

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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AGENDA

| <u>Date</u> | <u>Time</u> | <u>Location</u> |
|----------------------------|-------------|---|
| Tuesday, September 1, 2020 | 9:00 AM | Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California |

The Board of Supervisors welcomes you to their regular meeting.

Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors by remote.

The Board of Supervisors will attend the meeting and participate to the same extent as if they were present.

This meeting is broadcast live on Nevada County Media Channel 17 in the Western County and on Suddenlink Channel 78 in the Eastern County and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>.

Members of the public who are unable to view the meeting on television or through the web may call 1 (415) 655-0001 to listen to the meeting live.

You will be prompted to provide the Meeting ID#: 126 065 3231 and the Password#: 39532473

Closed Captioning is available for hearing impaired viewers.

Public comment for items not on the agenda will be taken at 9:05 a.m., or as soon thereafter as possible.

See Page No. 2 for information on the options being made available for members of the public to provide comment in both Western and Eastern County.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Clerk of the Board staff remains dedicated to finding new and innovative methods to suit our County's civic engagement needs during this challenging time.

Members of the public can provide general comments on items that are of interest to the public and are within the subject matter jurisdiction of the Board, or on a particular agenda item before the meeting by:

- 1) Writing a letter to the Board of Supervisors;*
- 2) Calling (530) 264-0554 and leaving a voice mail message;*
- 3) Emailing BOS.PublicComment@co.nevada.ca.us; or*
- 4) Leaving an eComment at www.mynevadacounty.com/boardmeetings.*

During the meeting, members of the public can provide comments by:

- 1) Calling (530) 264-0554 and leaving a voice mail message;*
- 2) Emailing BOS.PublicComment@co.nevada.ca.us;*
- 3) Leaving an eComment at www.mynevadacounty.com/boardmeetings;*
- 4) Calling (530) 270-3474 to comment live over the phone (call (415) 655-0001 to listen only);*
- 5) Attending by remote at a kiosk located at the Eric Rood Administrative Center in Western County; or*
- 6) Attending by remote at a kiosk located at the District V Board of Supervisors office in Eastern County.*

The kiosk in Eastern County will be open for the 9:05 a.m. public comment period only; Eastern County residents may provide comments on other items on the agenda using all other available options.

Masks are required to enter a County building; a remote kiosk center will be provided outside of the Eric Rood Administrative Center for individuals unable to wear a mask.

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

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

This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at <https://nevco.legistar.com/Calendar.aspx>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents. Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

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

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

CONSENT CALENDAR:

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

Behavioral Health Director: Phebe Bell

1. [SR 20-3350](#) Resolution approving Amendment 3 to the contract between the County of Nevada and Granite Wellness Centers for the provision of Perinatal and Non-Perinatal Outpatient Drug Free Treatment and Intensive Outpatient Treatment services for substance using pregnant and/or parenting women, men, and adolescents; comprehensive residential treatment program services for the recovery of alcohol/drug dependency; and substance abuse prevention and treatment services to residents of Nevada County (Res. 19-471), increasing the maximum contract maximum from \$1,973,284 to \$2,163,891 due to an unanticipated increase in services, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment

Director of Social Services: Rachel Roos

2. [SR 20-3234](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Sierra Nevada Children's Services pertaining to services related to administration of the Emergency Child Care Bridge Program for Foster Children (Res. 19-504), increasing the maximum contract amount from \$174,612 to \$176,407, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

3. [SR 20-3371](#) Resolution approving Amendment 3 to the contract between the County of Nevada and Sierra Nevada Children's Services for the administration of Stage 1 Child Care payments to fund the provision of child care services for CalWORKs participant families (Res. 19-272), increasing the maximum contract price from \$825,000 to \$860,111 due to expansion of eligibility and increased referrals, for the period July 1, 2019 through June 30, 2021, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Social Services budget. (4/5 affirmative vote required)

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

4. [SR 20-3396](#) Resolution awarding and approving a contract between the County of Nevada and REM Construction, Inc. for the Odyssey House Renovation Project located at 995 Helling Way, Nevada City (Res. 20-298), in the amount of \$2,698,314 plus a contingency of \$269,831, for a total contract amount of \$2,968,145, and authorizing the Chair of the Board of Supervisors to execute the contract. (Housing)
5. [SR 20-3410](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the City of Costa Mesa to accept the donation of three surplus travel trailers (25-foot dual axle Mallard Heartland Ultralight, Model No. IDM251BH) for COVID-19 activities, with an estimated fair market value of \$25,000 each, and authorizing the County Executive Officer to execute the MOU. (Housing)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

6. [SR 20-3387](#) Resolution consolidating the City of Grass Valley Tax Measure, City of Nevada City Tax Measure, Town of Truckee Tax Measure, Byers Lane Community Service District Tax Measure, City of Nevada City Measure pertaining to Elective Offices, the City of Grass Valley and Town of Truckee General Municipal Elections, City of Nevada City Special Municipal Election, School Districts Board of Directors General District Elections, and the Special Districts Governing Board of Directors General District Elections with the General Election to be held in the County of Nevada in the State of California on Tuesday, November 3, 2020.
7. [SR 20-3401](#) Resolution accepting the California Secretary of State's Grant Award known as the Help America Vote Act (HAVA) Section 101, for additional costs associated with the national emergency related to Coronavirus, providing the County of Nevada with federal funding in the amount of \$201,377 to administer the November 3, 2020 General Election consistent with State and Local Health guidelines, for the period August 15, 2020 through December 31, 2020, and authorizing the Nevada County Clerk-Recorder/Registrar of Voters to execute Standard Agreement 20G26129.

Director of Public Works: Trisha Tillotson

8. [SR 20-3394](#) Resolution approving bidding documents for the Soda Springs Road over South Yuba River Bridge Replacement Project - BRLO 05917 (079) - County Contract 224023, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with the application regulations with the bid opening date to be set by the Director of Public Works. (Dist. V)
9. [SR 20-3395](#) Resolution authorizing the submittal of an application to the State of California Department of Transportation (Caltrans) for Coronavirus Aid, Relief, and Economic Security (CARES) Act Federal Transit Administration (FTA) Section 5311 (49 U.S.C. Section 5311) grant funds in the amount of \$826,475, for Fiscal Year 2020/21 (2020). (Transit Services)

County Counsel: Katharine L. Elliott

10. [SR 20-3218](#) Request to approve and authorize County Counsel to sign and submit a letter of waiver of potential conflicts of interest of outside counsel on matters before the Public Utilities Commission.

County Executive Officer: Alison Lehman

11. [SR 20-3360](#) Resolution amending various Nevada County Budgets through the Fourth Consolidated Budget Amendment for Fiscal Year 2019/20. (4/5 affirmative vote required)

PUBLIC COMMENT: 9:05 A.M.

Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board by:

- 1) Calling (530) 264-0554 and leaving a voice mail message;
- 2) Emailing BOS.PublicComment@co.nevada.ca.us;
- 3) Leaving an eComment at www.mynevadacounty.com/boardmeetings;
- 4) Calling (530) 270-3474 to comment live over the phone (call (415) 655-0001 to listen only);
- 5) Attending by remote at a kiosk located at the Eric Rood Administrative Center in Western County; or
- 6) Attending by remote at a kiosk located at the District V Board of Supervisors office in Eastern County.

Please provide your name, and City or District of residence.

DEPARTMENT HEAD MATTERS:*Director of Social Services: Rachel Roos**

12. [SR 20-3402](#) Acceptance of the Alliance for Workforce Development, Inc. (Nevada County Business and Career Network), annual presentation of the Alliance's Program Year 2019/20 Performance Report - Workforce Innovation and Opportunity Act Program and Services. (Ms. Amy Velazquez, Director of Business Services, AFWD, Inc.)

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

13. [SR 20-3404](#) Resolution accepting the exercise of the Ground Lease Agreement by Grass Valley PSH Associates, LP pertaining to County-owned property located at 936 Old Tunnel Road, Grass Valley, CA (APN 035-400-054), designated as the location of the proposed Brunswick Commons Affordable Housing Project (Res. 19-358), authorizing the execution of a 99-year Lease, approving the Development and Disposition and Regulatory Agreement, and approving the development of the Brunswick Commons Affordable Housing Project. (Housing)

SCHEДУED ITEM: 11:00 AM

14. [SR 20-3384](#) Public hearing to consider two (2) new Williamson Act contracts and one (1) amended contract due to change in ownership for Linda Miller, Phil Personeni, Jim Gates, and Lily and Robert Mora, proposing to establish an Agricultural Preserve pursuant to the Land Conservation Act on seven parcels totaling approximately 522 acres at 14962 Bitney Springs Road, 14704 Bitney Springs Road, 12515 Personeni Lane, 12525 Personeni Lane, 12988 Personeni Lane, in Nevada City and Rough and Ready (APNs 052-020-001; 052-010-011; 004-570-002; 004-021-004; 004-021-005; 052-030-007), and to find that the application proposed is not subject to environmental review pursuant to Section 15317 of the California Environmental Quality Act Guidelines. (Dist. IV)
- 14a. [SR 20-3405](#) Resolution authorizing an amendment to a Williamson Act Contract for an Agricultural Preserve for Philip L. Personeni and Johanna Personeni (Res. 76-47), removing 332.73 acres from the Contract due to separate ownership of those properties.
- 14b. [SR 20-3406](#) Resolution approving a Williamson Act Contract for an Agricultural Preserve for Linda M. Miller on two parcels described in Exhibit "A" of the Contract.
- 14c. [SR 20-3407](#) Resolution approving a Williamson Act Contract for an Agricultural Preserve for James Gates and Lily Marie Mora on two parcels described in Exhibit "A" of the contract.

***CLOSED SESSION:**

- [SR 20-3409](#) Pursuant to Government Code section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in two matters.

Recess for lunch:

AFTERNOON SESSION 1:30 P.M.**Public Health Director: Jill Blake**

15. [SR 20-3349](#) Acceptance of the 2019 Novel Coronavirus (COVID-19) informational presentation.

***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.

ADJOURNMENT:

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

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

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

Posted: August 27, 2020.

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

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

PUBLIC COMMENT:

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

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items.

Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda may raise their concerns to the Board members when the consent agenda is introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

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

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

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board. Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

ORDER AND DECORUM:

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

ORDINANCES:

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

INFORMATIONAL CORRESPONDENCE:

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

REFERENCES:

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