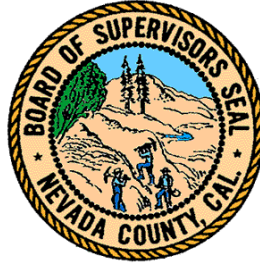


COUNTY OF NEVADA

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

AGENDA

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

The Board of Supervisors welcomes you to their regular meeting.

The County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors from inside the Board Chamber, located at the Eric Rood Administrative Center, 950 Maidu Avenue, First Floor, Nevada City, CA 95959. This meeting is open to in-person attendance.

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, or through the web at www.nevadacountyca.gov/boardmeetings and www.YouTube.com/c/CountyofNevadaCA. Please refer to page 9 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 Board Chamber 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. Closed Captioning is available for hearing impaired viewers.

The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at 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 23-1304](#) 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 page 9 for information on the various options being made available for members of the public to provide comment in both western and eastern County.)

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

1. [SR 23-0588](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Auburn Counseling Services, Inc. for the provision of Phone Triage Services for the Nevada County Behavioral Health Department, Regional Telephone Triage Services for Other Counties' Adult System of Care and Children's System of Care (CSOC), New Directions Program Services, as well as Patients' Rights, Quality Assurance Services, Personal Services Coordination, and Mental Health Therapy in the jail (Res. 22-307), increasing the maximum contract price from \$1,507,945 to \$1,557,493, for the period July 1, 2022 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment.
2. [SR 23-0585](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Auburn Counseling Services, Inc. to provide a specific treatment program for transition home clients and daily operation of Odyssey House Transition Home (Res. 21-320), increasing the maximum contract price from \$2,800,673 to \$3,326,970 due to increased bed capacity, for the period July 1, 2021 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

3. [SR 23-1302](#) Resolution approving a contract between the County of Nevada and Pro-ACT, Inc. pertaining to Professional Assault Crisis Training for Behavioral Health staff, in the maximum amount of \$66,534, for the period May 1, 2023 through September 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the contract.

Interim Public Health Director: Erin Mettler

4. [SR 23-1354](#) Resolution approving Amendment 1 to Agreement 22-10183 between the County of Nevada and the California Department of Public Health for funding to implement the County's Local Oral Health Program, for the period July 1, 2022 through June 30, 2027, increasing the total maximum amount by \$30,000 to \$825,345 (\$189,069 in Fiscal Year 2022/23, and \$159,069 per fiscal year beginning Fiscal Year 2023/24 through Fiscal Year 2026/27), and authorizing the Director of Public Health to sign the amendment.
5. [SR 23-0922](#) Resolution approving renewal Grant Agreement 22-11043 between the County of Nevada and the California Department of Public Health pertaining to funding local immunization program services, for the five-year period of July 1, 2022 through June 30, 2027, in the maximum amount of \$1,599,456.22 (\$1,381,124.22 for Fiscal Year 2022/23; \$44,583 for Fiscal Year 2023/24; \$44,583 for Fiscal Year 2025/26; and \$44,583 for Fiscal Year 2026/27), and authorizing the Director of Public Health to execute the agreement, certifications and all associated documents.

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

6. [SR 23-1060](#) Resolution approving a contract between the County of Nevada and AMI Housing dba North Tahoe-Truckee Homeless Services for the provision of housing support for eastern County residents experiencing homelessness in the North Tahoe-Truckee area, in the maximum amount of \$95,000, for the period April 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract. (Housing) (Dist. V)
- 7a. [SR 23-1353](#) Resolution authorizing submission of an application for funding under the Local Housing Trust Fund grant program, certifying use of a future award of Local Housing Trust Funds (LHTF) in accordance with applicable state and federal statutes, rules, regulations, and laws regarding the LHTF Program, compliance with any and all contracts with the California Department of Housing and Community Development, complying with matching requirements under the LHTF award, and authorizing the Western Nevada County Regional Housing Trust Fund to act as trustee in connection with the funds to eligible projects. (Housing)

- 7b. [SR 23-2179](#) Resolution authorizing commitment of County General Fund and American Rescue Plan Act (ARPA) funds to be used as matching funds for a Local Housing Trust Fund (LHTF) application, accepting an allocation of \$10,000 from the City of Nevada City, approving the appropriation of ARPA funds in the amount of \$500,000, approving the release of Economic Development Infrastructure assignment in the General Fund in the amount of \$500,000, and directing the Auditor-Controller to release fund balances and appropriate budget for the purpose of providing local matching funds for the 2023 LHTF application. (4/5 affirmative vote required) (Housing)

Assessor: Rolf Kleinhans

8. [SR 23-1703](#) Resolution approving participation by the County of Nevada in the California County Assessors' Information Technology Authority, a state funded Joint Powers Authority (JPA) developing projects benefiting all 58 counties, and authorizing the Nevada County Assessor, in coordination with the County Executive Officer and County Counsel, to countersign the agreement and any other necessary documents.

Sheriff-Coroner/Public Administrator: Shannan Moon

9. [SR 23-1603](#) Resolution approving Amendment 1 to the contract between the County of Nevada and California Forensic Medical Group (CFMG), Inc. for medical, mental health, and dental services at the adult correctional facilities in Nevada County (Res. 20-508), increasing the maximum amount by \$171,503 to a total amount not to exceed \$13,899,671, for the period January 1, 2021 through June 30, 2024, with a continued two 2-year option to renew, amending Exhibit A to allow CFMG to hire Licensed Vocational Nurses (LVNs), and authorizing the Chair of the Board of Supervisors to execute the amendment.

Treasurer-Tax Collector: Michelle Bodley

10. [SR 23-2115](#) (Waive further reading/Adopt) An Ordinance amending Article 8 of Chapter 5 of the General Code of the County of Nevada regarding the Cannabis Business Tax. (4/5 affirmative vote required)

Public Works Director: Heba El-Guindy

11. [SR 23-1919](#) Resolution adopting a list of Projects for Fiscal Year 2023/24 Funded by SB1: The Road Repair and Accountability Act of 2017.
12. [SR 23-1913](#) Resolution approving Amendment 3 to the agreement between the County of Nevada and HDR Engineering, Inc., for developing project plans, specifications and estimates for the McCourtney Road Solid Waste Transfer Station Redesign Project (Res. 19-528), increasing the contract amount by \$185,000, to a new total amount not to exceed 1,867,813.95, to allow HDR to provide support as necessary throughout the construction phase of the project, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 budget. (4/5 affirmative vote required)

13. [SR 23-1711](#) Resolution approving and accepting Exchange Program Agreement X23-5917(112) for the Federal Apportionment Exchange Program and State Match Program, in the amount of \$286,695 available for exchange and \$100,000 available of State Matching funds, for a total amount of \$386,695, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Information and General Services Agency Director: Stephen Monaghan

14. [SR 23-1988](#) Resolution approving Amendment 1 to the Last Mile Broadband Grant agreement between the County of Nevada and Northern Sierra Broadband for the Buck Mountain-Oak-Adrianna FTTH Project (Res. 21-141), in the amount of \$120,000, extending the termination date to November 30, 2024, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 IGS Admin budget. (4/5 affirmative vote required)
15. [SR 23-1404](#) Resolution approving bid construction documents and specifications for the Nevada County Generator Installations at Wayne Brown Correctional Facility, Crown Point, and Brighton Greens, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids for this project. (Facilities Management)
16. [SR 23-1987](#) Resolution authorizing the Nevada County Director of Information and General Services to submit a grant application to the State of California Budget Act of 2021 (SB 129) Building Forward Library Infrastructure Program for grant funding in the amount \$1,918,714, pertaining to construction of a library facility in the Truckee region of Nevada County. (Library) (Dist. V)

Director of Office of Emergency Services: Craig Griesbach

17. [SR 23-1985](#) Resolution authorizing the Nevada County Office of Emergency Services to submit a grant application to the USDA, United States Forest Service (USFS), Pacific Southwest Region, Fire and Aviation Management Grant for the Ponderosa Phase 1 Maintenance Project, in the amount of \$750,000, and authorizing the Director of Office of Emergency Services to execute additional documents required to fulfill the requirements of the grant.

Director of Human Resources: Steven Rose

18. [SR 23-1981](#) Resolution amending Authorized Personnel Staffing Resolution 22-290 allocating positions to various departments revising the total number of FTE from 848.10 to 850.10, effective May 9, 2023.
19. [SR 23-1980](#) Resolution amending Authorized Personnel Salary Resolution 22-291 allocating positions to various salary ranges, effective May 9, 2023.

Clerk of the Board: Julie Patterson Hunter

20. [SR 23-1181](#) Acknowledge Supervisor Swarthout's appointment of Eric Koch as District III representative to the Airport Commission, effective April 24, 2023.
21. [SR 23-1969](#) Acknowledge the resignation of Teresa Dietrich as member from the Municipal Advisory Council (Penn Valley), effective April 21, 2023.
22. [SR 23-1911](#) Acknowledge Supervisor Sue Hoek's appointment of Shauneen Deschaine as Member to the Municipal Advisory Council (Penn Valley), effective April 20, 2023.
23. [SR 23-1303](#) Acceptance of Board of Supervisors Summary Minutes for April 18 and 25, 2023.

INDIVIDUAL BOARD MEMBER ITEM:**District IV Supervisor: Sue Hoek**

24. [SR 23-2126](#) Certificate of Recognition for Music in the Mountains for 42 years of service supporting the arts and culture of Nevada County through the promotion of classical music and education.

DEPARTMENT HEAD MATTERS:*Director of Human Resources: Steven Rose**

25. [SR 23-2158](#) "Best in Class Organization" award presented to the County of Nevada by Gallagher International, based on the results of its 2022 Benefits Strategy and Benchmarking Survey, as an employer that excels in providing innovative solutions for creating organizational structures, workplace policies and total rewards, and inclusively engages and motivates its employees. (Tara Conley, Gallagher International)
26. [SR 23-2000](#) (Introduce/Waive further reading) 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"]).

Behavioral Health Director: Phebe Bell

- 27a. [SR 23-1912](#) Accept the presentation from the Mental Health and Substance Use Disorder Advisory Board on their activities over the previous year.
- 27b. [SR 23-2238](#) Resolution proclaiming May 2023 as "Mental Health Awareness Month" in Nevada County.

Sheriff-Coroner/Public Administrator: Shannan Moon

28. [SR 23-1410](#) Resolution recognizing May 15, 2023 as "Peace Officers Memorial Day," and the week of May 14 through May 20, 2023 as "Police Week" in Nevada County.

Building Director: George Schureck

29. [SR 23-1709](#) Acceptance of the informational presentation regarding the Housing Master Plans from the Nevada County Building Department.

Information and General Services Agency Director: Stephen Monaghan

30. [SR 23-0450](#) Resolution approving contracts between the County of Nevada and Nevada County Builders Exchange dba Nevada County Contractors Association (NCCA), Hines EDM, Inc., and Sytech Solutions, Inc. for document scanning and indexing services, in the maximum aggregate amount not to exceed \$175,000, for the period May 9, 2023 through June 30, 2024, authorizing the Purchasing Agent to execute the contracts, and authorizing contract renewals for up to two additional one-year terms. (Purchasing)

***CLOSED SESSION:**

- [SR 23-2125](#) Pursuant to Government Code section 54956.8, County Counsel is requesting a closed session regarding real property negotiations.

The negotiator for the County is Alison Lehman, County Executive Officer or her designee. Items under negotiation concern the price and terms of lease and payment. The properties in interest to be leased are APN 016-100-003-000 and 016-540-001-000, located at 15270 State Highway 89 and 15030 State Highway 89, respectively. The property owner is The United States, administered by the USDA Forest Service.

The negotiator for the property is agent Eliseo Llano, Forest Supervisor, Tahoe National Forest.

***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.

Recess for lunch:

AFTERNOON SESSION**INDIVIDUAL BOARD MEMBER ITEM:****District I Supervisor: Heidi Hall**

31. [SR 23-1910](#) Resolution proclaiming support for the California State Association of Counties (CSAC) "At Home" Plan, and directing staff to take necessary actions regarding its advocacy for the promotion and furtherance of the wellbeing of homeless populations.

DEPARTMENT HEAD MATTER:**Child Support Services, Collections, and Housing Director: Mike Dent**

32. [SR 23-1908](#) Resolution authorizing a Letter of Commitment of Real Property to the City of Grass Valley and Foothill House of Hospitality dba Hospitality House upon successful application of HomeKey 3 grant award in furtherance of a proposed funding and development of an affordable housing project on Parcels 2 and 3 of the County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA (APN 035-400-054). (Housing)

INDIVIDUAL BOARD MEMBER ITEM:*District IV Supervisor: Sue Hoek**

33. [SR 23-1984](#) Approve and authorize the Chair of the Board of Supervisors to sign and submit the Letter of Opposition to Assembly Bill (AB) 338 (Aguilar-Curry).

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 and nevco.legistar.com/Calendar.aspx.*

Posted: Posted May 4, 2023.

WAYS TO WATCH AND LISTEN DURING THE MEETING:

- 1) Watch from inside the Board Chambers.
- 2) View at www.nevadacountyca.gov/boardmeetings and www.YouTube.com/c/CountyofNevadaCA.
- 3) View on Nevada County Media Channel 17 in western County.
- 4) View on Suddenlink Channels 17 and 78 in eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE MEETING BY:

- 1) Leaving an eComment at 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.

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

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

The Board Chair shall first caution any individual at the meeting that their behavior is disrupting the meeting and that failure to cease the disruptive behavior could result in removal. After warning, the Chair will request the individual to leave if the individual does not stop their disruptive behavior. 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. 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. At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

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

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 general 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.

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS (Gov. Code section 54308)

Members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board on 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 with a 4/5 affirmative vote.
- 3) All other 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 and will make any amendments. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after waiving further reading of the ordinance.

INFORMATIONAL CORRESPONDENCE:

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

REFERENCES:

Board of Supervisors Order and Decorum 2023

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)