

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Vice Chair Supervisor Ed Scofield, District II
Supervisor Dan Miller, District III
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, February 22, 2022	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 non-vaccinated 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# 2558 894 2154 & Password# 892 94 542). Closed Captioning is available for hearing impaired viewers.

Public comment for items not on the agenda will be taken following the Community Presentation, or as soon thereafter as possible. Please refer to Pages 6 and 7 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.

COMMUNITY PRESENTATIONS:**District I Supervisor: Heidi Hall**

1. [SR 22-0179](#) Certificate of Recognition for Niel Locke for 25 years of public service on the Nevada County Historical Landmarks Commission, and contribution to the community.

District IV Supervisor: Susan Hoek

2. [SR 22-0117](#) Certificate of Recognition acknowledging the Sierra Family Health Center's 40 years of service to the community.

District V Supervisor: Hardy Bullock

3. [SR 22-0052](#) Resolution supporting the national designation of the Donner Summit Tunnels as a National Historical Landmark and its preservation thereof.
4. [SR 22-0166](#) Resolution proclaiming March 2022 as the 50th Anniversary of the National Senior Nutrition Program, and recognizing the service of Gold Country Senior Services and Sierra Senior Services.

PUBLIC COMMENT:

- [SR 22-0177](#) Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board. (Please refer to Pages 6 and 7 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 in advance, or at the time the consent agenda is 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

5. [SR 22-0158](#) Resolution approving Amendment A01 to Standard Agreement 17-94600 between the County of Nevada and the California Department of Health Care Services for operation of the County's Mental Health Plan (Res. 18-392), revising Exhibit "A" Schedule of Services to update contract language in accordance with federal regulations, for the period July 1, 2017 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the amendment.
6. [SR 22-0157](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Crestwood Behavioral Health, Inc. for IMD (Institutions for Mental Disease) (Res. 21-219), increasing the contract price from \$125,000 to \$240,000, for the period July 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Sheriff-Coroner/Public Administrator: Shannan Moon

7. [SR 22-0165](#) Resolution approving a renewal agreement between the County of Nevada and the County of Placer for Forensic Pathology Services, in an amount not to exceed \$110,000 for 120 cases and \$1,250 per case above 120 for each year of the contract, for a total contract price of \$220,000, for the period July 1, 2021 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Building Director: Craig Griesbach

8. [SR 22-0163](#) Resolution accepting the California Department of Cannabis Control Local Jurisdiction Assistance Grant Funds in the amount of \$1,221,188 (Res. 21-471), and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Cannabis budget in the amount of \$199,665. (4/5 affirmative vote required)

Director of Public Works: Panos Kokkas

9. [SR 22-0156](#) Acceptance of the Annual Report on Transportation Mitigation Fees for Fiscal Year 2021/22.
10. [SR 22-0168](#) (Waive further reading/Adopt) An Ordinance amending and restating Title 2, Chapter IV, Article 8 (Solid Waste) of the Nevada County Code.
11. [SR 22-0167](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Southwest General Engineering, Inc. for the 2019 McCourtney Road Landfill West Ditch Drainage Improvements Project (Res. 20-025), with contract costs totaling \$44,740, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208. (Solid Waste)

12. [SR 22-0170](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Bennett Engineering Services, Inc. for the Higgins Area - Residential Off-Site Improvements Project 19-PGP-13441, County Project No. 710000 (Res. 20-456), with contract costs totaling \$261,996.75, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208. (Dist. II)

County Executive Officer: Alison Lehman

13. [SR 22-0175](#) Resolution approving Amendment 1 (Addendum) to the evergreen Participation Agreement between the County of Nevada and the California Department of Healthcare Services for the Medi-Cal Inmate Participation Program (Res. 20-187), which attests to Nevada County's compliance with state and federal requirements regarding accommodations for requests for alternative format information from inmates as well as compliance with the Americans with Disabilities Act (ADA), and authorizing the Chair of the Board of Supervisors to execute the amendment.
14. [SR 22-0159](#) Resolution amending various Nevada County budgets through the Second Consolidated Budget Amendment for Fiscal Year 2021/22, and directing the Auditor-Controller to release Facilities Planning Assignment and Unassigned Fund Balance in the General Fund in Fiscal Year 2021/22. (4/5 affirmative vote required)
15. [SR 22-0184](#) Resolution amending various Nevada County budgets through the Fiscal Year 2021/22 Quarter 2 Consolidated American Rescue Plan Act (ARPA) Expenditure Plan budget amendment. (4/5 affirmative vote required)

Clerk of the Board: Julie Patterson Hunter

16. [SR 22-0185](#) Acknowledgement of Supervisor Hall's acceptance of District I representative Niel Locke's resignation from the Nevada County Historical Landmarks Commission.
17. [SR 22-0161](#) Acknowledgement of the resignations of Doug Brannon, District I representative, effective January 26, 2022, and David Middleton, Member-at-Large representative, effective January 31, 2022, from the Nevada County Building and Accessibility Standards Board of Appeals.
18. [SR 22-0186](#) Rescindment of the appointment of Paige Derdowski as a Private Sector representative from the Adult and Family Services Commission.
19. [SR 22-0176](#) Acceptance of Board of Supervisors Summary Minutes for January 25, 2022.

SCHEDULED ITEM: 11:00 A.M.**District IV Supervisor: Susan Hoek**

20. [SR 22-0193](#) Acceptance of the Emergency Medical Care Committee (EMCC) presentation to the Board. (Penn Valley Fire Protection District Captain Clayton Thomas, EMCC Chair)

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

21. [SR 22-0181](#) Resolution approving a contract between the County of Nevada and Sierra Business Council for Grants Management Services, in the amount of \$115,489.90 to administer the California Microbusiness COVID-19 Relief Grant Program, and directing the Auditor-Controller to amend the Fiscal Year 2021/22 Economic Development budget. (4/5 affirmative vote required)

***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.

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

Posted: February 17, 2022.

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

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

PUBLIC COMMENT:

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no more than three (3) minutes at the Chair's discretion. Comments by the public must be relevant to the item on the agenda being considered by the Board. This includes: a. Consent Agenda; b. Community Presentations; c. Department Head Items; and d. Scheduled Items.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction of the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda although staff may be asked to briefly respond to or follow up on such items. The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during regular Board meetings. The Chair of the Board may limit any individual desiring to address the Board to no more than three (3) minutes at the Chair's discretion. Time to address the Board will be allocated on the basis of the order in which the requests were received. The public addressing the Board may be limited in amount of time dependent upon the press of business and the number of persons wishing to address the Board.

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

WAYS TO WATCH AND LISTEN DURING THE FEBRUARY 22, 2022 MEETING:

- 1) Watch from inside the Board Chambers (face coverings are mandatory for all unvaccinated individuals, except those specifically exempt pursuant to CDPH guidance).
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 2558 894 2154 and Password# 892 94 542).
- 3) View at 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 FEBRUARY 22, 2022 MEETING BY:

- 1) Leaving an eComment at www.mynevadacounty.com/boardmeetings.
- 2) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, P.O. Box 599002, Nevada City, CA 95959.
- 3) Emailing BOS.PublicComment@co.nevada.ca.us.

PROVIDE PUBLIC COMMENT DURING THE FEBRUARY 22, 2022 MEETING BY:

1) In-Person:

Eric Rood Administrative Center: Members of the public can provide comment in-person inside the Board of Supervisors' Board Chambers at the Eric Rood Administrative Center (face coverings are mandatory for all unvaccinated individuals, 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 admitted into the meeting for comment. (Please note that the 1 (415) 655-0001 number is only for listening to the meeting.)

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

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall:

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

PUBLIC HEARINGS:

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to no more than three (3) minutes at the Chair's discretion. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed, and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

ORDINANCES:

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.
- 4) Adoption of the ordinance is made by majority vote.
- 5) The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

INFORMATIONAL CORRESPONDENCE:

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

REFERENCES:

- Order and Decorum of Board Business for 2022 (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)