

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Supervisor Ed Scofield, District II
Chair Dan Miller, District III
Vice Chair Susan Hoek, District IV
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

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AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, June 8, 2021	9:00 AM	Morning Session: Will be held by remote from the Eric Rood Administrative Center Afternoon Session: Board Chambers, 1st Floor Eric Rood Administrative Center

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 by remote. This meeting is broadcast live on Nevada County Media Channel 17 in Western County and on Suddenlink Channel 78 in Eastern County, and can be viewed live through the web at www.mynevadacounty.com/boardmeetings. Closed Captioning is available for hearing impaired viewers. Members of the public who are unable to view the meeting on television or through the web may call 1 (415) 655-0001 to listen to the meeting live. You will be prompted to provide Meeting ID# 142 854 7704 & Password# 245 87 429.

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 9 & 10 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 Eric Rood Administrative Center 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.mynevadacounty.com/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 (Remote)**STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

PUBLIC COMMENT:

[SR 21-0461](#) Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the options listed on pages 9 & 10.

SCHEDULED ITEMS: 10:00 A.M.**Supervisor Scofield, District II**

1. [SR 21-0436](#) Certificate of Recognition for Ana Acton for her many years of dedicated public service to the citizens, seniors, and disabled communities of Nevada County.

Behavioral Health Director: Phebe Bell

2. [SR 21-0463](#) Presentation on activities of the Mental Health and Substance Use Disorder Advisory Board.

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 21-0208](#) Resolution approving a contract between the County of Nevada and Environmental Alternatives for the provision of specialized mental health residential treatment services for seriously emotionally disturbed adolescents, in the maximum amount of \$96,000, for the period March 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract.

4. [SR 21-0332](#) Resolution approving the Fiscal Year 2021/22 Annual Update to the Nevada County Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan for Fiscal Years 2020/21, 2021/22, and 2022/23; and Annual Progress Report for Fiscal Year 2019/20, and authorizing the Nevada County Behavioral Health Director to sign and certify the MHSA County Compliance Certification included in the Plan.

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

5. [SR 21-0187](#) Resolution approving and directing the Auditor-Controller to transfer unidentified and unclaimed victim restitution funds for Fiscal Year 2021/22.
6. [SR 21-0265](#) Resolution approving Amendment 1 to Standard Agreement 21F-4029 between the County of Nevada and the State Department of Community Services and Development for funding of 2021 Community Services Block Grant Programs (Res. 20-505), deleting Articles 1, 2, 3, 4, 5, 6, 8, and 9 in their entirety and replacing them with Articles 1, 2, 3, 4, 5, 6, 8, and 9, in the maximum amount of \$279,667, for the period January 1, 2021 through May 22, 2022, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Housing)
7. [SR 21-0293](#) Resolution approving Standard Agreement 21F-4430 between the County of Nevada and the State Department of Community Services and Development for 2021 Community Services Block Grant Targeted Initiative funding to support department capacity building, in the maximum amount of \$28,250, for the period June 1, 2021 through May 31, 2022, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Housing)

Sheriff-Coroner/Public Administrator: Shannan Moon

8. [SR 21-0397](#) Resolution approving Amendment 5 incorporating Modifications No. 009 and 10 to the Cooperative Law Enforcement Agreement #17-LE-1105-1360-018 between the Nevada County Sheriff's Office and the U.S.D.A. Forest Service, Tahoe National Forest, pertaining to reimbursement for law enforcement services on National Forest Service lands (Res. 17-154), adopting the 2021 Annual Operating and Financial Plan related to Campground Patrol and Controlled Substances, in an amount not to exceed \$24,000, for the operational period October 1, 2020 through September 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
9. [SR 21-0382](#) Resolution approving a renewal contract between the County of Nevada and Lexipol for law enforcement and correctional policy manuals, and updating and ongoing training on those manuals, in the maximum amount of \$81,802, for the period October 1, 2020 through September 31, 2023, and authorizing the Chair of the Board of Supervisors to execute the contract.

Treasurer-Tax Collector: Tina Vernon

10. [SR 21-0437](#) Resolution approving the Treasurer's Statement of Investment Policy and renewing the delegation of authority to the Treasurer to invest County funds.

Agricultural Commissioner: Chris de Nijs

11. [SR 21-0396](#) Resolution approving Cooperative Agreement 20-0979-000-SA, Amendment 1, between the County of Nevada and the California Department of Food and Agriculture for costs incurred in controlling invasive and noxious weeds (Res. 21-019), in an amount not to exceed \$64,000, for the period January 15, 2021, through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Public Works: Trisha Tillotson

12. [SR 21-0422](#) Resolution awarding and authorizing a contract between the County of Nevada and Intermountain Slurry Seal, Inc. for the 2021 Road Rehabilitation Project (Res. 21-037), in the amount of \$757,757 plus a contingency of \$75,775.70 for a total amount of \$833,532.70, renumbering the County Project number from 426638 to 450008, and authorizing the Chair of the Board of Supervisors to execute the contract. (Dists. I, II, III, IV)
13. [SR 21-0424](#) Approval to submit a letter to the California Board of Forestry and Fire Protection regarding draft State Minimum Fire Safe Regulations, 2021. (All Dists.)
14. [SR 21-0428](#) Resolution approving the collection of parcel charges and special taxes for services in County Service Areas and Permanent Road Divisions for Fiscal Year 2021/22.

Chief Information Officer: Stephen Monaghan

15. [SR 21-0368](#) Resolution approving Amendment 1 to the Last Mile Broadband Grant agreement between the County of Nevada and Exwire Inc. for the Truckee Prosser Area Project (Res. 20-147), extending the term from twelve months to twenty-four months with a new termination date of April 28, 2022 to allow for completion of the installation phase, labor, outreach, and installation, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. V)
16. [SR 21-0384](#) Resolution awarding and approving a contract between the County of Nevada and Bockmon & Woody Electric Co., Inc. for the Nevada County Eric Rood Administrative Center Generator Replacement Project (Res. 21-082), in the amount of \$435,000 plus a contingency of \$43,500 for a maximum contract amount of \$478,500, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)

County Counsel: Katharine L. Elliott

17. [SR 21-0372](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Manning & Kass, Ellrod, Ramirez, Trester, LLP for legal services (PESN3936), increasing the maximum contract price by \$210,000 for a maximum contract amount of \$250,000, extending the term of the contract to June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
18. [SR 21-0370](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Porter Scott, A Professional Corporation (Res. 19-464), extending the term of the contract to June 30, 2022, and authorizing the Chair of the Board to execute the Amendment.
19. [SR 21-0378](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Goodin Macbride Squeri & Day, LLP (Res. 21-010), extending the term of the contract to June 30, 2022, and authorizing the Chair of the Board to execute the Amendment.

Individual Board Member Item: Susan Hoek, Supervisor, District IV

20. [SR 21-0431](#) Resolution urging California Governor Newsom to use his administrative authority to adopt the Department of Labor's federal weekly work standard of 48 hours for herders in California.

Clerk of the Board: Julie Patterson Hunter

21. [SR 21-0446](#) Acknowledgement of Ann Guerra's resignation from the Nevada County Transportation Commission and the Transit Services Commission.
22. [SR 21-0433](#) Acceptance of Board of Supervisors Summary Minutes for May 11, and 25, 2021.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.

(Recess as the Nevada County Board of Supervisors and convene as the Nevada County Sanitation District No. 1 Board of Directors.)

Call the meeting to order:**Consent:**

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.

23. [SR 21-0380](#) Appointment of James Hattrup as Mountain Lakes Estates Property, Zone 7, service area member, to the Nevada County Sanitation District No.1 Advisory Committee and acknowledgement of Howard Stone's resignation.
24. [SR 21-0465](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for May 11, 2021.

Public comment:

Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the options listed on pages 9 & 10.

Adjournment:

(Adjourn the meeting of the Nevada County Sanitation District No. 1 Board of Directors, and reconvene as the Nevada County Board of Supervisors.)

Morning Break:**DEPARTMENT HEAD MATTERS:****Director of Public Works: Trisha Tillotson**

25. [SR 21-0125](#) (Introduction/Waive further reading) An Ordinance repealing Subsection 30 and 34 of Section G-IV 3.A.5, amending Subsections 15, 16, and 17, and adding Subsections 24, 25, and 26 to Section G-IV 3.A.7, of Article 3.A of Chapter IV of the Nevada County General Code pertaining to Speed Limits on McCourtney Road.

Chief Information Officer: Stephen Monaghan

26. [SR 21-0318](#) Resolution accepting a grant from the California Emerging Technology Fund to develop strategies and tools to facilitate and accelerate the deployment of broadband technology throughout Nevada County, in the amount of \$50,000, for use during the period February 24, 2021 through December 31, 2021, and authorizing the Chief Information Officer to execute the grant document, amendments, and claims.
27. [SR 21-0389](#) Resolution awarding and approving a contract between the County of Nevada and Icenogle Construction Management, Inc., for the Nevada County Joseph Center Remodel 2021 Project (Res. 21-060), in the amount of \$771,711 plus a contingency of \$77,172 for a total contract amount of \$848,883, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Capital Facilities budget. (4/5 affirmative vote required) (Facilities) (Dist. V)

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

- 28a.** [SR 21-0325](#) Resolution adopting an updated Compensation and Benefits Summary, providing changes in compensation and terms and conditions of employment for Confidential Employees, during the period of July 1, 2021 through June 30, 2024, and authorizing the County Executive Officer to execute the document.
- 28b.** [SR 21-0326](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the Nevada County Sheriff's Management Association, representing the Safety Supervisory and Management Employees' Bargaining Unit, providing changes in compensation and terms and conditions of employment during the period of July 1, 2021 through June 30, 2024, and authorizing the County Executive Officer to execute the MOU.
- 28c.** [SR 21-0327](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the Nevada County Deputy District Attorney/Deputy Public Defenders Association, representing the Deputy District Attorney/Deputy Public Defenders Bargaining Unit, providing changes in compensation and terms and conditions of employment during the period of July 1, 2021 through June 30, 2024, and authorizing the County Executive Officer to execute the MOU.
- 28d.** [SR 21-0328](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and Stationary Engineers, Local 39, representing the General Bargaining Unit, providing changes in compensation and terms and conditions of employment, during the period of July 1, 2021 through June 30, 2024, and authorizing the County Executive Officer to execute the MOU.
- 28e.** [SR 21-0329](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and Stationary Engineers, Local 39, representing the Professional Bargaining Unit, providing changes in compensation and terms and conditions of employment, during the period of July 1, 2021 through June 30, 2024, and authorizing the County Executive Officer to execute the MOU.

***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: 1:30 P.M. (Board of Supervisors Chambers)**DEPARTMENT HEAD MATTER:****Director of Human Resources : Steven Rose**

29. [SR 21-0474](#) Presentation of Candidates for District Attorney to fill the remaining term left behind retiring District Attorney Clifford Newell.

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.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center..*
- 4. Online at <http://www.mynevadacounty.com/boardmeetings> and <https://nevco.legistar.com/Calendar.aspx>.*

Posted: Posted June 3, 2021.

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 less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.

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 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. 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 when the consent agenda is introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

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 any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

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 JUNE 8, 2021 BOARD MEETING:

- 1) Watch from inside the Eric Rood Administrative Center Board Chambers. (Chambers capacity is limited to a total of 67 individuals due to Public Health restrictions in response to the COVID-19 Pandemic. Face coverings are mandatory inside all County facilities.)
- 2) Watch outside the Eric Rood Administrative Center at the Outside Public Comment Kiosk.
- 3) Listen by calling 1 (415) 655-0001 (Meeting ID#: 142 854 7704 and the Password#: 245 87 429).
- 4) View at www.mynevadacounty.com/boardmeeting.
- 5) View on Nevada County Media Channel 17 in the Western County.
- 6) View on Suddenlink Channel 78 in the Eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE JUNE 8, 2021 MEETING BY:

- 1) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959
- 2) Emailing BOS.PublicComment@co.nevada.ca.us
- 3) Leaving an eComment at www.mynevadacounty.com/boardmeetings

PROVIDE PUBLIC COMMENT DURING THE JUNE 8, 2021 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. (Chambers capacity is limited to a total of 67 individuals due to Public Health restrictions in response to the COVID-19 Pandemic. Face coverings are mandatory inside all County facilities.)

2) Virtual Kiosk:

Eric Rood Administrative Center: Members of the public can provide comment in-person at a virtual public comment kiosk outside at the Eric Rood Administrative Center on the right-side of the front entrance.

3) 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. Be aware that there is a 30-second delay; please call when your item of interest is introduced to ensure that you call can be taken. (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.

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 not less 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.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. 6) In the interest of civil discourse, the rules 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 public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack. 7) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.

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)