

# 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

950 Maidu Avenue

Nevada City, CA 95959-8617

(530) 265-1480

Fax: (530) 265-9836

[bdofsupervisors@co.nevada.ca.us](mailto:bdofsupervisors@co.nevada.ca.us)

## SUMMARY MINUTES - Draft

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, May 26, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

### REGULAR MEETING: 9:00 AM

*Rollcall*

*The following Supervisors attended the meeting 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 9:00 A.M.

Pledge of Allegiance led by Chair Hall.

Corrections and/or deletions to agenda.

ACTION TAKEN: No corrections and/or deletions to the agenda were noted.

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### PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: No public comment received.

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

1. [SR 20-2783](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the expansion of Wraparound and Therapeutic Behavior Services to Eastern Nevada County (Res. 19-373), increasing the maximum contract price from \$1,857,843 to \$1,920,084, revising Exhibit "A" Schedule of Services to incorporate the increase in capacity of treatment from 50 treatment slots to 65 treatment slots, revising Exhibit "B" Schedule of Charges and Payments to reflect the increase in the maximum contract price and to add an alternative payment mechanism for services provided March through June 2020 due to impacts of the Coronavirus, 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 20-175

**Interim Director of Social Services: Mali Dyck**

2. [SR 20-2784](#) Resolution approving Amendment 2 to the agreement between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program to eligible clients (Res. 18-424), increasing the maximum contract price from \$282,083 to \$582,083 to incorporate specific guidance pertaining to the purchase of trailers or other approved structures, for the period July 1, 2018 through June 30, 2020, 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 20-176

3. [SR 20-2780](#) Resolution approving temporary adjustments and flexibilities for CalWORKs requirements during the COVID-19 Pandemic to the General Assistance Program Manual, which brings the General Assistance Program in alignment with the current State and Federal Indigent Assistance Programs, such as CalWORKs, CalFresh, and Medi-Cal.

**Adopted.**

Enactment No: RES 20-177

4. [SR 20-1848](#) Resolution approving a renewal contract between the County of Nevada and RecordXpress of California, LLC, dba Access Information Management for the continuation of cataloguing and storage of inactive, closed, and archival records for the County's Health and Human Services Agency, in the maximum amount of \$50,000, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.  
**Adopted.**  
Enactment No: RES 20-178

Planning Director: Brian Foss

5. [SR 20-2765](#) Acceptance of the 2019 County of Nevada General Plan Annual Progress Report, substantially in the form attached, pursuant to California Government Code Section 65400, and directing staff to submit the report to the Office of Planning and Research and the California Department of Housing and Community Development.  
**Accepted.**

Director of Public Works: Trisha Tillotson

6. [SR 20-2674](#) Resolution approving projects proposed for inclusion in the Nevada County Transportation Commission's Fiscal Year 2020/21 Overall Work Program.  
**Adopted.**  
Enactment No: RES 20-179

Director of Human Resources : Steven Rose

7. [SR 20-2882](#) Resolution accepting and approving a Side Letter Of Agreement between the County of Nevada and the Stationary Engineers Local 39 Professional Unit, authorizing a differential pay of 2.5% of base pay for employees who have achieved and regularly utilize a certificate in the administration of Freon and pesticide as a regular part of their assigned duties.  
**Adopted.**  
Enactment No: RES 20-180

Chief Probation Officer: Michael Ertola

8. [SR 20-2720](#) Resolution approving Amendment 2 to the contract between the County of Nevada and George Mason University for the provision of a Risk-Need-Responsivity (RNR) Program (Res. 18-175), extending the contract end date to June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.  
**Adopted.**  
Enactment No: RES 20-181

9. [SR 20-2730](#) Resolution approving a renewal Memorandum of Understanding (MOU) between the County of Nevada and the County of Butte for the provision of Male Community Reentry Program Coordination Services for Fiscal Years 2020/21 through 2022/23, and authorizing the Chair of the Board of Supervisors to execute the MOU.

**Adopted.**

Enactment No: RES 20-182

Chief Information Officer: Stephen Monaghan

10. [SR 20-2785](#) Resolution authorizing the capital asset purchase of two Dell Servers and one storage array, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Information Systems budget in the amount of \$46,655. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 20-183

Interim County Librarian: Elise Strickler

11. [SR 20-2601](#) Resolution accepting \$15,000 in National Endowment for the Arts funding from Arts Midwest to support the Big Read Program to promote reading and community engagement in Nevada County, for use during the period September 1, 2020, to June 30, 2021, and authorizing the County Librarian to sign all additional grant documents.

**Adopted.**

Enactment No: RES 20-184

County Executive Officer: Alison Lehman

12. [SR 20-2718](#) Resolution amending various Nevada County budgets through the Third Consolidated Budget Amendment for Fiscal Year 2019/20. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 20-185

13. [SR 20-2638](#) Resolution approving the amended California State Association of Counties Excess Insurance Authority Joint Powers Authority (JPA) Agreement, including the change in the Authority's name to Public Risk Innovation, Solutions, and Management (PRISM), and authorizing the Chair of the Board of Supervisors to execute the Agreement.

**Adopted.**

Enactment No: RES 20-186

14. [SR 20-2739](#) Resolution authorizing the Chair of the Board of Supervisors to execute Participation Agreement 20-MCIPNEVADA-29 between the County of Nevada and the California Department of Healthcare Services (DHCS), to allow the County to participate in the Medi-Cal Inmate Participation Program on an on-going basis (Evergreen basis), effective July 1, 2020 until terminated by either Nevada County or DHCS.
- Adopted.**
- Enactment No: RES 20-187

Individual Board Member Item: Supervisor Heidi Hall, District I

15. [SR 20-2906](#) Request to send a Letter of Support for Cashin's Field Affordable Housing Development located at 170 Gold Flat Road, Nevada City, to expand affordable housing in Nevada County.
- Approved.**

Clerk of the Board: Julie Patterson Hunter

16. [SR 20-2881](#) Resolution endorsing and certifying the plaque commemorating Ellen Clark Sargent and Women's Suffrage, located at Calanan Park in Nevada City, CA 95959 (APN 005-396-013-000) as Nevada County Historical Landmark NEV 20-03. (Dist. I)
- Adopted.**
- Enactment No: RES 20-188
17. [SR 20-2833](#) Approve the reappointments of Ms. Ana Acton and Ms. Janeth Maroletti as Low-Income Sector representatives, and Mr. Langdon Waters as a Public Sector representative, to the Adult and Family Services Commission.
- Reappointed.**
18. [SR 20-2895](#) Acceptance of Board of Supervisors Summary Minutes for May 11 and 12, 2020.
- Accepted.**

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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**\*DEPARTMENT HEAD MATTERS:****Public Health Director: Jill Blake**

19. [SR 20-2782](#) Acceptance of the Nevada County Public Health Department's 2019 Novel Coronavirus (COVID-19) informational presentation.  
**Accepted.**

ACTION TAKEN: Ms. Jill Blake, Public Health Director reviewed the State Roadmap for re-opening. At this time there is no indication how the State will be moving into Stage 3. Yesterday, the State released guidance to reopen places of worship for religious services and funerals. Ms. Blake reported that the County staff and faith leaders in the community are working together to follow reopening guidelines. Ms. Blake reviewed the current County COVID-19 testing process and the current results.

Dr. Ken Cutler, Public Health Officer, reviewed the criteria for requesting COVID-19 testing and listed the different options for requesting testing. He added that it is by appointment only. To make an appointment you can: 1) ask your provider; 2) call 888-634-1123; or 3) visit [www.lhi.care/covidtesting](http://www.lhi.care/covidtesting). He spoke to the importance of collecting testing results to keep our community informed and safe. Dr. Cutler advised that people remain cautious, particularly those who are most vulnerable, such as the elderly, those with serious underlying health conditions and those who care for them. He reviewed basic safety measures including: social distancing; hand washing; face coverings; and avoiding non-essential travel.

Board questioning ensued. In response to Supervisor Anderson, Dr. Cutler reported that along with the testing site in King's Beach, people in the Truckee area can be tested at the Tahoe Forest Hospital.

Chair Hall asked for public comment. No public comment was received.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to accept the Public Health Department's 2019 Novel Coronavirus (COVID-19) informational presentation. On a voice vote the motion passed unanimously.**

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**Health and Human Services Agency Director: Ryan Gruver**

20. [SR 20-2894](#) Resolution amending and extending the County of Nevada's Resolution 20-101 exercising police power to impose substantive limitations on Residential and Commercial Evictions and Judicial Foreclosures to July 31, 2020.

**Adopted.**

Enactment No: RES 20-189

ACTION TAKEN: Mr. Ryan Gruver, Health and Human Services Agency Director, reviewed the staff report. He gave a brief history of the initial passing of the eviction moratorium and listed the reason for extending it another two months. He stressed that the moratorium does not relieve people from paying their rent, just puts it off until they may be able to return to work.

Board questioning ensued.

Ms. Julie Patterson Hunter, Clerk of the Board, reported that one letter was received for public comment, from Ms. Sarah Miller, District I resident, with approximately 90 signatures of support.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 20-189. On a roll call vote the motion passed unanimously.**

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**Director of Human Resources : Steven Rose**

- 21a. [SR 20-2639](#) Resolution adopting a Successor Memorandum of Understanding (MOU) between the County of Nevada and the Management Employee's Association, providing changes in Compensation and Terms and Conditions of Employment, for the period July 1, 2020 through June 30 2022, and authorizing the County Executive Officer to execute the MOU and Side Letter.

**Adopted.**

Enactment No: RES 20-190

ACTION TAKEN: Chair Hall introduced both items #21a and #21b which will be presented together.

Ms. Mali Dyck, Assistance County Executive Officer, reviewed the staff report. She introduced Mr. Steve Rose, Human Resources Director, who reviewed the process for negotiating the new Memorandum of Understanding with the two employment groups. He recommended both agreements be approved.

Board questioning and comments ensued.

Chair Hall asked for public comment. No public comment was received.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to adopt Resolution 20-190. On a roll call vote the motion passed unanimously.**

**21b. [SR 20-2736](#)** Resolution adopting a Successor Memorandum of Understanding (MOU) between the County of Nevada and the Probation Peace Officers' Association, providing changes in Compensation and Terms and Conditions of Employment, for the period July 1, 2020 Through June 30, 2023, and authorizing the County Executive Officer to execute the MOU.

**Adopted.**

Enactment No: RES 20-191

**MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Scofield, to adopt Resolution 20-191. On a roll call vote the motion passed unanimously.**

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*The Board took a short break.*

**Chief Information Officer: Stephen Monaghan**

**22. [SR 20-1328](#)** Acceptance of the Reuse Study for the Loma Rica Corporation Yard (Lot 6), located at 12640 Loma Rica Drive, Grass Valley. (Facilities)

**Accepted.**

**ACTION TAKEN:** Mr. Justin Drinkwater, Director of Facilities Management, and Mr. Kevin Edwards, Airport Manager, presented the report on the Reuse Study for Loma Rica Corporation Yard (Lot 6), which is a 4 acre lot located next to the Nevada County Airport. This lot has been used as the County Operations Center, however, the County will be moving its operations to the new Nevada County Operations Center on La Barr Road in July 2020.



The County has researched the best uses for Lot 6. Staff is presenting three reuse options: sole Airport use; sole light industrial use; hybrid use of Airport and industrial. He reported that to clear and sell the lot would not be the best option financially. Mr. Drinkwater reviewed the process each of the three options would entail and the interim plan for usage of the lot and existing buildings. He reported that the expansion of the Airport shows the most promise with mixed use phasing as a good option.

Board questioning and discussion ensued. Supervisor Anderson requested staff provide an estimate of a fourth option, which would be to sell the lot as is.

In response to Board questioning, Mr. Edwards reported that there are three new aviation businesses that have shown interest in coming to the Nevada County Airport if there would be additional hangar space available: CalStar Medical Services; Bridger Air Services; and a helicopter flight training school. Mr. Edwards added that there is currently demand for more space at the Airport and Lot 6 would be very beneficial for future airport expansion.

Ms. Patterson Hunter read public comment into the record: Mr. Mark Machado, Golden Empire Flying Association Airport Advisory Committee. There being no further public comment, Chair Hall closed public comment.

Board questioning continued.

In response to questioning, Mr. Drinkwater reviewed the soil testing and site cleaning that has been done on the site and reported facilities is ready to move forward with a Request for Proposal (RFP) for a developer to come in and prepare the site.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to accept the Reuse Study for the Loma Rica Corporation Yard (Lot 6). On a voice vote the motion passed unanimously.**

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**\*CLOSED SESSION:**

[SR 20-2940](#) Pursuant to Government Code section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Cavender v. Nevada County, et al., United States District Court, Eastern District, California, Case No. 2:19-cv-01050-JAM-AC.

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

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

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**SCHEDULED ITEM: 11:30 A.M.****Planning Director: Brian Foss**

23. [SR 20-2721](#) Public hearing to consider the Nevada County Planning Commission's April 23, 2020, (4-0 Vote) recommendation for the Swope Medical Group, Inc. (FBO Brent McDermott, MD) TPZ Rezone Project to: 1) find the adoption of Timberland Production Zones statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15264; and 2) approve the corresponding amendment to Zoning District Map (ZDM) No. 87 to change APN 065-270-003 zoning from Forest with the Subdivision Limitation Combining District (FR-X), to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X). (RZN20-0002) (District V)

(Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map No. 87 to rezone 40.47 acres (APN 065-270-003) located in the unincorporated area of Nevada County, from Forest with the Subdivision Limitation Combining District (FR-X) to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X) (RZN20-0002) (Swope Medical Group, Inc.) (District V).

**Waived further reading and adopted.**

Enactment No: ORD-2478

**ACTION TAKEN:** Mr. Brian Foss, Planning Director, introduced Ms. Janeane Martin, Associate Planner, who provided a presentation regarding the Swope Medical Group Inc. rezone request. The request is to rezone the property at Assessor Parcel Number (APN) 065-270-003 from Forest zoning (FR-X) to Timberland Production Zone (TPZ). She reviewed the criteria required to be zoned TPZ, including a Forest Management Plan and a Timber Management Plan approved by the State of California Department of Forestry. Ms. Martin reported that the change in zoning will decrease the assessed value of the property and subsequently the annual property tax, which will balance out based on taxes that will be paid from the later timber sales. The rezone is beneficial for the environment of the property including the watershed, protection of plant and animal species habitat, and air quality. She recommended the Board approve the rezone request and adopt the Ordinance.

Board questioning ensued.

Chair Hall asked for public comment. No public comment was received.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hoek, to introduce, waive further reading and adopt Ordinance 2478. 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:** Updates were provided by members of the Board.

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Recess for lunch at 12:00 P.M.

**AFTERNOON SESSION: 1:30 P.M.**

*Chair Hall made an announcement regarding Public Comments received late due to technical difficulties. She reported that those comments will be attached as part of the public record.*

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**DEPARTMENT HEAD MATTER:****Chief Information Officer: Stephen Monaghan**

24. [SR 20-2508](#) Acceptance of the Office of Emergency Services' Wildfire Preparedness informational presentation.

**Accepted.**

ACTION TAKEN: Mr. Paul Cummings, Office of Emergency Services, Program Manager, provided the May Wildfire Update presentation. Chief Brian Estes, Unit Chief, CALFIRE, Nevada County-Placer County Unit, provided a 2019 Fire Season statistical update. In 2019 there were 100 State Responsibility Area (SRA) fires in Nevada County and all fires were contained within 10 acres or less. He provided an update regarding the Local Responsibility Area (LRA) 2020 fuels and winter weather, and reported on the expected effects on the upcoming fire season. He stated that it has been an abnormally dry pattern year with predicted significant fire danger by July 1st. Chief Estes reported on the CALFIRE level of preparedness for the 2020 season including planning for peak staffing in June. He spoke to possible budget impacts from COVID-19 and reported that the Grass Valley Fuels Crew is fully funded.

Board questioning ensued.

Chief Jim Mathias, North Division Chief, CALFIRE, provided a presentation regarding CALFIRE fuel reduction efforts. He reviewed the Ponderosa West Grass Valley Defense Zone and other fuel break work that has been completed in Nevada County. In addition he reviewed plans for future hazardous fuel reduction projects. Chief Mathias reported on measures that have been taken to protect Eastern Nevada County, and the availability of staff and fire fighting equipment.

Board questioning and discussion ensued.

Mr. Cummings continued the OES presentation with an overview of the OES Defensible Space Program, and Ms. Jenn Tamo, Administrative Analyst II, reported on the Nevada County Free Residential Green Waste Disposal and Free Wood Chip Pick-up Program.

Mr. Cummings commented on the upcoming Virtual Town Hall that will be hosted through YubaNet on Thursday, May 21st, which includes representatives from the County, Public Works, Fire Safe Council, Fire Departments, Law Enforcement and more. He reported that the "Ready,Set,Go" fire safety handbooks will be sent out this, and he reviewed the Emergency Operations Plan Evacuation Annex update.

Board questioning ensued.

Supervisor Anderson asked if staff could compile and quantify information in order to create a measure of wildfire need in various areas; including historical data and current data.

Chair Hall asked for public comment. No public comment was received.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hoek, to accept the Office of Emergency Services' Wildfire Preparedness informational presentation. On a voice vote the motion passed unanimously.**

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**INDIVIDUAL BOARD MEMBER ITEM:**

**Supervisor Ed Scofield, District II**

25. [SR 20-2792](#) Request to send a Letter of Support for AB 3012 (Wood and Daly): Residential Property Insurance.  
**Approved.**

ACTION TAKEN: Supervisor Scofield reviewed the agenda item and Assembly Bill (AB) 3012 currently to be voted on by the California State Assembly, regarding personal home insurance. He asked for Board support to send the letter.

Board questioning ensued. Supervisor Anderson requested a slight wording change to one sentence.

Chair Hall asked for public comment. No public comment was received.

**MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Anderson, to approve the letter of support. On a voice vote the motion passed unanimously.**

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**ADJOURNMENT:**

ACTION TAKEN: Chair Hall adjourned the meeting at 2:32 P.M.

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Signature and Attestation

Heidi Hall, Chair

ATTEST:

By:

Julie Patterson Hunter, Clerk of the Board