



NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: May 23, 2023
TO: Board of Supervisors
FROM: Katharine L. Elliott, County Counsel
SUBJECT: (Introduce/Waive further Reading) An ordinance amending, adding and repealing non-substantive sections of the Nevada County Administrative Code.

RECOMMENDATION: Introduce and waive further reading and adopt the proposed Ordinance.

FUNDING: The revision will have no fiscal effect.

BACKGROUND:

The Codes of the County of Nevada were last fully updated in 2006 by Ordinance No. 2192. In an effort to create uniformity in internal referencing; language usage; updated pronouns; Agency and Departmental organization; as well as to verify accuracy of citation and comport with California State Statute, County Counsel's Office has been working with county Agencies and Departments and proposes the following revisions.

Through this thorough review of all County Codes, revisions that are substantive in nature, or which may require companion Resolutions, are not being brought forward at this time.

The following sections contain non-substantive revisions which update language to reflect established practices within the department; correct county codes to comply with current California Statute; and include editorial corrections to create uniformity within the County Codes. Sections throughout containing "Purpose" and "Severability" are repealed. Purpose descriptions remain in the original Ordinance. Severability is contained in the beginning of the County Codes and applies to all sections. Revisions of note are specifically described.

Therefore, it is recommended that the Board adopt this proposed Ordinance to:

Revise:

Administrative Code

1. CHAPTER II “Administration”

- a. Article 2, Secs. A-II 2.1 – 2.7 “Board of Supervisors” amended for conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- b. Article 21, Secs. A-II 21.1 – 21.2 “County Counsel Office” the following sections have been amended as follows:
 - Sec. A-II 21.1 “County Counsel Office Established”, conformity of citation of California statute revised.
 - Sec. A-II 21.2 “County Counsel to perform legal services for the Public Administrator” revised and renumbered.
 - Secs. A-II 21.2 and A-II 21.3 “Position of County Counsel” and “Duties and Responsibilities of the Office of County Counsel have been added.
- c. Article 39, Secs. A-II 39.1 – 39.15 “Health and Human Services Agency” have been amended as follows:
 - Secs. A-II 39.1 – 39.15, conformity of format for dates of prior Ordinance revisions and citation of California statute revised.
 - Sec. A-II 39.1 “Agency Established”, conformity of format for dates of prior Ordinance revisions and citation of California statute revised.
 - Sec. A-II 39.2 “Duties and Responsibilities” moved to A-II 39.3. Replaced with “Sec. A-II 39.3 Director of the Health and Human Services Agency.”
 - Sec. A-II 39.3 “Director of the Health and Human Services Agency”, moved to A-II 39.2. Replaced with “Duties and Responsibilities of Health and Human Services Agency”, added provisions for support of the Adult and Family Services Commission; Community Services; Probation; support of the Public Defender’s Office; and the Public Guardian.
 - Sec. A-II 39.4 “Position of Public Guardian Created”, repealed, moved to A-II 39.10.1 – 39.10.4. Replaced with:
 - Sec. A-II 39.4.1 “Behavioral Health Department Established”, new added section.

- Sec. A-II 39.4.2 “Position of Behavioral Health Director and Director of Local Mental Health Services”; new added section.
- A-II 39.4.3 “Duties and Responsibilities of Behavioral Health Department”; new added section.
- A-II 39.4.4 “Mental Health and Substance Use Advisory Board” new added section.
- Sec. A-II 39.5 “Expenditure of Public Funds on Behalf of Conservatees”, moved to A-II 39.10.4. Replaced with:
 - Sec. A-II 39.5.1 “Division of Housing and Community Services”, new added section.
- Sec. A-II 39.5.2 “Director of Housing and Community Services Division”, new added section.
- Sec. A-II 39.5.3 “Duties and Responsibilities of Division of Housing and Community Services”, new added section.
- Sec. A-II 39.6 “Adoption of Program; Board of Supervisors to Discharge Responsibilities by Means of Program”, repealed. Replaced with:
 - Sec. A-II 39.6.1 “Office of the Public Defender Established” moved from A-II 15. Conformity of format for dates of prior Ordinance revisions.
- Sec. A-II 39.6.2 “Appointment of the Public Defender”, corrected from A-II 15 that allowed for appointment to be made by the County Executive Officer to appointment to be made by the Board of Supervisors to conform with California statute (Cal. Gov’t Code § 27703.)
- Sec. A-II 39.6.3 “Duties and Responsibilities of the Office of the Public Defender”.
- Sec. A-II 39.7 “Purposes of Adoption of Program”, repealed. Replaced with:
 - Sec. A-II 39.7.1 “County of Nevada Public Health Department Established”, new added section.
- Sec. A-II 39.7.2 “Position of Public Health Director”, new added section.
- Sec. A-II 39.7.3 “Duties and Responsibilities of County of Nevada Public Health Department”, new added section.

- Sec. A-II 39.8 “Uniform Standards of General Assistance”, repealed.
Replaced with:
 - Sec. A-II 39.8.1 “County of Nevada Probation Department established”, new added section.
- Sec. A-II 39.8.2 “Position of Chief Probation Officer”, new added section.
- Sec. A-II 39.8.3 “Duties and Responsibilities of the County of Nevada Probation Department”, new added section.
- Sec. A-II 39.9 “Determination of Eligibility for General Relief”, repealed and replaced with:
 - Sec. A-II 39.9.1 “Department of Social Services Established”, new added section.
- Sec. A-II 39.9.2 “Director of the Department of Social Services”, new added section.
- Sec. A-II 39.9.3 “Duties and Responsibilities of the Department of Social Services”, new added section.
- Sec. A-II 39.10 “Method of Payment of General Assistance”, repealed and replaced with:
 - Sec. A-II 39.10.1 “Office of the Public Guardian Created”, moved from A-II 39.4.
- Sec. A-II 39.10.2 “Position of Public Guardian – Public Conservator”, new section added.
- Sec. A-II 39.10.3 “Duties and Responsibilities of the Position of Public Guardian – Public Conservator”, new added section.
- Sec. A-II 39.11 “Responsibility of Relatives or Family”, repealed.
Replaced with “Appeals” moved from A-II 39.14.
- Sec. A-II 39.12 “Establishment of Operating Policies and Procedures”, repealed.
- Sec. A-II 39.13 “Statistical Reports”, repealed.
- Sec. A-II 39.14 “Appeals to Board of Supervisors”, moved to A-II sec. 39.11.
- Sec. A-II 39.15 “Variances”, repealed.

- d. Article 40, Secs. A-II 40.1 – 40.5 “Sierra Nevada Regional Department of Child Support Services” amended for conformity of format for dates of prior Ordinance revisions. Citation of California statute revised.
- e. Article 41, Secs. A-II 41.1 – 41.7 “In Home Supportive Services”. Repealed. Program included in A-II 39.9.3 “Duties and Responsibilities of the Department of Social Services.”
- f. Secs. A-II 42.9.1 – 42.9.11 “Community Development Agency” the following sections have been amended:
 - A-II Secs. 42.9.1 – 42.9.11: Agricultural Department and the County Sealer of Weights and Measures are established and consolidated. Revisions are made to Duties and Responsibilities and Fees. References to the Agricultural Commission are removed as the Commission is referenced in A-II Article 12 under County Commissions.

Item Initiated and Approved by: Katharine L. Elliott

Submitted Date: May 10, 2023
Revised Date: