

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, November 9, 2021	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

The Board of Supervisors welcomes you to their regular meeting.

Pursuant to Governor Gavin Newsom's Executive Order, and the Nevada County Public Health Officer's 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 and local public health guidance, face coverings are required to be worn by all individuals while inside County facilities 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 Channel 17 in western County and on Suddenlink Channel 78 in eastern County, through the web at www.mynevadacounty.com/boardmeetings, or listen by calling 1 (415) 655-0001 (you will be prompted to provide Meeting ID# 2552 713 7575 & Password# 376 37 998). Closed Captioning is available for hearing impaired viewers.

Public comment for items not on the agenda will be taken following adoption of the consent calendars, or as soon thereafter as possible. Please refer to Pages 9 and 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 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.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**STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

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.

Health and Human Services Agency Director: Ryan Gruver

1. [SR 21-0760](#) Resolution approving a contract between the County of Nevada and the Department of Health Care Services pertaining to the Rate Range Intergovernmental Transfer whereby Nevada County retroactively receives federal financial participation Medi-Cal funds to cover unreimbursed costs for previously provided, mandated services, for the period January 1, 2021 though December 31, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Health and Human Services budget. (4/5 affirmative vote required)

Behavioral Health Director: Phebe Bell

2. [SR 21-0779](#) Resolution approving an amendment to the Participation Agreement between the County of Nevada and the California Mental Health Services Authority (CalMHSA) Inter-Member Transfer Program for the timely delivery of Specialty Mental Health Services to foster children placed outside of Nevada County (Res. 18-447), extending the term of the Agreement through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the amendment.
3. [SR 21-0780](#) Resolution approving Participation Agreement 881-SHP-20201-NC between the County of Nevada and the California Mental Health Services Authority State Hospitals Program for services related to placement of authorized individuals into a State Hospital, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Public Health Director: Jill Blake

4. [SR 21-0724](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Rapid-Trace dba Over the Ridge, LLC for the provision of COVID-19 Case Investigation and Contact Tracing services (PESP4373), increasing the maximum contract price from \$49,572 to \$200,000, extending the contract term through March 31, 2022, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Public Health Department budget. (4/5 affirmative vote required)
5. [SR 21-0748](#) Resolution approving Amendment 02 to Agreement 17-10710 between the County of Nevada and the California Department of Public Health for additional funding to implement the County's Local Oral Health Program (Res. 18-007), increasing the amount by \$30,000 for a total maximum amount of \$825,345, for the period January 1, 2018 through June 30, 2022, authorizing the Director of Public Health to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Public Health Department budget. (4/5 affirmative vote required)

Director of Social Services: Rachel Roos

6. [SR 21-0741](#) Resolution approving an increase in the amount not to exceed \$181,129, for a total amount of \$1,437,129, authorizing finalization of services for the Great Plates Delivered Program between the County of Nevada and various vendors for food service support for Nevada County's senior community impacted by COVID-19 (Res. 21-025), and authorizing the Purchasing Agent to execute the contract amendments.
7. [SR 21-0781](#) Resolution accepting the Fiscal Year 2021/22 funding award from the California Department of Social Services, Housing and Disability Advocacy Program, in the amount of \$393,011 to be used to support ongoing operations of the Nevada County SOARWorks Program through June 30, 2022.
8. [SR 21-0782](#) Resolution approving a renewal contract between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program, which provides services for individuals with disabilities who are experiencing homelessness, in the total maximum amount of \$293,011, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract.

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

9. [SR 21-0773](#) Resolution approving Amendment 2 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), increasing the maximum amount payable from \$279,667 to \$281,563, for the period January 1, 2021 through May 22, 2022, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Housing)

Sheriff-Coroner/Public Administrator: Shannan Moon

10. [SR 21-0797](#) Resolution accepting the 2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$11,071 from the Department of Justice Bureau of Justice Assistance to purchase computers and related peripheral equipment for the Sheriff's Office, authorizing the Sheriff to execute the award, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Sheriff's Office budget. (4/5 affirmative vote required)
11. [SR 21-0805](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation for an Off-Highway Vehicle grant for Fiscal Year 2022/23.
12. [SR 21-0803](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation, Division of Boating and Waterways, requesting reimbursement of boating safety enforcement costs in the amount of \$334,791.38, for the period July 1, 2022 through June 30, 2023.

Clerk-Recorder/Registrar of Voters: Gregory Diaz

13. [SR 21-0772](#) Resolution adopting the certified Statement of Votes cast at the September 14, 2021 California Gubernatorial Recall Election on September 14, 2021 with the County of Nevada as certified by the County Clerk-Recorder/Registrar of Voters.
14. [SR 21-0807](#) Resolution approving a Maintenance Addendum to the Agreement between the County of Nevada and Harris Local Government Solutions Incorporated (Res. 17-564), pertaining to software maintenance services for the Nevada County Clerk-Recorder's recording and accounting system.

Agricultural Commissioner: Chris de Nijs

15. [SR 21-0733](#) (Introduce/Waive further reading) An Ordinance amending Article 1 of Chapter XIV of the Nevada County Land Use and Development Code pertaining to Agricultural Lands and Operations Right to Farm sections.

Building Director: Craig Griesbach

16. [SR 21-0809](#) Resolution authorizing the Nevada County Building Director to submit an Allocation Application for receipt of Local Jurisdiction Assistance Grant funds in the amount of \$1,221,188 from the California Department of Cannabis Control for improved commercial cannabis permitting and California Environmental Quality Act (CEQA) compliance, and upon receipt of the funding allocation, authorizing the Building Director to execute an agreement with the California Department of Cannabis Control.

Director of Public Works: Panos Kokkas

17. [SR 21-0787](#) Resolution certifying the County-Maintained Mileage for 2021, for a total of 561.560 miles of maintained County roads. (All Dists.)
18. [SR 21-0789](#) Resolution authorizing the Nevada County Department of Public Works to request Fiscal Year 2021/22 Regional Surface Transportation Program (RSTP) funds from the Nevada County Transportation Commission, for a total Fiscal Year 2021/22 RSTP funding request in the amount of \$867,945.89.
19. [SR 21-0785](#) Resolution adopting Chapter 10 of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual, Consultant Selection, for state and/or federal funded projects requiring Caltrans oversight.

Chief Probation Officer: Jeff Goldman

20. [SR 21-0774](#) Resolution approving an agreement between the City of Grass Valley and the Nevada County Probation Department for AB109 police officer services, with Nevada County distributing AB109 Realignment funds to the City of Grass Valley in the maximum amount of \$20,000, for the period July 1, 2012 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Chief Information Officer: Stephen Monaghan

21. [SR 21-0791](#) (Introduce/Waive further reading) Ordinance repealing section A-II 2.1 of Article 2 of Chapter II of the Administrative Code of the County of Nevada regarding the County's adoption of supervisorial district boundaries based on United States General Census information.
22. [SR 21-0798](#) Resolution approving an agreement between the County of Nevada and the Social Good Fund Inc. pertaining to the Friends of Purdon Crossing portable restrooms project located at Purdon Crossing at the South Yuba River, with Nevada County paying an amount not to exceed \$6,062 to the Social Good Fund Inc. to provide pumping services, for the period July 1, 2021 through June 30, 2022, and authorizing the Board of Supervisors to execute the agreement. (Emergency Services)
23. [SR 21-0770](#) Resolution approving a renewal contract between the County of Nevada and PRIDE Industries One, Inc., for janitorial services at various County Facilities, in an annual amount not to exceed \$250,000, for the period November 1, 2021 through October 31, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)

Clerk of the Board: Julie Patterson Hunter

24. [SR 21-0800](#) Resolution authorizing remote teleconference meetings of the Board of Supervisors and its legislative bodies pursuant to the Ralph M. Brown Act.
25. [SR 21-0778](#) Resolution appointing Kathy Freeman as Member to the Truckee Cemetery District, for a term expiring July 1, 2025.
26. [SR 21-0765](#) Acceptance of the resignation of Donna Tully from the Nevada County Mental Health and Substance Use Advisory Board, effective September 30, 2021, and reclassification of Bethany Wilkins and Sam Echeverria from Members to Consumer Members on the Nevada County Mental Health and Substance Use Advisory Board.
27. [SR 21-0821](#) Acknowledgement of Supervisor Hall's acceptance of Marty Coleman-Hunt's resignation from the Planning Commission and appointment of Danny Milman to the District I position, both effective November 9, 2021.
28. [SR 21-0767](#) Acceptance of Board of Supervisors Summary Minutes for October 12, 2021.

PUBLIC COMMENT:

- [SR 21-0768](#) 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 during the meeting by using one of the options listed on pages 9 and 10.

SCHEDULED ITEM: 10:30 A.M.**Chief Information Officer: Stephen Monaghan**

29. [SR 21-0792](#) Public Workshop regarding the 2021 Nevada County Supervisorial Redistricting process.

DEPARTMENT HEAD MATTERS:*Director of Social Services: Rachel Roos**

30. [SR 21-0757](#) Acceptance of the Veterans Services Office informational presentation to the Board.

Agricultural Commissioner: Chris de Nijs

31. [SR 21-0734](#) Acceptance of the 2020 Nevada County Annual Crop and Livestock Report.

***CLOSED SESSION:**

[SR 21-0799](#) Pursuant to Government Code § 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Lau, et al. v. County of Nevada, et al., Nevada County Superior Court, Case No. CU18-082845.

***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:**SCHEDULED ITEM: 1:30 P.M.****Planning Director: Brian Foss**

32. [SR 21-0808](#) Public hearing to consider the Nevada County Planning Commission's August 12, 2021, 4-0; 1 absent, recommendation to approve the proposed rezone of the Nevada County Assessor's Parcel Number 065-270-005 from Forest with the Subdivision Limitation Combining District (FR-X) to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X). The proposed project is located approximately 9-miles east of the City of Nevada City, at 22765 Banner Quaker Hill Road. (PLN21-0168; RZN21-0002) (APN 065-270-005)

(Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map 87 to rezone 55.04 acres (APN 065-270-0050 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) (RZN21-0002) (Mena) (Dist. V)

DEPARTMENT HEAD MATTERS:*County Executive Officer: Alison Lehman**

33. [SR 21-0827](#) Resolution approving the award of \$1,991,884 in "Community Resiliency Grants" funded by the American Rescue Plan Act (ARPA), and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Fund 1111 budgets. (4/5 affirmative vote required)
34. [SR 21-0825](#) Resolution approving a contract between the County of Nevada and Sierra Business Council for grants management services to administer the "Community Resiliency Grants" Program funded by the American Rescue Plan Act (ARPA), in the maximum contract amount of \$30,000, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Economic Development budget. (4/5 affirmative vote required)

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 Rd., Truckee CA 96161.*
- 3. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.*
- 4. Online at <https://www.mynevadacounty.com/boardmeetings> and <https://nevco.legistar.com/Calendar.aspx>.*

Posted: November 4, 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 NOVEMBER 9, 2021 MEETING:

- 1) Watch from inside the Board Chambers (face coverings are mandatory for all individuals: vaccinated and unvaccinated except those specifically exempt pursuant to CDPH guidance).
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 2552 713 7575 and Password# 376 37 998).
- 3) View at <https://www.mynevadacounty.com/boardmeetings>.
- 4) View on Nevada County Media Channel 17 in western County.
- 5) View on Suddenlink Channel 78 in eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE NOVEMBER 9, 2021 MEETING BY:

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

PROVIDE PUBLIC COMMENT DURING THE NOVEMBER 9, 2021 MEETING:

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 mandatory 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.

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)