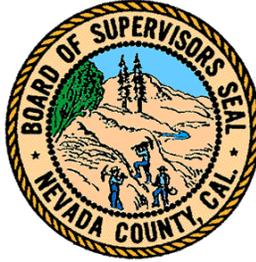


# COUNTY OF NEVADA

## STATE OF CALIFORNIA

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

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
<b>Tuesday, February 7, 2023</b>	<b>9:00 AM</b>	<b>Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California</b>

**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 from inside the Board Chambers, located at the Eric Rood Administrative Center, 950 Maidu Avenue, First Floor, Nevada City, CA 95959. This meeting is open to in-person attendance. To remain in compliance with state public health guidance, face coverings are strongly recommended to be worn by all individuals while indoors, except those specifically exempt pursuant to CDPH guidance. Members of the public who are unable to attend in person may watch this meeting live on Nevada County Media Comcast Channel 17 in western County and on Suddenlink Channels 17 and 78 in eastern County, through the web at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [www.YouTube.com/c/CountyofNevadaCA](http://www.YouTube.com/c/CountyofNevadaCA), or listen by calling 1 (415) 655-0001 (you will be prompted to provide Meeting ID# 2554 945 0701 & Password# 664 25 469). Closed Captioning is available for hearing impaired viewers.

Public comment for items not on the agenda will be taken following the Standing Orders, or as soon thereafter as possible. Please refer to Pages 7 and 8 for information on how to participate in the meeting, as well as the various options being made available for members of the public to provide comment in both western and eastern County. The meeting room is accessible to people with disabilities. 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 at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings). 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.

**PUBLIC COMMENT:**

[SR 23-0169](#) Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board. (Please refer to Pages 7 and 8 for information on the various options being made available for members of the public to provide comment in both western and eastern County.)

**COMMUNITY PRESENTATIONS:**

1. [SR 23-0173](#) Resolution proclaiming February 2023 as "Grand Jury Awareness Month" in Nevada County.
2. [SR 23-0046](#) Approval of Connecting Point's informational presentation recognizing February 11 as "211 Day" in Nevada County, California, as proclaimed by the Board of Supervisors in 2021. (Tim Giuliani, Executive Director, Connecting Point)

\*\*\*\*\*

**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 the consent agenda being 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**

3. [SR 23-0154](#) Resolution approving a Single Data Sharing Agreement between the County of Nevada and California Health and Human Services to facilitate data exchange in compliance with all applicable federal, state, and local laws, regulations, and policies and set forth a common set of terms, conditions, and obligations to support secure real-time access to, or exchange of, Health and Social Services information between and among the participants, for the period beginning January 31, 2023 and continuing until terminated by either party, and authorizing the Director of Behavioral Health to execute the agreement.

4. [SR 23-0156](#) Resolution approving a Data Sharing Agreement between the County of Nevada and California Health and Wellness Plan pertaining to the exchange of information, including personal health information, related to their beneficiaries receiving Behavioral Health services, for the period December 31, 2022 through December 31, 2023, an authorizing the Director of Behavioral Health to execute the agreement.

Interim Public Health Director: Erin Mettler

5. [SR 23-0153](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Child Advocates of Nevada County for the provision of Healthy Families America home visiting program services as a component of the County's implementation of the California Home Visiting Program (Res. 22-543), increasing the maximum contract price from \$660,921 to \$794,412, revising Exhibit "A", Schedule of Services to reflect additional services directly related to the COVID-19 pandemic and Exhibit "B", Schedule of Charges and Payments to reflect the increase in the maximum contract price, for October 1, 2022 through September 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment.
6. [SR 23-0111](#) Resolution approving Renewal Grant Agreement 22-10667 between the County of Nevada and the California Department of Public Health for Public Health Emergency Preparedness, Pandemic Influenza, and Hospital Preparedness Program funding in the total maximum amount of \$2,037,689, for the term of July 1, 2022 through June 30, 2027, and authorizing the Health and Human Services Agency Director to execute the agreement.

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

7. [SR 23-0085](#) Resolution approving acceptance of the final disbursement of Homeless, Housing, Assistance, and Prevention Program Round 3 funding totaling \$900,634.12, and authorizing the Director of the Health and Human Services Agency to execute Standard Agreement 22-HHAP-20027 between the State of California Business, Consumer Services, and Housing Agency's Homeless Coordinating and Financing Council and the County of Nevada, to provide funding to support County strategic objectives to address homelessness in the region. (Housing)

Community Development Agency Director/Interim Director of Public Works: Trisha Tillotson

8. [SR 23-0166](#) Resolution accepting an additional \$904,100 Caltrans Highway Safety Improvement Program funding for the construction engineering (\$118,000) and construction (\$786,100) of the 2023 Nevada County Thermoplastic and MMA Safety Project, Caltrans Project No. HSIPL-5917(109), County Project No. 225037. (All Dists.)

Director of Human Resources : Steven Rose

9. [SR 23-0165](#) Resolution approving the Group Dental renewal contract between the County of Nevada and Delta Dental to provide dental insurance benefits for eligible enrollees, for the period January 1, 2023, through December 31, 2023, at the monthly rate of \$10.32 per insured enrollee.

County Executive Officer: Alison Lehman

10. [SR 23-0077](#) Resolution adopting the 2023 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 2023/2024 Fiscal Year budget, and the management of the County operations, Programs, and services.
11. [SR 23-0079](#) Resolution adopting the 2023 Mission, Vision, and Values Statements, and Core Services definition for Nevada County, and directing the County Executive Officer to use the Mission, Vision, and Values Statements for development of the Fiscal Year 2023/24 budget and the management of County operations, programs, and services.
12. [SR 23-0080](#) Approval of the Order and Decorum of Board Business for 2023.
13. [SR 23-0081](#) Approval of the 2023/2024 proposed Budget Schedule and Policies, as discussed at the Board's January Workshop.
14. [SR 23-0033](#) Resolution amending Resolution 23-029, adopting the County of Nevada 2023 Legislative Platform.

Clerk of the Board: Julie Patterson Hunter

15. [SR 23-0144](#) Final Resolution prior to the expiration of the Governor's public health emergency on February 28, 2023, authorizing an option to conduct remote teleconference meetings of the Board of Supervisors and its legislative bodies, when necessary, to allow for flexibility in order to comply with social distancing pursuant to the Ralph M. Brown Act.
16. [SR 23-0178](#) Acceptance of the resignation of Alan Archer from the Nevada Cemetery District, effective January 4, 2023.

\*\*\*\*\*

**\*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.

**SCHEDULED ITEM: 10:30 A.M.****Behavioral Health Director: Phebe Bell**

17. [SR 23-0159](#) Public hearing to approve funding for the purchase of certain real property described as 4.760 acres of real property with a single-family home located at 16573 Auburn Road, Grass Valley, CA, Assessor's Parcel Number 025-232-025-000 from David J. Petersen and Stephanie Petersen, Petersen Family Trust, for a total cost of \$650,000. The Board of Supervisors will be considering the approval of a request by Turning Point Community Programs ("Contractor"), to purchase a property to be owned by Contractor contingent on a 55-year deed restriction (interest) for the Contractor to use the property for respite services. The County's interest in this property will be the deed restriction.

Resolution approving an award of the American Rescue Plan Act (ARPA) for \$750,000 to fund the existing agreement between the Nevada County Behavioral Health Department and Turning Point Community Programs to purchase Assessor's Parcel Number 025-232-025-000 located at 16573 Auburn Road, Grass Valley, CA, and authorizing the Auditor-Controller to amend the Fiscal Year 2022/23 ARPA budget and release fund balance. (4/5 affirmative vote required)

**\*DEPARTMENT HEAD MATTERS:****Community Development Agency Director/Interim Director of Public Works: Trisha Tillotson**

- 18a. [SR 23-0168](#) Resolution awarding and approving a contract between the County of Nevada and Bobo Construction, Inc. for construction of the McCourtney Road Transfer Station (MRTS) Improvement Project (Res. 21-540), in the amount of \$20,037,837 plus a ten percent contingency of \$2,003,784, for a total amount not to exceed \$22,041,621, and directing the Auditor-Controller to encumber the contract and amend the Fiscal Year 2022/23 Solid Waste Western budget. (4/5 affirmative vote required)

**County Executive Officer: Alison Lehman**

- 18b. [SR 23-0170](#) Resolution approving an interfund loan from the General Fund balance to Western County Solid Waste Fund 4117 to assist with potential cash flow shortages resulting from the McCourtney Road Transfer Station Improvement Project.

- 18c.**    [SR 23-0177](#)    Resolution approving Amendment 1 to the contract between the County of Nevada and KNN Public Finance, LLC to serve as the County’s municipal advisor in connection with the issuance of debt obligations for the capital construction improvement project (“Project”) at the existing McCourtney Road Transfer Station in Nevada County (Res. 22-593), revising Exhibit A and Exhibit B to reflect changes to the Project financing plan, in the maximum amount of \$76,000, for the period October 12, 2022 through February 28, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment.

**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 Town Hall Administrative Center, 10183 Truckee Airport Road, Truckee, CA 96161.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.*
- 4. Online at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [nevco.legistar.com/Calendar.aspx](http://nevco.legistar.com/Calendar.aspx).*

*Posted: February 2, 2023.*

**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 more than three (3) minutes at the Chair's discretion. Comments by the public must be relevant to the item on the agenda being considered by the Board. This includes: a. Consent Agenda; b. Community Presentations; c. Department Head Matters; d. Individual Board Member Items; and e. Scheduled Items.

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 of 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.

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 regular Board meetings. The Chair of the Board may limit any individual desiring to address the Board to no more than three (3) minutes at the Chair's discretion. Time to address the Board will be allocated on the basis of the order in which the requests were received. The public addressing the Board may be limited in amount of time dependent upon the press of business and the number of persons wishing to address the Board. At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

**WAYS TO WATCH AND LISTEN DURING THE FEBRUARY 7, 2023 MEETING:**

- 1) Watch from inside the Board Chambers (face coverings are strongly recommended for all individuals while indoors, except those specifically exempt pursuant to CDPH guidance).
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 2554 945 0701 and Password# 664 25 469).
- 3) View at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and [www.YouTube.com/c/CountyofNevadaCA..](http://www.YouTube.com/c/CountyofNevadaCA..)
- 4) View on Nevada County Media Channel 17 in western County.
- 5) View on Suddenlink Channels 17 and 78 in eastern County.

**PROVIDE PUBLIC COMMENT BEFORE THE FEBRUARY 7, 2023 MEETING BY:**

- 1) Leaving an eComment at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings).
- 2) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959.
- 3) Emailing [BOS.PublicComment@nevadacountyca.gov](mailto:BOS.PublicComment@nevadacountyca.gov).

Written or emailed public comments received by 4:00 p.m. the day prior to the meeting will be provided to the Board members electronically or in written format and will become part of the public record.

**PROVIDE PUBLIC COMMENT DURING THE FEBRUARY 7, 2023 MEETING BY:**

## 1) In-Person:

Eric Rood Administrative Center: Members of the public can provide comment in-person inside the Board of Supervisors' Board Chambers at the Eric Rood Administrative Center (face coverings are strongly recommended for all individuals: vaccinated and unvaccinated, except those specifically exempt pursuant to CDPH guidance)

## 2) Over the Phone:

Members of the public can call (530) 270-3474 and will be placed in a call-in queue until they are permitted into the meeting for comment. (Please note that the 1 (415) 655-0001 number is only for listening to the meeting.)

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

**ORDER AND DECORUM:**

Individuals or organizations desiring to address the Board shall:

- 1) Address the Board from the designated podium, virtual kiosk, or other designated location, including teleconferencing system(s). Speakers are encouraged but not required to give their name and location of residence before addressing the Board. This is to assist the Board with identifying which supervisorial district the speaker resides in.
- 2) Speakers shall direct their comments to the Board, through the Chair, and not to the audience or staff.
- 3) Speakers may comment on specific matters before the Board with reasons for the position taken.
- 4) The Chair may, at their discretion, increase the allotted time for any given speaker, but shall not be required to do so.
- 5) A speaker may not yield time to another speaker.
- 6) No individual may speak more than once during Public Comment or on an item on the agenda unless recognized by the Chair as having new information.
- 7) In the interest of civil discourse, the rules as 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 that Public Comment is conducted in such a manner in order to avoid disruptive activity, promote mutual respect, keep comments focused on the subject being discussed, avoid personal attacks, prohibit hate speech and the threat of violence.
- 8) At the start of each meeting, the Chair shall remind the public of the rules and expectations of the public including distinguishing the process for: a) public comment for items on the consent agenda; b) general public comment for items not listed on the agenda; and c) public comment for items on the agenda.
- 9) Applicants, applicant representatives, and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for no more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings) unless different rules for conducting the hearing are provided by County Code or other applicable law. Time limits may be modified at the Chair of the Board's discretion.

**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 no more 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.

**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)