of Planning Department Director~~, or ~~his/her~~ their designee, shall serve as the Zoning Administrator. Such designee shall be a senior planner or above.

### **Sec. A-II 42.7.1 Zoning Administrator Jurisdiction, Power and Duties**

The Zoning Administrator shall have jurisdiction over and shall consider all site plan approvals, certain use permit applications, as designated by the zoning ordinance, area variance applications, certificates of compliance, and environmental review concerning all projects and permits within ~~his/her~~ their jurisdiction.

### **Sec. A-II 42.8 Housing and Community Services Established**

There is hereby created in the County a Department of Housing and Community Services.

### **Sec. A-II 42.8.1 Responsibilities and Duties**

The duties and services to be furnished and performed by the Department of Housing and Community Services shall include the following:

- A. The administration and overview of a wide range of programs designed to assist low and moderate income families;
- B. The identification and acquisition of grant funding and community resources for the maintenance and expansion of services;
- C. The development and implementation of extensive housing support programs;
- D. The administration of contracts relating to community programs supported by grant funding; and
- E. The performance of any other related services as may be directed by the County Executive Officer or Board of Supervisors. (Ord. 1712. (05/28/1991))

### ~~Sec. A-II 42.8 Housing and Community Services Established~~

~~There is hereby created in the County a Department of Housing and Community Services.~~

### ~~Sec. A-II 42.8.1 Responsibilities and Duties~~

~~The duties and services to be furnished and performed by the Department of Housing and Community Services shall include the following:~~

~~A. The administration and overview of a wide range of programs designed to assist low and moderate income families;~~

~~B. The identification and acquisition of grant funding and community resources for the maintenance and expansion of services;~~

~~C. The development and implementation of extensive housing support programs;~~

~~D. The administration of contracts relating to community programs supported by grant funding; and~~

~~E. The performance of any other related services as may be directed by the County Executive Officer or Board of Supervisors. (Ord. 1712)~~

### **Sec. A-II 42.9.1 Creation and Composition of Agricultural Department and County Sealer of Weights and Measures Advisory Commission**

~~A. There is hereby created the County of Nevada Agricultural Department. The Department shall be administered by a County officer to be known as the Agricultural Commissioner , under the general administrative direction of the~~

~~Community Development Agency Director. The Office of the County Sealer of Weights and Measures shall be consolidated with the Department of Agriculture as per Cal. Gov't Code §24300 (p).~~

### **Sec. A-II 42.9.2 Agricultural Department Duties and Responsibilities**

~~To perform such duties as required as the County Sealer of Weights and Measures as provided for in Cal. Bus. & Prof. California Business and Professions Code §§12001 – 13800.~~

~~The Agricultural Department shall preform all duties as provided for in California Food and Agricultural Cal. Food & Agric. Code §§ 2001-2350. The Agricultural Department shall work with the Agricultural Advisory Commission; Fish and Wildlife Commission and the Farm Commission.~~

### **Sec. A-II 42.9.3 Agricultural Commissioner and Sealer of Weights and Measures**

~~The Agricultural Commissioner shall act as the County Sealer of Weights and Measures. This position is appointed by the Board of supervisors and is under the general administrative direction of the Community Development Agency Director.~~

### **Sec. A-II 42.9.4 The Agricultural Advisory Commission**

~~B. The Agricultural Advisory Commission shall consist of nine (9) members and shall be appointed by the Board of Supervisors.~~

~~C.~~ Membership shall include a balanced representation of the industries within the County. Representatives from the following industries are preferred and include:

1. Forest and related industries,
2. The cattle industry,
3. The equine industry,
4. Livestock other than the cattle and equine industries,
5. The farming industry,
6. The viticulture industry, or
7. Other agricultural interests.

~~D.~~ No more than two (2) members from any single industry listed above shall serve at the same time to maintain a balanced industry representation. (Ord. 2490. ~~(-04/27/2021)~~; Ord. 2148 ~~(05/25/2004)~~; Ord 2211. ~~(07/11/2006)~~; Ord. 2417. ~~(08/09/2016)~~).

#### **Sec. A-II 42.9.2 5 Ex Officio Members**

One (1) member of the Board of Supervisors appointed by the Chair of the Board of Supervisors, as well as the Nevada County Farm Advisor and the Nevada County Agricultural Commissioner shall serve as ex officio members of the Nevada County Agricultural Advisory Commission. (Ord. 2490. (04/24/2021)).

#### **Sec. A-II 42.9.3 6 Terms, Appointments, Vacancies**

The term of office of each member of the Agricultural Advisory Commission shall be four (4) years and until the appointment and qualification of ~~his or her~~ their successor. The first members of the Advisory Commission shall classify themselves by lot so that the terms of office of one member is one year, of one member two years, of one member three years, and of two members four years. Any member may be removed by the Board of Supervisors at any time without cause. Any vacancy that is created during a term shall be filled by the Board of Supervisors for the remainder of the unexpired term. All vacancies on the Advisory Commission shall be immediately reported to the Board of Supervisors.

#### **Sec. A-II 42.9.4 7 Regular Meetings**

~~Said~~ The Agricultural Advisory Commission shall hold regular monthly meetings, plus such additional meetings as may be called by the Chair of the Advisory Commission. (Ord. 2076. ~~(02/12/2002)~~)

#### **Sec. A-II 42.9.5 8 Members - Compensation**

All members of the Agricultural Advisory Commission shall serve without compensation.

### **Sec. A-II 42.9.6-9 Staff Functions**

The County Agricultural Commissioner may provide staff service for the Agricultural Advisory Commission in the conduct of its business as hereinafter designated.

### **Sec. A-II 42.9.7-10 Purpose, Powers and Duties**

The Agricultural Advisory Commission shall be an advisory body to and for the Board of Supervisors on all matters pertaining to agriculture. The Commission shall advise the Board of Supervisors of procedures and techniques requiring legislative and policy actions that will encourage, promote and protect agricultural activities that are conducive to the continued well-being of the County of Nevada County. The Agricultural Advisory Commission shall formulate and recommend to the Board general policies related to the purposes for which this Commission is created. The Commission shall also recommend approval or disapproval of development and use permits and subdivision applications for projects on, or adjacent to, agricultural zoned lands pursuant to such policies as may be adopted by Resolution by the Board. (Ord. 2076-~~(02/12/2002)~~)

### **Sec. A-II 42.9.8-11 Agricultural Commissioner Fees**

The Agricultural Commissioner is hereby authorized to charge and collect fees for services provided by the Agricultural Commissioner and Sealer of Weights and Measures' staff, including wildlife services, ~~formerly referred to as predatory animal damage control~~. A schedule of fees shall be adopted by Resolution of the Board of Supervisors, unless otherwise provided for under State or Federal law.

### **Sec. A-II 42.10 Public Works Department Established**

There is hereby created a Public Works Department within the Community Development Agency in and for the County of Nevada. The Public Works Department consists of a Road Maintenance Division, a Fleet Division, a Transit Division, a Sanitation Division, a Solid Waste Division, Surveyor, and a Road Engineering Division. (Ord. 2337. ~~(05/24/2011)~~)

### **Sec. A-II 42.10.1 Public Works Department Duties and Responsibilities**

A. The Department of Public Works shall provide all necessary services related to maintenance and construction of all County roads ~~..., and shall perform all duties and responsibilities previously assigned to the predecessor offices and classifications of the Department of Sanitation, which offices and classifications are abolished and superseded hereby~~. The Department shall administer all County Service Area programs relating to the improvement and/or maintenance of public roads and shall administer all Permanent Road Divisions within the County.

B. The Department shall be responsible for the administration and operation of all public fixed route and paratransit passenger transportation systems owned by the County

and operated either directly by or contracted through the County.

C. The Department shall be responsible for the administration and operation of the County vehicle program as provided for in all sections of Article 14 of this Code.

D. The Department shall be responsible for the proper administration and operation of all County solid waste programs, including the operation of such ~~Ce~~County ~~L~~andfills, transfer station, or other facilities and programs that relate to the proper disposal of waste material including solids, recyclables, toxics, and any other wastes. The Department shall oversee any franchise agreements or other contracts let by the County in these areas.

E. The Department shall also administer, manage and operate any sewer plants or other sanitation facilities which the Nevada County Sanitation District No. 1 or the County own or operate on behalf of any County Service Area, the Nevada County Sanitation District No. 1 or any other special district. (Ord. 2118. (05/13/2003); Ord. 2337. (05/24/2011))

#### **Sec. A-II 42.10.2 Director of the Public Works Department**

The Public Works Department shall be administered by a County officer to be known as the ~~Director of~~ Public Works Department Director. Under the general administrative direction of the Community Development Agency Director, the ~~Director of~~ Public Works Department Director shall plan, direct, supervise and coordinate the programs, operations and divisions of the Public Works Department within the Community Development Agency. The ~~Director of~~ Public Works Department Director shall serve at the will and pleasure of the Community Development Agency Director.

The Director shall request the County Purchasing Agent to purchase, lease or hire such equipment as may be necessary to perform the functions of the Department in conformity with the budget and all applicable policies and procedures.

#### **Sec. A-II 42.10.3 Road Commissioner**

The Road Commissioner for the County of Nevada shall be the ~~Director of~~ Public Works Department Director, or as appointed by the Board of Supervisors, and shall comply with all requirements set forth in §§ SSections 2006 - through 201009 of the California Streets and Highways Code.

#### **Sec. A-II 42.10.4 Repair of Damage Caused by County of Nevada to Private Property**

The ~~Director of the~~ Department of Public Works Director or, in his-their absence, the Director's designee, shall be authorized to use Department personnel, equipment and resources to repair any damage to privately-owned property caused by the Department's employees while working for the County. The Director, or the Director's designee, and the County Risk Manager shall authorize such repair only upon receipt of a completed Incident

Report from the employee involved in the incident which resulted in such damage or where it is not readily ascertainable which of several employees may have been involved in the incident, from the road supervisor or road superintendent, stating the circumstances under which the property was damaged, the name of any other County employees involved in the incident, or any other witness to the incident, the type of repair to be provided, and the estimated cost of repairing such damage. In no event shall the cost of such repair exceed \$1,000.

Before any such repair work is authorized, the injured party shall complete and file a claim with the ~~Department on a form provided by the Department.~~County Risk Manager on a form provided by Risk Management.

Whenever any such repair work has been authorized as provided for herein, the Risk Manager shall submit a copy of the claim and the supporting documentation to the Clerk of the Board of Supervisors.

Whenever the Director or ~~his or her~~their Assistant designee authorizes any such repair work, they shall promptly submit copies of the claim and the supporting documentation to the Clerk of the Board of Supervisors and the Risk Management Committee.

#### **Sec. A-II 42.10.5 Director of Public Works Authorized to Acquire Real Property for County; Value Not to Exceed \$50,000**

A. Pursuant to the provisions of ~~California Government Code~~Cal. Gov't Code § Section 25350.60 and subject to the procedures specified in this ~~S~~section, the ~~Director of Public Works~~Department Director is hereby authorized to perform all acts necessary to approve and accept, for the County, the acquisition of any interest in real property for right-of-way, public utility, undergrounding or other public purposes related to the construction, maintenance and repair of County-maintained roads, where the purchase price for such interest does not exceed Fifty Thousand Dollars (\$50,000).

B. The ~~Director of~~ Public Works Department Director may approve and accept the acquisition of any interest in real property only if such acquisition (1) is in furtherance of a project which the Board of Supervisors has previously determined to undertake; and (2) the appropriate environmental review pursuant to CEQA has been completed; and (3) funds have been appropriated by the Board of Supervisors for the acquisition.

C. The form of any deed or grant conveying any interest in real property shall be approved by County Counsel.

D. Upon acceptance of any deed or grant the ~~Director of~~ Public Works Department Director shall promptly execute a certificate of acceptance substantially in the form specified in ~~California Government Code Section § 27281, and~~Cal. Gov't Code § 27281 and shall transmit same to the County Recorder for recording.

E. Notwithstanding the other provisions of this ~~s~~section, where the offers or deeds are tendered in compliance with conditions requested by the Department of Public Works in conjunction with approval of a land development project or to permit construction to

proceed on projects approved in the most recent Nevada County Capital Improvement Plan, the Board of Supervisors may, by Resolution, authorize the ~~Director of~~ Public Works Department Director or assignee(s), to accept, on behalf of the County of Nevada, offers of dedication made by a statement on a subdivision map and grant deeds or easement deeds for road right-of-way, public utility and/or drainage purposes and to execute and request recording of any necessary certificate of such acceptance, reporting such action to the Board of Supervisors. The Board of Supervisors shall periodically review this delegation of authority.

F. Pursuant to ~~California Government Code Section~~ Cal. Gov't Code § 25350.60, the authority granted by this section shall automatically expire as of July 13, 2024, unless such authority is renewed or extended by a subsequent ordinance of the Board of Supervisors. (Ord. 2468, ~~0~~ 6/11/2019)

#### Sec. A-II 42.10.6 County Surveyor

County land surveyor functions shall be performed within the Public Works Department by a County officer to be known as the County Surveyor. Under the general administrative direction of the Public Works Department Director, the County Surveyor shall plan, organize, direct and coordinate the land surveying functions of the County. The County Surveyor shall be appointed by the Board of Supervisors and shall serve at the will and pleasure of the Board of Supervisors.

#### Sec. A-II 42.10.7 Record of Survey

In accordance with Cal. Gov't Code §§ 27601 and 54985, the Nevada County Department of Planning, Public Works - County Surveyor may charge a reasonable fee for examining a record of survey. In addition, Cal. Bus. & Prof. Code § 8766.5 allows the fee to exceed one hundred dollars if it is adopted by ordinance pursuant to a staff report demonstrating that the cost of providing the examination service actually exceeds one hundred dollars (\$100.00) per record of survey.

A staff report has been prepared and filed in the office of the County Surveyor demonstrating that the cost of providing the examination service exceeds one hundred dollars (\$100.00) per record of survey. The amount to be determined by resolution of the Board of Supervisors. (Ord. 2437.,(06/27/2017))

EXHIBIT B

~~A-II~~ ARTICLE 43

PAYMENT OF SALARIES TO ELECTED OFFICIALS, OFFICERS AND  
EMPLOYEES

Section:

Sec. A-II 43.1 Payment of Salaries to Elected Officials, Officers and Employees

Sec. A-II 43.1 Payment of Salaries to Elected Officials, Officers and Employees

In accordance with ~~Government Code Sections~~ Cal. Gov't Code §§ 280001 through -  
280043, the Nevada County Auditor-Controller is hereby authorized to issue paychecks to  
all elected and appointed officials, officers, and employees on a bi-weekly basis as set forth  
in the Nevada County Personnel Code.