

# 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*

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*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, September 1, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

### REGULAR MEETING: 9:00 AM

*Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, this meeting of the Board of Supervisors was held by remote.*

*The following Supervisors attended by remote:*

*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 9:05 A.M.

Pledge of Allegiance led by Supervisor Anderson, District V.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted that an Addendum Agenda posted on Friday, August 29, 2020, adding Agenda Item #16, and adding a closed session Item #20-3414.

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**CONSENT CALENDAR:****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  
**Adopted.**  
Enactment No: RES 20-389

**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.  
**Adopted.**  
Enactment No: RES 20-390
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)  
**Adopted.**  
Enactment No: RES 20-391

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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)  
**Adopted.**  
Enactment No: RES 20-392
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 axel 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)  
**Adopted.**  
Enactment No: RES 20-393

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.  
**Adopted.**  
Enactment No: RES 20-394

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.

**Adopted.**

Enactment No: RES 20-395

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)

**Adopted.**

Enactment No: RES 20-396

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)

**Adopted.**

Enactment No: RES 20-397

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.

**Approved.**

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)

**Adopted.**

Enactment No: RES 20-398

ACTION TAKEN: Chair Hall introduced the consent calendar.

*Approval of the Consent Agenda*

**Adopted.**

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

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**PUBLIC COMMENT: 9:05 A.M.**

- [SR 20-3422](#) The following member of the public provided comments: Mr. Adam Farone, District I resident. Ms. Julie Patterson Hunter, Clerk of the Board, read comments into the from Mr. and Mrs. Sergio and Lena Martignago, District III residents.

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**\*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.)

**Accepted.**

ACTION TAKEN: Ms. Rachel Roos, Director of Social Services, provided comments on the Alliance for Workforce Development, Inc. (AFWD) performance report. Supervisor Scofield, who serves on NORTEC (Northern Rural Training Employment Consortium), provided comments on the annual report.

Ms. Amy Valesquez, Director of Business Services for AFWD, provided a presentation regarding the Nevada County employment situation before and during the current pandemic. AFWD provides three branches of services in Nevada County: Adult & Dislocated Workers, Youth Programs, and Business Services. She reported that from July 1, 2019 to June 30, 2020, 6,676 Nevada County clients were served through AFWD. Ms. Valesquez explained that AFWD work experience participants perform vital services for Nevada County Public Health, Public Works and Facilities Management through the COVID-19 Disaster Assistance Program. She concluded her report with comments regarding AFWD's future continuation to develop dynamic solutions to workforce and employment issues.

Board questions ensued and the Board thanked Ms. Velazquez for the thorough report.

No public comment was received for this item.

**MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Anderson, to accept the Report. On a voice vote the motion passed unanimously.**

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### **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)

**Adopted.**

Enactment No: RES 20-399

Following a short break, Chair Hall called the meeting back into order.

**ACTION TAKEN:** Mr. Mike Dent, Child Support Services, Collections, and Housing Director, provided a presentation regarding the Brunswick Commons Ground Lease and Project Update. He reported that the lease will be in place for 99 years at \$1.00 per year, and affordability of the housing must be maintained throughout the term of the lease. Mr. Dent provided details of the Disposition and Development Agreement and gave a brief overview of the history of the Project.

Mr. Gus Becerra, Executive Director, Regional Housing Authority, provided information regarding the 41 permanent apartment units that will be available, with approximately 12 units targeting homeless individuals with a mental health disability; 28 units targeting the general homeless population; and one on-site Manager's unit. He reviewed the Project's construction timeline, with construction being completed in October 2021, and residents moving in October and November 2021. Mr. Becerra reported on some of the challenges the Project has encountered that have caused unexpected or higher than expected costs, including the Timber Harvest Plan, drainage retaining wall, and fees to the National Fish and Wildlife Foundation. He listed some of the Project progress highlights including the work that has started, the permits that are waiting for approval, and extra financing under consideration by HRCS (Homeless Resource Council of the Sierras).

Board discussion and questions ensued. The Board thanked Mr. Dent and Mr. Becerra for their work on this project.

No public comment was received for this item.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 20-399. On a roll call vote the motion passed unanimously.**

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**\*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.

[SR 20-3414](#) Pursuant to Government Code section 54957(a), County Counsel is requesting a closed session with the Board of Supervisors regarding a threat to public services or public facilities in consultation with the Sheriff and her designee.

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

Following closed session, Ms. Katharine Elliot, County Counsel, reported that in both matters direction was given to staff.

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**SCHEDULED 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)
- Public hearing held.**

ACTION TAKEN: Chair Hall opened the public hearing. Mr. Brian Foss, Planning Director, provided a presentation regarding amendments to the Personeni, Miller, Gates and Mora agricultural preserve contract that was originally approved in 1976, due to reorganization in ownership and a pending Lot Line Adjustment, which would result in three separate contracts instead of one. He provided a brief background of the Williamson Act regarding agricultural preserve lands and provided the criteria that parcels need to meet in order to qualify. Mr. Foss reviewed the process that the Agricultural Advisory Commission uses to approve and make recommendations to the Board for qualifying parcels and contracts.

Mr. Chris DeNijs, Agricultural Commissioner, provided comments regarding the Project and recommended the Board adopt the resolutions.

Board questioning and discussion ensued.

Chair Hall opened the public hearing for public comment, and the following members of the public provided comments: Ms. Jan Blake, Nevada County resident; Ms. Pamela Hertzler, Natural Resource Conservation Service, District Conservationist; Ms. Linda Miller, Williamson Act property owner; and Ms. Lilly Mora, Williamson Act property owner.

Ms. Julie Patterson Hunter, Clerk of the Board, read the following comments into the record: Mr. Roger Ingram, District II resident; Ms. Debora Totoonchie, Manager, Nevada County Farm Bureau and District IV resident; Ms. Eve Diamond, District IV resident; Ms. Colleen Vaughan, District IV resident; Mr. Scott Allen, District IV resident. There being no further comment, Chair Hall closed the public comment portion of the public hearing.



**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.

**Adopted.**

Enactment No: RES 20-400

**MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Scofield, to adopt Resolution 20-400. On a roll call vote the motion passed unanimously.**

**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.

**Adopted.**

Enactment No: RES 20-401

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 20-401. On a roll call vote the motion passed unanimously.**

**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.

**Adopted.**

Enactment No: RES 20-402

**MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Scofield, to adopt Resolution 20-402. On a roll call vote the motion passed unanimously.**

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**\*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:** Supervisor Hoek reported that the Independence Trail will be closed for a while during renovations and restorations of the portion of the Independence Trail damaged in the Jones Fire. She also commented that people can donate to victims of the Jones Fire at [www.nevcorelief.org](http://www.nevcorelief.org).

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Recess for lunch: 11:35 A.M.

**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.

**Accepted.**

ACTION TAKEN: Ms. Jill Blake, Public Health Director, provided information regarding COVID-19 testing. Dr. Richard Johnson, Interim Public Health Officer, provided information regarding current changes in CDC (Centers for Disease Control and Prevention) testing recommendations, and added that in Nevada County the current process will not be changed according to the new recommendations.

Ms. Blake reviewed the "Blueprint for a Safer Economy" presented by Governor Newsom, which implements a phased progression based on risk levels. Nevada County is at the levels called "Substantial" and "Moderate." She reported that Nevada County's COVID-19 positivity rates are trending down, which is the positive direction. With the new tiered system a county moves forward or backward based on what is happening within that county. Dr. Johnson reviewed the State's new risk criteria determining factors that determine which activities and sectors are permitted sooner, and which activities and sectors are not permitted until later phases.

Board questioning and discussion ensued.

Toll Free 888-634-1123 is the number to schedule an appointment for COVID-19 testing, also you can call 211 for help with your registration to schedule an appointment.

No public comment was received for this item.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to accept the Report. On a voice vote the motion passed as follows: Ayes: Supervisors Anderson, Scofield, Miller and Hall; Abstain: Supervisor Hoek.**

16. [SR 20-3413](#) Resolution ratifying a Local Health Emergency Proclamation by the Nevada County Public Health Officer due to the immediate public health threat caused by hazardous waste and debris from the Jones Fire.

**Adopted.**

Enactment No: RES 20-403

ACTION TAKEN: Mr. Ryan Gruver, Health and Human Services Agency Director, reviewed the proposed emergency declaration in response to the Jones Fire, and he presented a proposed amendment to the Resolution that staff has requested.

Ms. Amy Irani, Environmental Health Director, spoke to the potential hazards during the clean-up after the fire. She reported that the proposed Resolution provides the necessary local approval to allow the State, through the California Office of Emergency Services, to release the Department of Toxic Substance Control personnel who will come to the County and assess and identify toxic materials that must be removed before other clean-up is started. The amendment added to the Resolution is to provide containment measures to keep heavy metals and other particulates from entering and contaminating the waterway.

Board questioning and discussion ensued.

No public comment was received for this item.

**MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to adopt Resolution 20-403. On a roll call vote the motion passed unanimously.**

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**ADJOURNMENT:**

ACTION TAKEN: Chair Hall adjourned the meeting at 2:11 p.m.

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Signature and Attestation

Heidi Hall, Chair

ATTEST:

By:

Lelia Lucchetti-Loomis, Deputy Clerk to the Board