

COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District (Chair)

Ed Scofield, 2nd District

Dan Miller, 3rd District (Vice-Chair)

Susan Hoek, 4th District

Richard Anderson, 5th District

Julie Patterson Hunter, Clerk of the Board

Alison Lehman, County Executive Officer

Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

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SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, February 11, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall - The following Supervisors present:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Susan Hoek, 4th District

Richard Anderson, 5th District

STANDING ORDERS:

Chair Hall called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Mr. Richard Benuzzi, District III resident.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted that there was a correction to Agenda #19; the Public Hearing date should be corrected to March 24, 2020.

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: The following members provided comment: Mr. Richard Benuzzi, District III resident; Mr. Matthew Coulter, District I resident; Ms. Linda Chaplin, District I resident; and Ms. Julide Cox, District IV resident.

CONSENT CALENDAR:**Behavioral Health Director: Phebe Bell**

1. [SR 20-0750](#) Resolution accepting funds in the amount of \$16,336 for the renewal Substance Abuse and Mental Health Services Administration Center for Mental Health Services for the Projects for Assistance in Transition from Homelessness Formula Grant Program for Fiscal Year 2019/20.

Adopted.

Enactment No: RES 20-029

2. [SR 20-0751](#) Resolution accepting funds in the amount of \$238,020 for the renewal Substance Abuse and Mental Health Services Administration Center for Mental Health Services Community Mental Health Services Block Grant Program for Fiscal Year 2019/20.

Adopted.

Enactment No: RES 20-030

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

3. [SR 20-0143](#) Resolution approving the submittal of an application to the California State Department of Housing and Community Development for funding in the amount of \$1,000,000 under the CalHOME Program for mortgage assistance and rehabilitation loans to eligible households, and authorizing the Housing and Community Services Director to execute the application, and standard agreement if selected for such funding, and any related documents necessary to participate in the CalHOME Program. (Housing)

Adopted.

Enactment No: RES 20-031

4. [SR 20-0561](#) Resolution approving an Assignment and Assumption of the "Option to Ground Lease Agreement" between the County of Nevada, jointly the Regional Housing Authority and Pacific West Communities, Inc., and Grass Valley PSH Associates, LLP pertaining to County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA (APN 035-400-054), designated as the location of the proposed Brunswick Commons Affordable Housing Project (Res. 19-358), and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Housing)

Adopted.

Enactment No: RES 20-032

Clerk-Recorder/Registrar of Voters: Gregory Diaz

5. [SR 20-0710](#) Resolution approving an amendment to Standard Agreement 18G30129 between the County of Nevada and the California Secretary of State (Res. 19-052) providing additional funding for replacement/upgrade to Nevada County Voting Systems (\$224,750) and Election Management System replacement (\$61,665.30), for a total contract amount not to exceed \$735,915.30, for the period February 1, 2019 through June 30, 2022, and authorizing the Nevada County Clerk-Recorder to execute the Amendment. (Pulled from consent)
Adopted.
Enactment No: RES 20-038
6. [SR 20-0711](#) Resolution accepting Voter's Choice Act Implementation (SB450) funding from the Office of the California Secretary of State, in the amount of \$116,953, for the period January 1, 2019 through December 30, 2020, and authorizing the Nevada County Clerk-Recorder/Registrar of Voters to execute Standard Agreement 19S10059.
Adopted.
Enactment No: RES 20-033

Director of Public Works: Trisha Tillotson

7. [SR 20-0809](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Central Striping Service, Inc. for the 2019 Nevada County Thermoplastic Safety Striping Project - Federal Aid Project Number HSIP-05917(101), County Contract No. 225033 (Res. 19-413), with contract costs totaling \$399,520.90, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Dists. I, II, and IV) (Pulled from consent)
Adopted.
Enactment No: RES 20-039

Chief Information Officer: Stephen Monaghan

8. [SR 20-0672](#) Resolution approving Amendment 1 to the Site Lease Agreement between the County of Nevada and T-Mobile West, LLC to provide four (4) five-year options to renew to the Agreement for the rental of tower and ground space located at 980 Helling Way, Nevada City, CA (APN 05-020-018) (Res. 11-119), and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities) (Pulled from consent)
Adopted.
Enactment No: RES 20-040

Interim County Librarian: Elise Strickler

9. [SR 20-0153](#) Resolution accepting \$10,000 in Library Services and Technology Act funds from the California State Library to maximize space at the San Juan Ridge Community Library, for use during the period January 1, 2020, to June 30, 2020, authorizing the County Librarian to execute all additional grant documents, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Library budget to reflect the additional revenue and related expenses. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-034

County Executive Officer: Alison Lehman

10. [SR 20-0856](#) Resolution adopting the 2020/2021 Vision, Mission, and Value Statements, and Core Services definition for Nevada County, as discussed at the January Workshop, directing the County Executive Officer to use the County Vision, Mission, and Value Statements for development of the Fiscal Year 2020/2021 budget and the management of County operations, Programs and services, and repealing Resolution 19-071.

Adopted.

Enactment No: RES 20-035

11. [SR 20-0854](#) Approving the Order and Decorum of Board Business for 2020, as discussed at the Board's January Workshop.

Approved.

12. [SR 20-0858](#) Approval of the 2020/2021 Proposed Budget Schedule and Policies, as discussed at the Board's January Workshop.

Approved.

13. [SR 20-0855](#) Resolution approving Amendment 1 to the contract between the County of Nevada and the State of California for the the California Complete Count Census 2020 Outreach and Awareness Campaign (Res. 19-039), accepting an additional \$78,150 for a new maximum contract price of \$153,150, adding Attachment A-1 Additional Responsibilities and Requirements for Certification to Exhibit "A", Attachments D-1 Protection of Confidential and Sensitive Information, D-2 Non-Disclosure Certificate, and D-3 Volunteer Release of Liability to Exhibit "D", and Exhibit "E" Equipment Purchases, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 20-036

14. [SR 20-0857](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Connecting Point pertaining to the California Complete Count Census 2020 Outreach and Awareness campaign (Res. 19-353), amending the contract to add additional responsibilities and requirements in furtherance of the California Complete Count in the County of Nevada, increasing the maximum contract amount to \$127,835, for the period February 1, 2020 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 20-037

Clerk of the Board: Julie Patterson Hunter

15. [SR 20-0747](#) Confirmation and ratification of the appointments of Mr. Joel Radtke as a Low-Income Sector member to the Adult and Family Services Commission and Ms. Kari Stehmeyer as a Private Sector member to the Adult and Family Services Commission, both to fill unexpired terms ending April 30, 2021.

Appointed.

16. [SR 20-0852](#) Acceptance of Board of Supervisors Summary Minutes for January 22, 23, 24, and 28, 2020.

Accepted.

ACTION TAKEN: Chair Hall introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield to approve the consent calendar less Agenda Items #5, 7, and 8. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

Clerk-Recorder/Registrar of Voters: Gregory Diaz

5. [SR 20-0710](#) Resolution approving an amendment to Standard Agreement 18G30129 between the County of Nevada and the California Secretary of State (Res. 19-052) providing additional funding for replacement/upgrade to Nevada County Voting Systems (\$224,750) and Election Management System replacement (\$61,665.30), for a total contract amount not to exceed \$735,915.30, for the period February 1, 2019 through June 30, 2022, and authorizing the Nevada County Clerk-Recorder to execute the Amendment. (Pulled from consent)
Enactment No: RES 20-038

ACTION TAKEN: Mr. Gregory Diaz, Clerk-Recorder/Registrar of Voters, provided background information in response to a member of the public's question.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to adopt Resolution 20-038. On a roll call vote the motion passed unanimously.

Director of Public Works: Trisha Tillotson

7. [SR 20-0809](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Central Striping Service, Inc. for the 2019 Nevada County Thermoplastic Safety Striping Project - Federal Aid Project Number HSIP-05917(101), County Contract No. 225033 (Res. 19-413), with contract costs totaling \$399,520.90, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208. (Dists. I, II, and IV) (Pulled from consent)
Enactment No: RES 20-039

ACTION TAKEN: Ms. Trisha Tillotson, Director of Public Works, responded to questions from the public.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Hoek, to adopt Resolution 20-039. On a roll call vote the motion passed unanimously.

Chief Information Officer: Stephen Monaghan

8. [SR 20-0672](#) Resolution approving Amendment 1 to the Site Lease Agreement between the County of Nevada and T-Mobile West, LLC to provide four (4) five-year options to renew to the Agreement for the rental of tower and ground space located at 980 Helling Way, Nevada City, CA (APN 05-020-018) (Res. 11-119), and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities) (Pulled from consent)
Enactment No: RES 20-040

ACTION TAKEN: Mr. Stephen Monaghan, Chief Information Officer, responded to questions from a member of the public.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hoek, to adopt Resolution 20-040. On a roll call vote the motion passed unanimously.

INDIVIDUAL BOARD MEMBER ITEM:**Supervisor Ed Scofield, District II**

17. [SR 20-0138](#) Alliance for Workforce Development, Inc. (Nevada County Business and Career Network), annual presentation of the Alliance's Mid-Year 2019/20 Performance Report - Workforce Innovation and Opportunity Act Program and Services. (Amy Velazquez, Director of Business Services, AFWD)

ACTION TAKEN: Supervisor Scofield introduced Ms. Amy Velazquez, Business Services Director, Alliance for Workforce Development, Inc. (AFWD) He reported that he is a member of the Northern Rural Training and Employment Consortium (NoRTEC) Board of Directors, which oversees the services provided by the Alliance for Workforce Development, Inc.

Ms. Velazquez reported that in November 2019 they provided the Board with their 2018/19 Fiscal Year Report; today they would review their activities within the County for the 2019/20 Mid-Year Report.

Ms. Velazquez and Mr. Gary Besser, AFWD Business Services Supervisor, responded to Board questioning.

Chair Hall provided an opportunity for public comment, and the following members of the public provided comments: Ms. Linda Chaplin, District I resident; and Mr. Matthew Coulter, District I resident. There being no further members of the public wishing to speak, Chair Hall closed the opportunity for public comment.

***ANNOUNCEMENTS:**

Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

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

SCHEDULED ITEMS: 10:00 A.M.

County Executive Officer: Alison Lehman

18. [SR 20-0853](#) Resolution adopting the 2020 Board Objectives for Nevada County as discussed at the Board's January Workshop, and directing the County Executive Officer to use the Board Objectives for the development of the 2020/2021 Fiscal Year budget, and the management of the County operations, programs, and services.

Adopted as amended.

Enactment No: RES 20-041

ACTION TAKEN: Ms. Mali Dyck, Assistant County Executive Officer, provided a PowerPoint presentation regarding the Board of Supervisor's proposed 2020 Objectives, as identified during the January Workshop. She reviewed the Objectives to address challenges faced by the community related to wildfire preparedness, Public Safety Power Shut-off (PSPS) event preparation, economic development, housing, cannabis, homelessness, community resiliency, and maintaining the County's fiscal stability and core services. Ms. Dyck reported that after reviewing the proposed language with the community partners at FREED Center for Independent Living, a revision was made to the Objective regarding PSPS event response, and the following was added: "...and assisting people with disabilities and older adults." She requested the Board pass the Resolution to adopt the 2020 Board Objectives as amended.

Chair Hall provided an opportunity for public comment, and the following of the members provided comments: Ms. Beverly Mendenhall, District II resident; Ms. Jeanne Archer, District I resident and Mobile home owner; Mr. Bob Long, District III resident and Chair, Nevada County Coalition of Firewise Communities; Mr. Donn Thane, District III resident and Chair, Fire Safe Council of Nevada County; Ms. Ana Acton, Executive Director, FREED Center for Independent Living; Ms. Nancy Baglietto, Executive Director, Hospitality House; Mr. Gus Buccerra, Executive Director, Regional Housing Authority; Ms. Diana Gamzon, Executive Director, Nevada County Cannabis Alliance; CALFIRE Unit Chief Brian Estes; Fire Chief Jim Turner, Nevada County Consolidated Fire District; Ms. Julie Siegenthaler, Fire Safe Council of Nevada County Board member; Mr. Matthew Coulter, District I resident; and Mr. Lee French, District II resident. There being no further members of the public wanting to speak, Chair Hall closed the opportunity for public comment.

Board discussion ensued.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 20-041. On a roll call vote the motion passed unanimously.

Clerk of the Board: Julie Patterson Hunter

19. [SR 20-0784](#) Resolution making findings, accepting the appeal filed by Mr. Larry and Ms. Cheryl Andresen to a decision of the Department of Public Works issuance of a Notice of Encroachment Permit Violation regarding unpermitted work that occurred in the County right-of-way on Floriston Avenue, and scheduling a public hearing on March 25, 2020, at 9:30 a.m. (Dist. V)

Adopted as amended.

Enactment No: RES 20-042

ACTION TAKEN: Following a short break, Chair Hall called the meeting back into order and Supervisor Anderson recused himself from the agenda item discussion. Chair Hall turned the floor over to Mr. Jeffrey Thorsby, Senior Management Analyst. Mr. Thorsby reviewed the staff report regarding acceptance of an appeal filed by Mr. Larry and Ms. Cheryl Andresen regarding unpermitted work that occurred in the County right-of-way on Floriston Avenue, located in District V. Based upon discussion between County Counsel and the Andresens, staff recommends the Board accept the appeal, and amend the proposed Resolution to schedule the public hearing to a date to be determined.

Chair Hall provided an opportunity for public comment, and the following member provided comments: Mr. Matthew Coulter, District I resident, provided public comments. There being no further public comment, Chair Hall closed public comment.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to adopt Resolution 20-042, as amended to schedule the hearing to a date to be determined. On a roll call vote the motion passed as follows; Supervisors Scofield, Hoek, Miller, Hall - Aye; Supervisor Anderson - Recused.

***CLOSED SESSION:**

[SR 20-0783](#) Pursuant to Government Code Section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.

ACTION TAKEN: Ms. Katharine Elliott, County Counsel, read the title of the closed session into the record.

Chair Hall provided an opportunity for public comment, and Mr. Matthew Coulter, District I resident, provided comments. There being no further public comment, Chair Hall closed the opportunity for public comment, and the Board entered into closed session.

Following the closed session, Ms. Elliott reported that direction was given to staff.

Recess for lunch: 11:26 a.m.

AFTERNOON SESSION**SCHEDULED ITEM: 1:30 P.M.****Planning Director: Brian Foss**

- 20a. [SR 20-0746](#) Public hearing to consider the Planning Commission's January 9, 2020 4-0 vote, recommending that the Nevada County Board of Supervisors adopt a Resolution approving the proposed revisions to the Nevada County Safety Element, Chapter 10 of the General Plan, which was previously adopted by Nevada County in 2014. The Safety Element update is required by Government Code Section 65302(g). The Safety Element addresses potential and existing hazards in the County, which are outlined in the following categories: Emergency Preparedness, Geological Hazards/Seismic Activity, Flood Hazards, Airport and Military Airspace Hazards, Hazardous Material and Mining Hazards, Public Safety Services and Facilities, Fire Hazards and Protection, and Severe Weather Hazards. Among other updates, two additional categories for Climate Change Resiliency and Mitigation, and Environmental Justice have been added to the Safety Element. The Board will also consider and the Planning Commission's recommendation to adopt the Negative Declaration (EIS19-0005) prepared in accordance with the California Environmental Quality Act (CEQA) for the proposed amendments to the Nevada County General Plan, Chapter 10, Safety Element.

Resolution adopting a Negative Declaration for the update to the Nevada County General Plan Chapter 10, Safety Element (Planning File Nos. GPT19-0002, EIS19-0005).

Adopted.

Enactment No: RES 20-043

ACTION TAKEN: Chair Hall called the meeting back to order and introduced the public hearing for consideration of proposed revisions to the Nevada County Safety Element.

Ms. Sadie Caldas, Associate Planner, who provided a PowerPoint presentation regarding the proposed revisions to Chapter 10 of the General Plan, Nevada County Safety Element. She reviewed the project, established through State Government Code Section 65302(g).

Ms. Caldas reviewed the updates and revisions, which impact Emergency Preparedness; Geological Hazards; Flood Hazards; Airport and Military Airspace Hazards; Hazardous Materials and Mining Hazards; Public Safety Services and Facilities; Fire Hazards and Protection; and Severe Weather Hazards; plus two new categories; Climate Change Resiliency and Mitigation; and Environmental Justice. Ms. Caldas reported that the Planning Commission reviewed the proposal on January 9, 2020, and recommends adoption. After the Planning Commission hearing, additional comments were received from CALFIRE requesting changes to the proposed Safety Element which would provide for a more accurate document. The main changes were; to add CALFIRE to the list of agencies that provide services in both Eastern and Western Nevada County and in Placer County, plus stating that CALFIRE provides all-risk services, not just wildland fire protection services; and to include a statement regarding fire districts staffed with volunteers that volunteers are not always available and response from these stations may be impacted. State Agencies were required to review the updates and their comments were included in the revision of the document. Ms. Caldas recommended that the Board adopt the Resolution approving the Negative Declaration and adopt the Resolution approving the proposed amendments to the Nevada County General Plan Chapter 10, Safety Element.

Mr. Brian Foss, Planning Director, responded to Board questioning and discussion ensued.

Supervisor Anderson asked if the County has a current policy that is similar to the Truckee Fire Protection District policy directing that houses for sale pass a defensible space review before closing escrow. Mr. Foss responded that there is no current policy that he is aware of, but the Board could direct staff to follow up and gather more information.

Chair Hall wanted to be sure that vulnerable populations are identified for purposes of emergency evacuation. Ms. Caldas responded that the Local Hazard Mitigation Plan, which goes into great detail regarding the facilities, was included. She would check that vulnerable populations are included.

Supervisor Scofield's understanding was this is more of a high-level document, and when evacuation plans are put into place the smaller details would be added to the process. He noted that the County has not adopted an official Fire Plan, and suggested there should at least be a plan for evacuations and recovery.

Supervisor Anderson suggested the Safety Element, Countywide Community Wildfire Protection Plan (CWPP), and Hazard Mitigation Plan should all be reviewed to ensure they are not in conflict with each other. He asked that the latest CWPP of the Truckee Fire Protection District be incorporated in the County's CWPP to ensure that it truly is Countywide.

Chair Hall opened the public hearing for public comment, and the following members of the public spoke: Mr. Matthew Coulter, District I resident; and Fire Chief Terry McMahon, Nevada County Consolidated Fire District. There being no further public comments, Chair Hall closed the public comment portion of the public hearing.

Board discussion ensued.

20a. Resolution adopting a Negative Declaration for the update to the Nevada County General Plan Chapter 10, Safety Element (Planning File Nos. GPT19-0002, EIS19-0005).

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 20-043. On a roll call vote the motion passed unanimously.

20b. SR 20-0934 Resolution amending the Nevada County General Plan Chapter 10, Safety Element (Planning File No. GPT19-0002).

Adopted as amended.

Enactment No: RES 20-044

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 20-044, as amended, to reflect comments provided by CALFIRE. On a roll call vote the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chair Hall adjourned the meeting at 2:14 P.M.

Signature and Attestation



Heidi Hall, Chair

ATTEST:

By:


Lelia Lucchetti-Loomis, Deputy Clerk to the Board