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

950 Maidu Avenue, Suite 200 Nevada City, CA 95959-8617 (530) 265-1480 Fax: (530) 265-9836 bdofsupervisors@nevadacountyca.gov

AGENDA

Date Time Location

Tuesday, September 13, 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 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 public health guidance, face coverings are strongly recommended to be worn by all individuals while indoors, 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 Comcast Channel 17 in western County and on Suddenlink Channels 17 78 in eastern the web www.nevadacountyca.gov/boardmeetings, and County, through at www.YouTube.com/c/CountyofNevadaCA, or listen by calling 1 (415) 655-0001 (you will be prompted to provide Meeting ID# 2557 757 2088 & Password# 773 69 649). Closed Captioning is available for hearing impaired viewers.

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 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.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 22-1014

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 9 and 10 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

- Resolution approving Amendment 1 to the contract between the County of Nevada and Restpadd, Inc. Redding for the provision of 24-hour locked acute psychiatric services for residents of Nevada County who meet criteria for 5150 placement (PESP4359), increasing the maximum contract price from \$50,000 to \$55,000 due to increased utilization, for the period May 1, 2021 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the amendment.
- Resolution approving a renewal agreement between the Nevada County Behavioral Health Department and Nevada Joint Union High School District (NJUHSD) pertaining to the provision of Mental Health Services at NJUHSD campuses for students identified as having a mental health need under NJUHSD's STARS (Student Assistance Resources and Services) Program, in the maximum payable amount of \$10,000, for the period July 1, 2022 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the agreement.

3.	SR 22-1009	Resolution approving a renewal agreement between Nevada County Behavioral Health
		Department and Nevada County Special Education Local Plan Area pertaining to the
		delivery of educationally related mental health services for students in western Nevada
		County schools who are identified as having a mental health need, in the maximum
		payable amount of \$65,000, for the period July 1, 2022 through June 30, 2023, and
		authorizing the Chair of the Board of Supervisors to execute the agreement.

- 4. SR 22-0941 Resolution approving a renewal contract between the County of Nevada and Willow Glen Care Center for the provision of long-term mental health and residential care to adult clients with mental health conditions as referred by Nevada County, in the maximum amount of \$100,000 not to exceed \$50,000 each fiscal year, for the period July 1, 2022 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.
- Resolution approving a renewal contract between the County of Nevada and the County of Placer for the provision of acute psychiatric inpatient hospitalization and crisis residential treatment services for Nevada County's clients, in the maximum amount of \$390,000, for the period of July 1, 2022 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the contract.
- Resolution approving renewal Standard Agreement 22-20120 between the County of Nevada and the California Department of Health Care Services for operation of the Mental Health Plan, for the period July 1, 2022 through June 30, 2027, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Director of Social Services: Rachel Peña

- Resolution approving Agreement 21-3093 between the Nevada County Department of Social Services (DSS) and the California Department of Social Services for the provision authorizing County access to Contractor's on-line The Work Number® employment and income verification service for the purpose of determining eligibility for CalWORKS and CalFresh Programs, and authorizing the Director of DSS to execute the agreement.
- Resolution approving the Workforce Innovation and Opportunity Act Memorandum of Understanding (MOU) between the County of Nevada and Northern Rural Training and Employment Consortium (NORTEC), for the period July 1, 2022 through June 30, 2025, and authorizing the Department of Social Services Director to sign the MOU.

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

- 9. SR 22-0938 Resolution amending Resolution 21-520 to reflect the allocation amount as requested by the California State Department of Housing and Community Services pertaining to the award of Round 4 of the No Place Like Home Program and submission of a competitive application for Round 4 NPLH funds in the amount of up to \$5,000,000, and authorizing the Health and Human Services Agency Director to execute the application. (Housing)
- 10. SR 22-1013 Resolution approving a contract between the County of Nevada and FREED Independent Living Center, dba FREED to administer the SOARWorks Program for individuals with disabilities who are experiencing homelessness, in the total maximum amount of \$100,000, for the period July 1, 2022 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the contract. (Housing)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

- 11. SR 22-1032 Resolution consolidating the County of Nevada Tax Measure, City of Nevada City Measure, Penn Valley Fire Protection District Measure, City of Grass Valley and Town of Truckee General Municipal Elections, School District General District Elections, and Special District General District Elections with the General Election to be held in the County of Nevada, California on Tuesday, November 8, 2022.
- Resolution requesting the Nevada County Board of Supervisors make Appointments In Lieu of the General Election to be held on November 8, 2022, and directing the Clerk of the Board of Supervisors to advertise for candidates to submit applications to be appointed to the offices with insufficient candidates, as identified in Exhibit B.

Community Development Agency Director/Interim Director of Public Works: Trisha Tillotson

- Resolution authorizing the Nevada County Community Development Agency Director to submit a grant application to the United States Department of Agriculture, for funding in the amount of \$1,050,000 to construct a fire suppression system in North San Juan.

 (Dist. IV)
- Resolution accepting the Notice of Acceptance and Completion of the contract between the County of Nevada and Vintage Paving Co., Inc. for the 2022 Road Rehabilitation Project County Project No.450010 (Res. 22-217), with contract costs totaling \$828,331.05, and directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code section 9208. (Dist. II and IV)

Agricultural Commissioner/Acting Director of Building: Chris de Nijs

Resolution approving Agreement 22-1373-000-SG between the County of Nevada and the California Department of Food and Agriculture to reimburse the Nevada County Agricultural Commissioner for work performed in high-risk pest exclusion inspections and enforcement activities, in the total amount not to exceed \$32,588.71, for the period July 1, 2022, through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Chief Information Officer: Stephen Monaghan

16.	SR 22-1088	Resolution approving Amendment 1 to the Last Mile Broadband Grant agreement
		between the County of Nevada and Nevada County Fiber (Res. 21-141), bringing the
		cost per home in line with the current financial climate to \$10,273 per home and
		reducing the total number of household connections to 11, authorizing the Chair of the
		Board of Supervisors to execute the amendment, and directing the Auditor-Controller to
		amend the Fiscal Year 2022/23 Information and General Services Administration
		budget. (4/5 affirmative vote required)

- 17. Resolution accepting a California Department of Transportation (Caltrans) matching grant in the amount of \$18,018 for the Taxiway A and Ramps 1, 2 and 5 Pavement Rehabilitation Project at the Nevada County Airport. (Airport)
- 18. SR 22-1089 Resolution rescinding Resolution 22-458 and authorizing the capital asset purchase of an Airport Beacon to provide for safe operations at the Nevada County Airport, in the amount not to exceed \$14,000, authorizing the Purchasing Agent to execute all required documents, and directing the Auditor Controller to amend the Fiscal Year 2022/23 Nevada County Airport budget. (4/5 affirmative vote required) (Airport)
- 19. SR 22-0920 Resolution approving Amendment 2 to Purchasing Agreement PESO4045 between the County of Nevada and Granicus, LLC for software licenses, support, and managed software services for the purpose of increasing the engagement in local government, increasing the amount by \$9,250 to replace hardware components that have reached end of serviceable life, for the total amount of \$61,272.80, for the period July 1, 2020 through June 30, 2023, and authorizing the Chair of the Board to execute the amendment. (Purchasing)
- Resolution authorizing the capital asset purchase for the Nevada County Library of a network firewall and installation in the amount of \$18,530.60, and purchase of the subscription and support in the amount of \$40,514.20, for a total network firewall solution cost of \$59,044.80, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Information Systems and Library budgets. (4/5 affirmative vote required) (Purchasing)

21.	SR 22-1024	Resolution approving the Notice of Acceptance and Completion of the contract between
		the County of Nevada and Icenogle Construction Management, Inc., for the Nevada
		County Joseph Center Remodel 2021 Project (Res. 21-200), with contract costs
		totaling \$848,783, and directing the Clerk of the Board to record this Notice in
		accordance with Civil Code section 9208. (Facilities)

Resolution approving Amendment 3 to the ground lease between the County of Nevada and John Barleycorn Investments, LLC to allow for the building of a 20,220 sq. ft. office and storage facility, and a commercial lease agreement for the County to lease the facility and parking area, with the commercial lease agreement starting at a monthly rate of \$25,275 (\$1.25 per sq.ft.) for the 20,220 square feet office space, storage facility, and surrounding parking area, with the monthly lease payment beginning January 1, 2024, or upon occupancy, through the end of the term expiring on August 22, 2046, and authorizing the Chair of the Board of supervisors to execute the amended ground lease and commercial lease. (Facilities)

County Librarian: Nick Wilczek

Resolution approving an agreement between the County of Nevada and the San Juan Ridge Community Library to support operation of the San Juan Ridge Community Library, in the amount of \$110,000, for the period July 1, 2022 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Individual Board Member Item: Supervisor Ed Scofield, District II

24. SR 22-1150 Resolution proclaiming September 23, 2022 as "California Native American Day."

Clerk of the Board: Julie Patterson Hunter

25.	SR 22-1042	Resolution proclaiming the month of September 2022 as "Prostate Cancer Awareness
		Month" in Nevada County.

- 26. SR 22-0992 Resolution authorizing an option to conduct remote teleconference meetings of the Board of Supervisors and its legislative bodies, when necessary, to allow for flexibility in order to comply with social distancing pursuant to the Ralph M. Brown Act.
- 27. SR 22-1016 Acknowledge Supervisor Hall's acceptance of District I representative Stuart Lauters' resignation from the Nevada County Historical Landmarks Commission, effective August 15, 2022.
- 28. SR 22-1018 Appointments to the Assessment Appeals Board of Steven Hurley as regular member for an unexpired three-year term ending September 30, 2023, and Ashley Bierwolf as alternate member for a one-year term effective October 1, 2022 and ending September 30, 2023.
- 29. SR 22-0925 Acceptance of Board of Supervisors Summary Minutes for July 12 and 26, 2022.

SCHEDULED ITEMS: 10:00 A.M.

County Executive Officer: Alison Lehman

30. SR 22-1094 Presentation of the California State Association of Counties (CSAC) 2021 Challenge Award to the Nevada County Human Resources Department for the Nevada County Internship Program. (Chastity Benson, Director of Operations and Education Program, California Counties Foundation)

Clerk of the Board: Julie Patterson Hunter

31. SR 22-1030 Resolution proclaiming September 10 through 17, 2022 as the 25th Annual Yuba River Cleanup in Nevada County. (Melinda Booth, Executive Director, South Yuba River Citizens League)

*DEPARTMENT HEAD MATTERS:

Chief Information Officer: Stephen Monaghan

Resolution approving the bid construction documents and specifications for the Nevada County Bear River Library Tenant Improvement Project, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids. (Facilities) (Dist.II)

County Executive Officer: Alison Lehman

- 33. SR 22-1038 Board of Supervisors' Responses to the Fiscal Year 2021/22 Nevada County Civil Grand Jury Report, dated June 7, 2022, entitled "Joint Powers Authorities In Nevada County: Who Are They and Who's Watching?"
- 34. SR 22-1039 Board of Supervisors' Responses to the Fiscal Year 2021/22 Nevada County Civil Grand Jury Report, dated June 7, 2022, entitled "Nevada County Department of Public Works County Roads: Take Me Home."

Community Development Agency Director/Interim Director of Public Works: Trisha <u>Tillotson</u>

A public comment kiosk with be available for Agenda Item no. 35, located at Truckee Town Hall, Prosser conference room, 10183 Truckee Airport Rd., Truckee, CA 96161.

Resolution approving the Notice of Intent to consider adopting a Resolution of Necessity for temporary construction easements regarding portions of Assessor's Parcel No's. (APN) 048-100-007, 048-100-012, 048-120-043, 048-240-006 and 048-240-008 for the Hirschdale Road Bridge Projects. (Dist. V)

36. SR 22-1034

Resolution authorizing the Chair of the Board of Supervisors to sign the Invitation to Bid documents for the Hazard Tree Removal Project, County Project No. 715002, and the Purchasing Agent to solicit bids for the Project. (All Dists.)

*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. Truckee Town Hall Administrative Center, Prosser conference room, 10183 Truckee Airport Road, Truckee, CA 96161.
- 4. Outside the District V Board of Supervisors office, Truckee Town Hall Administrative Center.
- 5. Online at www.nevadacountyca.gov/boardmeetings and nevco.legistar.com/Calendar.aspx.

Posted: Posted September 8, 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 Matters; d. Individual Board Member Items; and e. 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 SEPTEMBER 13, 2022 MEETING:

- 1) Watch from inside the Board Chambers (face coverings are strongly recommended for all individuals while indoors, except those specifically exempt pursuant to CDPH guidance).
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 2557 757 2088 and Password# 773 69 649).
- 3) View at www.nevadacountyca.gov/boardmeetings or www.YouTube.com/c/CountyofNevadaCA.
- 4) View on Nevada County Media Channel 17 in western County.
- 5) View on Suddenlink Channels 17 and 78 in eastern County.

PROVIDE PUBLIC COMMENT BEFORE THE SEPTEMBER 13, 2022 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.

Public comments will be available to view online and become part of the administrative record of the meeting. Comments submitted after 4:00 p.m. the day before a meeting will not be available to the Board until after the meeting.

PROVIDE PUBLIC COMMENT DURING THE SEPTEMBER 13, 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 strongly recommended for all individuals: vaccinated and unvaccinated, except those specifically exempt pursuant to CDPH guidance)
- 2) In-Person: Truckee Town Hall: for Agenda Item no. 35, members of the public can provide comment in-person at the Prosser conference room, 10183 Truckee Airport Rd., Truckee, CA 96161 (face coverings are strongly recommended for all individuals: vaccinated and unvaccinated, except those specifically exempt pursuant to CDPH guidance).
- 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. (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 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.

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. 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:

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)