

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Chair Ed Scofield, District II
Supervisor Lisa Swarthout, District III
Supervisor Susan Hoek, District IV
Vice-Chair Hardy Bullock, District V

Julie Patterson Hunter, Clerk of the Board
Alison Lehman, County Executive Officer
Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

950 Maidu Avenue, Suite 200
Nevada City, CA 95959-8617
(530) 265-1480
Fax: (530) 265-9836
bdofsupervisors@nevadacountyca.gov

SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, May 23, 2023	9:00 AM	Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall. The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Lisa Swarthout, 3rd District
Susan Hoek, 4th District
Hardy Bullock, 5th District

STANDING ORDERS:

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

Pledge of Allegiance was held.

Corrections and/or deletions to agenda.

ACTION TAKEN: Julie Patterson Hunter, Clerk of the Board, noted that the correct dollar amount for the all-terrain bikes in Agenda Item no. 20 is \$21,650.

PUBLIC COMMENT:

[SR 23-2127](#) Public comment received.

ACTION TAKEN: Chair Scofield opened the opportunity for general public comment, and comments were received from the public. There being no additional members of the public waiting to speak, Chair Scofield closed public comment.

CONSENT CALENDAR:**Interim Public Health Director: Erin Mettler**

1. [SR 23-1059](#) Resolution approving a renewal contract between the County of Nevada and the Nevada County Superintendent of Schools for community health worker support to address COVID-19 prevention and vaccine outreach and education to underserved populations in western Nevada County, in the maximum amount of \$61,000, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 23-201
2. [SR 23-1409](#) Resolution approving a renewal agreement between the County of Nevada and First 5 Nevada County Children and Families First Commission to reimburse First 5 for Medi-Cal Administrative Activities, in the maximum payable amount of \$80,000 for the period July 1, 2023 through June 30, 2026.
Adopted.
Enactment No: RES 23-202

Director of Social Services: Rachel Peña

3. [SR 23-2551](#) Resolution proclaiming May 2023 as " Older Americans Month" in Nevada County.
Adopted.
Enactment No: RES 23-203
4. [SR 23-1791](#) Resolution approving a renewal contract between the County of Nevada and Nevada Joint Union High School District to provide CalLearn Program services for eligible pregnant and parenting teens who have not obtained their high school diploma or its equivalent, in the maximum amount of \$67,593, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 23-204

5. [SR 23-1983](#) Resolution approving a Memorandum of Understanding (MOU) between the Health and Human Services Agency - Department of Social Services and the Nevada-Sierra Connecting Point Public Authority for reimbursement of the Career Pathways Program, in the maximum amount of \$309,870, for the period October 1, 2022 through December 31, 2023, and authorizing the Director of Nevada County Social Services to execute the MOU.

Adopted.

Enactment No: RES 23-205

6. [SR 23-1909](#) Resolution approving a renewal contract between the County of Nevada and The Salvation Army for the provision of CalFresh outreach and shelter services at the Booth Family Center for CalWORKs families, in the maximum amount of \$319,738, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 23-206

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

7. [SR 23-1989](#) Resolution approving the Memorandum of Understanding (MOU) between the County of Nevada and the Nevada County Continuum of Care-531, designating Nevada County Continuum of Care-531 as Lead Agency and Collaborative Applicant for Homeless Housing Assistance and Prevention (HHAP) for Round 4 grant funding, in the total amount of \$1,367,783, and future HHAP rounds during the term of the MOU. (Housing)

Adopted.

Enactment No: RES 23-207

Sheriff-Coroner/Public Administrator: Shannan Moon

8. [SR 23-1407](#) Resolution approving an agreement between the County of Nevada and the California Department of Parks and Recreation, Division of Boating and Waterways, for reimbursement of boating safety enforcement costs, in the amount of \$96,674, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-208

Clerk-Recorder/Registrar of Voters: Natalie Adona

9. [SR 23-2819](#) Resolution authorizing the Elections Office to opt out of printing the list of Proponents and Opponents of Local Measures. (Pulled from consent by Supervisor Swarthout)

Pulled.

10. [SR 23-2820](#) Resolution authorizing the Nevada County Clerk-Recorder to establish a new Restrictive Covenant Modification Program and a Special Revenue Fund to collect the \$2.00 fee imposed by Government Code section 27388.2(a) to recover the reasonable regulatory cost of performing inspections and audits to redact unlawfully restrictive and discriminatory covenants.
- Adopted.**
- Enactment No: RES 23-209

Planning Director: Brian Foss

11. [SR 23-2425](#) Resolution approving Amendment 1 to the contract between the County of Nevada and PlaceWorks, Inc. related to the preparation of the South County Area Plan (Res. 21-297), extending the contract term to July 31, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment. (Dist. II)
- Adopted.**
- Enactment No: RES 23-210

Public Works Director: Heba El-Guindy

12. [SR 23-1710](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nelson Engineering for professional surveying services (Res. 22-320), increasing the amount by \$30,000 for a new maximum amount of \$130,000 for additional services during the period July 1, 2022 through June 30, 2023, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 County Surveyor budget. (4/5 affirmative vote required)
- Adopted.**
- Enactment No: RES 23-211
13. [SR 23-1916](#) Resolution awarding and approving a contract between the County of Nevada and Baldwin Contracting Company Inc. dba Knife River Construction for the 2023 Road Rehabilitation Project, County Contract No. 450011, in the total amount of \$1,401,348.56, and authorizing the Chair of the Board of Supervisors to execute the contract. (Dists. I, II, IV)
- Adopted.**
- Enactment No: RES 23-212

14. [SR 23-1918](#) Resolution accepting the Department of Resource Recycling and Recovery (CalRecycle) Oil Payment Program (OPP) grant funding in the amount of \$10,982, and authorizing the Director of the Department of Public Works to execute additional documents as necessary to implement this grant. (Solid Waste)
Adopted.
Enactment No: RES 23-213
15. [SR 23-1917](#) Resolution accepting the Department of Resource Recycling and Recovery (CalRecycle) City/County Payment Program grant funding in the amount of \$17,410, and authorizing the Director of the Department of Public Works to execute additional documents as necessary to implement this grant. (Solid Waste)
Adopted.
Enactment No: RES 23-214
16. [SR 23-2154](#) Resolution approving the purchase of one Heliox 50kW Mobile DC Fast Charger for emergency charging of Transit Battery Electric Buses, in an amount not to exceed \$42,000, and authorizing the Nevada County Purchasing Agent to encumber the funds and issue a purchase order. (Transit Services)
Adopted.
Enactment No: RES 23-215
17. [SR 23-2152](#) Resolution approving submittal of an application for \$138,749 in Fiscal Year 2022/23 Low Carbon Transit Operations Program (LCTOP) PUC 99313 and 99314 funding for the Low-Income Fare Subsidy Program for use on all Nevada County Connects fixed route buses, and authorizing Director of the Department of Public Works to execute the Certifications and Assurances and all required documents for the LCTOP administered by the California Department of Transportation (Caltrans). (Transit Services)
Adopted.
Enactment No: RES 23-216

Information and General Services Agency Director: Stephen Monaghan

18. [SR 23-1301](#) Resolution approving bid construction documents and specifications for the Nevada County Ranch House Project, located at 16782 State Highway 49, Nevada City, CA, authorizing the Chair of the Board to sign the documents, and directing the Purchasing Agent to solicit bids for this Project. (Facilities Management)

Adopted.

Enactment No: RES 23-217

19. [SR 23-2419](#) Resolution awarding and approving a contract between the County of Nevada and Pro-Ex Construction Inc. for the Nevada County Truckee Library Improvement Project located at 10031 Levone Avenue, Truckee, CA 96161, for a total contract amount of \$172,700, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Capital Facilities and Library budgets. (4/5 affirmative vote required) (Facilities Management) (Dist. V)

Adopted.

Enactment No: RES 23-218

Director of Office of Emergency Services: Craig Griesbach

20. [SR 23-2403](#) Resolution authorizing the capital asset purchase of four specialized all-terrain electric bikes in the amount of \$21,737 to support the Nevada County Sheriff's Search and Rescue Team with an all-terrain asset to use in non-motorized areas, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Office of Emergency Services budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-219

21. [SR 23-2423](#) Resolution approving the contract between the Fire Safe Council of Nevada County and the Nevada County Office of Emergency Services for the Winter Storm Green Waste Mitigation Project, in the amount of \$125,000 for use during the period of May 23, 2023 through December 31, 2023, and authorizing the Director of Emergency Services to execute the contract.

Adopted.

Enactment No: RES 23-220

22. [SR 23-2560](#) Resolution accepting FEMA Hazard Mitigation Grant Program funding for the HMGP DR-4344-704-151R Roadside Vegetation Management Program Phase 1, in the amount of \$752,135.22 for use during the period April 3, 2023 through September 24, 2024, and authorizing the Director of Office of Emergency Services to execute the grant agreement and all additional documents required to fulfill the requirements of the grant.

Adopted.

Enactment No: RES 23-221

Director of Human Resources: Steven Rose

23. [SR 23-2822](#) Certificate of Recognition for Technical Sergeant Breona Calvert as the winner of the 2023 Lieutenant Commander Louis "Lou" Conter Military Ambassador award.

Acknowledged.

County Counsel: Katharine L. Elliott

24. [SR 23-1179](#) (Introduce/Waive further reading) An Ordinance amending, adding and repealing non-substantive sections of the Nevada County Administrative Code.
First reading held.

25. [SR 23-1180](#) (Introduce/Waive further reading) An Ordinance amending, adding and repealing nonsubstantive sections of the Nevada County General Code.
First reading held.

County Executive Officer: Alison Lehman

26. [SR 23-2564](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Clifton Larsen Allen LLP (CLA) for the annual audit of the financial statements of the County of Nevada and related entities for the Fiscal Year ending June 30, 2022 (Res. 22-411), increasing the contract by \$20,000 for a total amount not to exceed \$111,300, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-222

27. [SR 23-2151](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Robert D. Niehaus, Inc. for providing an independent economic impact analysis of the proposed Idaho-Maryland Mine Project in Nevada County (Res. 21-539), increasing the maximum contract amount from \$88,000 to \$94,458 for additional services, extending the contract termination date from June 30, 2023 to June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Adopted.

Enactment No: RES 23-223

28. [SR 23-2558](#) Resolution amending various Nevada County budgets through the third Consolidated Budget Amendment for Fiscal Year 2022/23. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-224

Individual Board Member Item: District II Supervisor Ed Scofield

29. [SR 23-1982](#) Resolution ratifying the restated bylaws of the South County Area Municipal Advisory Council.

Adopted.

Enactment No: RES 23-225

Clerk of the Board: Julie Patterson Hunter

30. [SR 23-2237](#) Acknowledge Supervisor Scofield's acceptance of the resignations of Brian Hamilton, Gloria Siegel, and Tony Gosalvez, and the term ending of Dallan Packard as Regular members from the Municipal Advisory Council (South County), effective April 13, 2023; and acknowledging the redesignation of Gary Baker from Alternate member to Regular member, and the appointments of Jeff Pettitt as Regular member and Jaime Jones as Alternate member, effective May 23, 2023.

Acknowledged.

31. [SR 23-2424](#) Accept the resignation of Jon Byerrum as Public Member from the Nevada County Finance Authority, effective April 26, 2023; and approve the appointment of Robert Long as Public Member to the Nevada County Finance Authority, for an unexpired two-year term ending June 30, 2024.

Appointed.

32. [SR 23-2553](#) Resolution designating the Chinatowns of Truckee, located in Old Truckee Downtown Historical District, with a landmark plaque to be located at the Old Truckee Jail Museum at 10142 Jibboom Street, Truckee California, 96161 (APN 019-102-004-000), as Nevada County Historical Landmark NEV 23-02. (Pulled from consent by Supervisor Bullock)
Pulled.
33. [SR 23-1346](#) Acceptance of Board of Supervisors Summary Minutes for May 9, 2023.
Accepted.

Approval of the Consent Agenda

Adopted.

ACTION TAKEN: Chair Scofield introduced the consent calendar. Supervisor Swarthout requested Agenda Item no. 9 be pulled from consent for discussion, and Supervisor Bullock requested Agenda Item no. 32 be pulled from consent for discussion. Chair Scofield provided an opportunity for public comment regarding items on consent, and no comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Swarthout, to adopt the consent calendar, less Agenda Items 9 and 32. On a roll call vote, the motion passed unanimously.

Items Removed from Consent:

Clerk-Recorder/Registrar of Voters: Natalie Adona

9. [SR 23-2819](#) Resolution authorizing the Elections Office to opt out of printing the list of Proponents and Opponents of Local Measures. (Pulled from consent by Supervisor Swarthout)

ACTION TAKEN: Supervisor Swarthout reported that she had received many phone calls and emails from the public sharing their concerns regarding the need for transparency in the County's election process. Natalie Adona, Clerk-Recorder/Registrar of Voters, reported that Assembly Bill (AB) 1416 requires the supporters and opponents of statewide propositions to be listed on all ballots. There are further provisions for counties that do the same for local measures, with the option for County Boards of Supervisors to opt-out of printing the names of supporters and opponents of local measures on the ballot.

First, the law would require the Registrar of Voters to pull the names of supporters and opponents from the arguments that are submitted for or against a local measure and print them on the ballot. There is no new process in place to identify the supporters and opponents. The law requires the elections official to draw information about supporters and opponents from the submitted arguments. Second, the list of signers for all submitted arguments is included in every County Voter Information Guide (CVIG) for which there are local measures on the ballot, and if no arguments are submitted, that is stated. The most recent example of how this occurs in an election can be found in the November 8, 2022 CVIG. For Measure V, the Elections office printed the measure letter, ballot label, what a “yes” and “no” vote means, the measure text, impartial analyses, arguments for and against, rebuttal arguments, names and a brief description of all signers, and the names and descriptions of all authors. The suggestion is not to discontinue this process; it will continue to be included in the CVIG. AB 1416 requires the Board to opt out of printing this same information on the ballot. A policy decision on this issue can only be made by the Board of Supervisors. Registrar Adona reported that if the item were to be approved or denied, that decision could be revisited in the future.

Registrar Adona listed concerns regarding the legislation: the potential for increased printing costs; increased time for ballot proofing and processing; limits on the amount of characters allowed and the potential for litigation this could cause; and the possibility that neighboring counties might have the ability to decide for the County. Twelve counties have formally opted out of these printing requirements, including Placer County and Yuba County. Nevada County shares districts with both of these counties, so if Nevada County has a shared ballot measure between one or both of these counties, a list of supporters and opponents on that same ballot measure in Nevada County cannot be printed.

Supervisor Hall asked for confirmation that this would only apply to Countywide ballot measures. Registrar Adona confirmed that it would only apply to local measures, such as County measures, school district measures, or special district measures.

Chair Scofield provided an opportunity for public comment, and comments were received. Chair Scofield closed public comment.

Board questioning and discussion ensued.

In response to concerns raised during public comment, Supervisor Scofield clarified that it is the Chair's responsibility to decide which items are placed on the consent agenda, stressing that it was not his intention to limit public transparency. He agreed that the item did not belong on consent.

Supervisor Hoek suggested the decision on the item be postponed to provide more clarification of the process to the public.

Katharine Elliott, County Counsel, reported that if the Board were to postpone a decision on the item, it would need to return by mid-November at the latest.

MOTION: Motion made by Supervisor Bullock, and seconded by Supervisor Swarthout, to postpone a decision on the item for 30 days. On a roll call vote, the motion passed unanimously.

Clerk of the Board: Julie Patterson Hunter

32. [SR 23-2553](#) Resolution designating the Chinatowns of Truckee, located in Old Truckee Downtown Historical District, with a landmark plaque to be located at the Old Truckee Jail Museum at 10142 Jibboom Street, Truckee California, 96161 (APN 019-102-004-000), as Nevada County Historical Landmark NEV 23-02. (Pulled from consent by Supervisor Bullock)

ACTION TAKEN: In response to concerns received by a constituent regarding placement of the plaque, Supervisor Bullock requested the Board postpone a decision on the item for 30 days to further acknowledge the contributions made by Chinese immigrants throughout Nevada County, including contributions to the County's culture, and their efforts during creation of the Donner Summit train tunnels. Supervisor Bullock's reason for delaying action on the agenda item was to provide some time to have conversations in Truckee regarding the plaque and answer the questions that were raised.

Chair Scofield provided an opportunity for public comment, and no comments were received, other than the email that Supervisor Bullock was referring to. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Bullock, and seconded by Supervisor Hall, to delay the passing of the Resolution. On a roll call vote, the motion passed unanimously.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.**Call the meeting to order:**

ACTION TAKEN: Chair Scofield adjourned as the Nevada County Board of Supervisors and called the regular meeting of the Nevada County Sanitation District No. 1 Board of Directors to order. All Directors were present.

#####

Consent:

Public Works Director: Heba El-Guindy

34a. [SR 23-2156](#) Resolution amending the Nevada County Sanitation District No. 1 budget for Fiscal Year 2022/23. (4/5 affirmative vote required)

Adopted.

Enactment No: SD 23-004

Clerk of the Board: Julie Patterson Hunter

34b. [SR 23-2823](#) Acceptance of March 28, 2023 Nevada County Sanitation District No.1 Summary Minutes.

Accepted.

Approval of the Consent Agenda.

Adopted.

ACTION TAKEN: Chair Scofield introduced the consent calendar and provided an opportunity for public comment. No comments were received, and Chair Scofield closed public comment.

MOTION: Motion made by Director Hoek, and seconded by Director Swarthout, to adopt the consent calendar. On a roll call vote the motion passed unanimously.

#####

Public comment:

ACTION TAKEN: Chair Scofield opened the opportunity for general public comment on issues regarding Nevada County Sanitation District No. 1, and no comments were received. Chair Scofield closed public comment.

#####

Adjournment:

ACTION TAKEN: Chair Scofield adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.

INDIVIDUAL BOARD MEMBER ITEMS:**District I Supervisor, Heidi Hall**

35. [SR 23-2552](#) Certificate of Recognition for Dr. Roger Hicks, and Linda Rachmel, R.N., for founding and operating YUBAdocs Urgent Care for more than twenty years.
Acknowledged.

ACTION TAKEN: Supervisor Hall read the Certificate into the record, and Dr. Roger Hicks and Linda Rachmel, Registered Nurse (RN), thanked the Board for recognizing their work.

Chair Scofield provided an opportunity for public comment, and comments were received. Chair Scofield closed public comment.

The Board members thanked Dr. Hicks and RN Rachmel for their years of commitment to the health of Nevada County's residents, and Alison Lehman, County Executive Officer, thanked YUBAdocs for their contributions to the community. The Board presented the Certificate of Recognition to Dr. Hicks and RN Rachmel.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Hoek, to approve the Certificate of Recognition. On a voice vote, the motion passed unanimously.

36. [SR 23-2554](#) Resolution proclaiming the month of June 2023 as “Celebration of Trails Month” in Nevada County.
Adopted.
Enactment No: RES 23-226

ACTION TAKEN: Following a short break, Chair Scofield called the meeting back into order.

Erin Tarr, Executive Director, Bear Yuba Land Trust (BYLT), provided a comprehensive PowerPoint presentation regarding the work BYLT does throughout the community to protect land within the Trust, and their efforts to connect trail systems in the surrounding areas of Grass Valley and Nevada City. Director Tarr reported that 45 miles of trails are currently built and maintained throughout the County and suggested the public visit their website www.bylt.org/trails for more information on local trails.

Board questioning and discussion ensued.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Swarthout, to adopt Resolution 23-226 proclaiming the month of June 2023 as "Celebration of Trails Month" in Nevada County. On a roll call vote, the motion passed unanimously.

***DEPARTMENT HEAD MATTERS:**

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

37. [SR 23-1704](#) Resolution awarding the Western Nevada County Regional Housing Trust Fund Request for Proposal number three (RFP #3) in the maximum amount of \$1,024,755 to Pacific West Communities for Development Of Lone Oak Senior Apartments II, A 31 Unit Affordable Housing Project for low-income seniors, located in Penn Valley, CA. (Housing) (Dist. IV)

Adopted.

Enactment No: RES 23-227

ACTION TAKEN: Chair Scofield introduced the agenda item and Mike Dent, Housing Director, and Pattra Runge, Occupancy Manager, Regional Housing Authority (Sutter, Yuba, Colusa, and Nevada Counties), provided a PowerPoint presentation regarding the Housing Trust Fund loan award in the amount of \$1,024,755 for development of the Lone Oak II Senior Affordable Housing Project located in Penn Valley. The Lone Oak II Project will mirror the Lone Oak Phase I Project, and is proposed as a 31-unit Senior Affordable Housing facility, comprised of 24 one-bedroom and seven two-bedroom units. Manager Runge reviewed renderings of the Project design, which also includes a community garden, dog park, and bocce ball court. If all goes as planned, it is anticipated that residents will move into the apartments in August 2025. Director Dent recommended the Board approve the Trust Fund Loan for the Project.

Board questioning and discussion ensued.

Supervisors Bullock and Hall shared concerns regarding ongoing property management issues of the County's affordable housing projects, and Alison Lehman, County Executive Officer, suggested that staff bring forward a briefing regarding the general management process of the properties, including information relating to the County's role in the process, to a future meeting.

Chair Scofield provided an opportunity for public comment and no comments were received. Chair Scofield closed public comment.

MOTION: MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Bullock, to adopt Resolution 23-227 awarding funding to Pacific West Communities for development of Lone Oak Senior Apartments II. On a roll call vote, the motion passed unanimously.

Director of Human Resources : Steven Rose

38. [SR 23-2817](#) (Waive further reading/Adopt) An Ordinance approving an amendment to the contract between the Board of Supervisors of the County of Nevada and the Board of Administration of the California Public Employees' Retirement System (to provide section 20439 [county jail, detention or correctional facility employees as "county peace officers"]).

Waived further reading and adopted.

Enactment No: ORD-2524

ACTION TAKEN: Chair Scofield read the title of the Ordinance into the record and Steven Rose, Human Resources Director, provided a brief overview of the proposed Ordinance, which proposes to move the Correctional Lieutenant classification from the miscellaneous retirement plan to the safety retirement plan, resulting in a payroll cost increase of approximately \$365,000. Staff has brought this item forward to the Board for review during two previous meetings.

Chair Scofield provided an opportunity for public comment and no comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Swarthout, and seconded by Supervisor Hall, to waive further reading and adopt Ordinance 2524. On a roll call vote, the motion passed unanimously.

SCHEDULED ITEM: 11:00 A.M.**Public Works Director: Heba El-Guindy**

39. [SR 23-1914](#) Public hearing to consider adoption of a resolution amending the assessments for County Service Area (CSA) 22 6B Ranch Estates Zone 1 in compliance with Proposition 218. The Board of Supervisors shall consider all objections and protests, if any, to the proposed parcel charges and will tabulate the vote on the proposed parcel charges. Any interested person shall be permitted to present written and/or oral testimony. In order to better fund road maintenance within CSA 22 Zone 1, the following three items are proposed to be implemented:
- 1) Increase the parcel charges to a point that aligns with current construction costs.
 - 2) Implement a 5% annual escalation factor that will begin in Fiscal Year 2024/25 and end in Fiscal Year 2044/45.
 - 3) Add an additional \$1,000 charge to each parcel to recuperate emergency funds. This will be paid in addition to the parcel charge in three installments over the next three years. \$333.32/parcel in Fiscal Year 2023/24, \$333.32/parcel in Fiscal Year 2024/25, and \$333.36/parcel in Fiscal Year 2025/26.

Public hearing held.

- 39a. [SR 23-3019](#) Resolution amending the parcel charges for County Service Area (CSA) 22 - 6B Ranch Estates, Zone 1. (Dist. IV)

Adopted.

Enactment No: RES 23-228

ACTION TAKEN: Following a short break, Chair Scofield called the meeting back into order and introduced the agenda item to amend assessments for County Service Area (CSA) 22 Ranch Estates, Zone 1 per Proposition (Prop) 218. Chair Scofield reviewed the procedure for the public hearing.

Heba El-Guindy, Director of Public Works, reported on the Proposition 218 vote for CSA 22 Ranch Estates, Zone 1, proposing and increase to the parcel charges for road maintenance within CSA 22. Following staff's presentation the ballots will be counted, and if a majority of the votes approve the proposed increase in parcel charges, staff recommends approving the Resolution.

Elijah Larimer, Assistant Engineer, provided a PowerPoint regarding the parcel charges for CSA 22, Zone 1, which is located off of McCourtney Road in District 4. The roads affected include Thoroughbred Loop, Scotts Drive, Khalid Court, and Swaps Court. Engineer Larimer explained that a CSA is created when property owners on a private road vote request the County to collect parcel charges for the purpose of maintaining the roads within the boundaries of the CSA. A vote of more than 50% of the ballots received must be in favor in order for the measure to pass. CSA 22 was originally created in 1980, and did not include an inflationary adjustment to address increased materials costs in future years. Due to increased costs, the level of service provided has gone down. The proposed increase will bring funding in-line with current maintenance costs, and provides a 5% inflation factor to ensure sufficient funding for ongoing maintenance over the next 20 years.

Chair Scofield opened the public hearing for public comment and comments were received. Chair Scofield closed public comment.

Chair Scofield directed staff to count the ballots, which was completed within public view as required by Prop 218. Patrick Perkins, Principal Civil Engineer, reported that following tally of all ballots received, the final total is 88% in favor, resulting in passage of the measure. Principal Civil Engineer Perkins recommended the Board approve the Resolution, increasing parcel charges in CSA 22, Zone 1.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Bullock, to adopt Resolution 23-228, amending the parcel charges for County Service Area (CSA) 22, Zone 1. On a roll call vote, the motion passed unanimously.

***ANNOUNCEMENTS:**

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

***CLOSED SESSION:**

[SR 23-2831](#) Pursuant to Government Code § 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss two matters in which there are significant threats of litigation against the County.

ACTION TAKEN: Katharine Elliott, County Counsel, read the title of the closed session item into the record. Chair Scofield explained that the Board would recess for lunch following closed session, and would report out upon returning to the Chamber for the afternoon session.

Recess for lunch:

ACTION TAKEN: Following closed session, the Board members recessed directly into the lunch break.

AFTERNOON SESSION: 1:30 P.M.**DEPARTMENT HEAD MATTERS:****Director of the Office of Emergency Services: Craig Griesbach**

40. [SR 23-2178](#) Resolution recognizing the Firewise Together Fundraiser Event being held on June 3, 2023 to benefit Firewise Communities.

Adopted.

Enactment No: RES 23-229

ACTION TAKEN: Following the lunch break, Chair Scofield called the meeting back into order.

Craig Griesbach, Director of Office of Emergency Services, reported on the upcoming Firewise Fundraiser Event, and introduced Jamie Jones, Executive Director, and Steve Eubanks, Vice Chair, Fire Safe Council. Nevada County has more Firewise communities (currently 90) than anywhere else in the United States, which was the driving force in dedicating the proceeds from the fundraiser to the Firewise Communities. The event will include dinner and an auction held at Lake Wildwood's Commodore Park on Saturday, June 3, 2023. Tickets start at \$75. More information is available on Fire Safe Council of Nevada County's website: <https://www.areyoufiresafe.com/>.

Board questioning and discussion ensued.

Chair Scofield provided an opportunity for public comments and comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Hall, to adopt Resolution 23-229, recognitions the Firewise Together Fundraiser Event. On a roll call vote, the motion passed unanimously.

41. [SR 23-2559](#) Resolution approving acceptance of the CAL FIRE California Climate Investments Wildfire Prevention Grant for the 5GA21159 Winter Storm Hazardous Vegetation Clean-Up Project, in the amount of \$950,000 for use during the period May 12, 2023 through March 15, 2025, and retroactively authorizing the Director of Emergency Services to execute the grant agreement and all additional documents required to fulfill the requirements of the grant.
- Adopted.**
- Enactment No: RES 23-230

ACTION TAKEN: Craig Griesbach, Director of Office of Emergency Services, and Heba El-Guindy, Director of Public Works, provided a PowerPoint presentation regarding the CALFIRE California Climate Investments Wildfire Prevention Grant. Director Griesbach spoke of the vital importance of maintaining clearance of the County's ingress and egress routes on County-maintained roads and private roads. Fire Safe Council of Nevada County, in partnership with CAL FIRE, Nevada County, and Waste Management, have scheduled free Green Waste Drop-Off Days in both western and eastern County. Over the last four years, CAL FIRE has granted over \$11.9 million for proactive vegetation mitigation projects, resulting in ingress/egress route safety; safety and resiliency of public and private property; strategic fuel breaks; reduced fire fuels; and protection of life and property.

Board questioning and discussion ensued.

Chair Scofield provided an opportunity for public comment, and no comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Swarthout, and seconded by Supervisor Hall, to adopt Resolution 23-230, accepting grant funding in the amount of \$950,000 from CAL FIRE for the Winter Storm Hazardous Vegetation Clean-Up Project. On a roll call vote, the motion passed unanimously.

42a. [SR 23-2561](#) Resolution approving the contract between Pyroanalysis LLC and Nevada County Office of Emergency Services for the CAL FIRE California Climate Investments Evacuation Route Planning and Development Grant for the 5GG21105 County of Nevada - Evacuation Route Planning Project, in the amount of \$135,422 provided by CAL FIRE for use during the period May 23, 2023 through February 1, 2024, authorizing the Director of Emergency Services to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Office of Emergency Services budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-231

42b. [SR 23-2562](#) Resolution approving the contract between Dudek and Nevada County Office of Emergency Services for the Community Wildfire Protection Plan Update, in the amount not to exceed \$156,031 for use during the period May 23, 2023 through December 31, 2024, authorizing the Director of Emergency Services to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Office of Emergency Service budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-232

42c. [SR 23-2563](#) Resolution approving the contract between Tetra Tech and Nevada County Office of Emergency Services for the FEMA Hazard Mitigation Grant Program for the HMGP DR-4558-288-088P County of Nevada Local Hazard Mitigation Plan Update, in the amount not to exceed \$112,500 for use during the period May 23, 2023 through May 31, 2024, authorizing the Director of Emergency Services to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Office of Emergency Services budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 23-233

ACTION TAKEN: Craig Griesbach, Director of Office of Emergency Services (OES), provided a PowerPoint presentation regarding the County's strategic planning efforts for emergency preparedness with assistance from Alex Keeble-Toll, Senior Management Analyst, and Alessandra Zambrano, Administrative Analyst II.

The goals of OES in 2023 include: building on the County's strong foundation; working on the development of strategic plans; strategic funding and grant prioritization; focus on landscape-scale projects and large community-scale projects; and continue to leverage and build the County's partnerships. Wildfire and winter storms are disruptive and challenging solutions are needed at the landscape, community, and individual level. A dynamic plan for disaster resilience is needed for Prevention, Mitigation, and Education.

The County's Roadmap to Resilience includes a holistic long-range vision for:

Local Hazard Mitigation Plan (LHMP): Update of the current 2017 LHNP to establish hazard and prioritization, and allows the County to apply for Federal Emergency Management Agency (FEMA) Hazard Mitigation Plan funding.

Community Wildfire Protection Plan: Provides a roadmap for wildfire mitigation, and prioritizes areas based on wildfire risk and community values.

Land Management Plan: A "toolbox" for mitigation treatments for Nevada County, and provides best-management practices specific to the County's landscape.

Evacuation Study: Provides better understanding of evacuation constraints and opportunities, and identifies priority areas for ingress and egress improvements.

Board questioning and discussion ensued.

Chair Scofield provided an opportunity for public comment and comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Bullock, and seconded by Supervisor Hoek, to adopt Resolution 23-231, approving the contract with Pyroanalysis, LLC for the County of Nevada Evacuation Route Planning Project. On a roll call vote, the motion passed unanimously.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Swarthout, to adopt Resolution 23-232, approving the contract with Dudek for the Community Wildfire Protection Plan update. On a roll call vote, the motion passed unanimously.

MOTION: Motion made by Supervisor Hall, and seconded by Supervisor Hoek, to adopt Resolution 23-233, approving the contract with Tetra Tech for the Nevada County Local Hazard Mitigation Plan update. On a roll call vote, the motion passed unanimously.

***CLOSED SESSION:**

[SR 23-2831](#) Pursuant to Government Code § 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss two matters in which there are significant threats of litigation against the County.

ACTION TAKEN: Prior to moving onto the next agenda item, Katherine Elliott, County Counsel, reported that during closed session information was given, and direction was given to staff.

INDIVIDUAL BOARD MEMBER ITEM:

District III Supervisor Lisa Swarthout & District IV Supervisor Sue Hoek

43. [SR 23-2555](#) Request to send a Letter of Opposition to AB 742 (Jackson) proposing to prohibit the use of canines by peace officers for arrest and apprehension, or in any circumstances to bite a person, but permits the use of canines for search and rescue, explosives detection, and narcotics detection.

Approved.

ACTION TAKEN: Chair Scofield introduced the agenda item and Jeffrey Thorsby, Senior Management Analyst, reviewed the staff report requesting to send a Letter of Opposition to Assembly Bill 742 proposing to prohibit the use of canines by peace officers for arrest and apprehension. Analyst Thorsby explained that the proposed law authorizes a police officer to use canines in cases where a peace officer has a reasonable cause to believe the person to be arrested has committed a public offense and poses a threat to themselves and/or others.

Analyst Thorsby reported on the most recent amendment to AB 742 to include certain other allowances, including the use of a canine in pursuit of a felony that threatened or resulted in the death or serious bodily injury to others or when the person imposes an imminent danger of death or serious injury to the officer or another person. It also outlaws the use of canines for crowd control or for arrest or apprehension of a person, except in cases where the person to be arrested poses a danger of death or serious injury to the officer or another person.

The Sheriff's office is in opposition to the bill, especially in rural areas where back-up can be a problem. Senior Management Analyst Thorsby recommended the Board approve sending the Letter of Opposition, with references to the most recent amendment.

Supervisor Swarthout shared her concerns that some of the legislation coming down from the State is one-size-fits all; she did not see that this legislation fits the needs of rural areas such as Nevada County. Supervisor Swarthout is a proponent of the Sheriff's office and sees the K-9 officers as a useful safety tool for the County. Supervisor Hoek echoed Supervisor Swarthout's concerns, and reported on a recent example where the canine kept a Sheriff's officer safe.

Board questioning and discussion ensued.

Chair Scofield opened the opportunity for public comment and comments were received. Chair Scofield closed public comment.

Captain Jakobs thanked the Board on behalf of Sheriff Moon, and K-9 handler Deputy Taylor King introduced K-9 Officer 'Vido' to the Board members.

MOTION: Motion made by Supervisor Hoek, and seconded by Supervisor Swarthout, to approve sending a Letter of Opposition to AB 742. On a voice vote, the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chair Scofield adjourned the meeting at 3:23 p.m.

Signature and Attestation

Edward C. Scofield, Chair

ATTEST:
By:

Julie Patterson Hunter, Clerk of the Board