

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I
Chair Ed Scofield, District II
Supervisor Lisa Swarthout, District III
Supervisor Susan Hoek, District IV
Vice-Chair 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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Summary of Proceedings

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 7, 2023	9:00 AM	Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California

- UNLESS INDICATED, THE VOTE WAS UNANIMOUS -

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District
Ed Scofield, 2nd District
Lisa Swarthout, 3rd District
Susan Hoek, 4th District
Hardy Bullock, 5th District

STANDING ORDERS:

Call the meeting to order.

Meeting called to order at 9:00 a.m.

Pledge of Allegiance.

Pledge of Allegiance held.

Corrections and/or deletions to agenda.

Tine Mathiasen, Deputy Clerk to the Board, noted that the Clerk of the Board received a request to continue the hearing for agenda item #34, SR 23-4841, the Christ land use appeal. The Clerk of the Board have granted that request, and it will be rescheduled for a date to be decided.

PUBLIC COMMENT:

[SR 23-4813](#) Public comment received.

CONSENT CALENDAR:**Health and Human Services Agency Director: Ryan Gruver**

1. [SR 23-4826](#) Resolution approving an agreement between the Department of Health Care Services and Nevada County that pertains to the Rate Range Intergovernmental Transfer: an agreement whereby Nevada County retroactively receives federal financial participation Medi-Cal funds to cover unreimbursed costs for previously provided mandated services, for the service period of January 1, 2022 through December 31, 2022, and authorizing the Chair of the Board of Supervisors to execute the agreement.
Adopted.
Enactment No: 23-536
2. [SR 23-4712](#) (Waive further reading/Adopt) An Ordinance replacing in its entirety Chapter II, Article 11 of the Nevada County Administrative Code. [Amending the Ordinance authorizing the County of Nevada to join Partnership HealthPlan of California.]
Adopted.
Enactment No: ORD-2532
3. [SR 23-4825](#) Resolution appointing the Director of the Nevada County Health and Human Services Agency to the Partnership Health Plan Board of Commissioners to fill an unexpired 4-year term ending November 7, 2027.
Adopted.
Enactment No: 23-537

Behavioral Health Director: Phebe Bell

4. [SR 23-4710](#) Resolution approving a renewal contract between the County of Nevada and Thomas Milam MD, Inc. dba Iris Telehealth Medical Group for services including providing a licensed clinician to provide needed mental health, intellectual disability, and substance abuse services, in the maximum amount of \$200,000, for the contract term of September 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: 23-538

5. [SR 23-4713](#) Resolution approving Amendment 1 to the renewal Agreement for Services RFS-988 (Res. 21-224) between the County of Nevada and the County of El Dorado for acute psychiatric inpatient hospitalization services for referred Nevada County clients at El Dorado's operated Psychiatric Health Facility to add ARTICLE XXVIII, Conflict of Interest, Exhibit B, marked "California Levine Act Statement", ARTICLE XXVI, Contractor to County, ARTICLE XXVII, Independent Contractor/Liability, ARTICLE XXIX, Executive Order N-6-22 - Russia Sanctions, and ARTICLE XXX, Electronic Signatures, and increasing the contract price from \$600,000 to \$800,000, for the contract term of July 1, 2021, through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Adopted.

Enactment No: 23-539

Public Health Director: Kathy Cahill

6. [SR 23-4562](#) Resolution approving renewal Standard Agreement 23-10268 between the County of Nevada and the California Department of Public Health, Childhood Lead Poisoning Prevention Branch, for funding the County's Childhood Lead Prevention Program, in the maximum amount of \$305,262, for the term July 1, 2023 through June 30, 2026, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: 23-540

7. [SR 23-4806](#) Resolution approving an amendment to revenue Agreement 240096 between the County of Nevada and the Tulare County Office of Education for the provision of Social Emotional Learning Services, to increase the contract price from \$20,000 to \$100,000, revise Exhibit "A" Schedule of Services, add Exhibit "B" Fee Schedule and Exhibit "C" Friday Night Live/Club Live Youth Development Standards of Practice, extending the contract termination date from June 30, 2023 to June 30, 2024, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to amend the Housing & Community Development Department Fiscal Year 2023/24 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: 23-541

Chief Probation Officer: Jeff Goldman

8. [SR 23-4848](#) Resolution approving an agreement between the City of Grass Valley and the Nevada County Probation Department for AB109 police officer services, providing a distribution of AB109 Realignment funds to the City in the amount of \$20,000, for the period July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: 23-542

District Attorney: Jesse Wilson

9. [SR 23-4815](#) Resolution accepting the California Office of Emergency Services Grant Award VW23370290 for the Nevada County Victim Witness Assistance Program, in the amount of \$288,835, for the period of October 1, 2023 through September 30, 2024, and authorizing the District Attorney to execute the grant agreement and all additional documents to fulfill the grant requirements.

Adopted.

Enactment No: 23-543

Public Defender: Keri Klein

10. [SR 23-4810](#) Resolution approving a no-cost grant term extension for the Indigent Defense Grant Program for a new term of July 1, 2023 through February 28, 2025, and authorizing the Director of Health and Human Services to modify and execute the agreement.

Adopted.

Enactment No: 23-544

Agricultural Commissioner: Chris de Nijs

11. [SR 23-4808](#) Resolution approving Agreement 23-0612-000-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, for a total contract amount not to exceed \$33,719.29, for the period of July 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: 23-545

Public Works Director: Heba El-Guindy

12. [SR 23-4799](#) Resolution accepting Regional Surface Transportation Program Funds in the amount of \$80,000 for Fiscal Year 2023/24 for updating the Local Roads Safety Plan under the existing Subrecipient Agreement RSTPNCO071923 between the County of Nevada and the Nevada County Transportation Commission.

Adopted.

Enactment No: 23-546

13. [SR 23-4845](#) Resolution approving contracts between the County of Nevada and Jim Norman's Trees Unlimited, Inc., West Coast Tree Service, Inc., and Loggers Unlimited for as-needed tree removal services, in the maximum aggregate amount not to exceed \$200,000, for a term of November 7, 2023 through June 30, 2024, authorizing contract renewals for up to four additional one-year terms and rejecting all prior bids received for original IFB 174453, and authorizing the Purchasing Agent to execute the contracts.

Adopted.

Enactment No: 23-547

14. [SR 23-4829](#) Resolution approving the Notice of Acceptance and Completion for the 2023 Nevada County Annual Striping Project 426641 (Res. 23-412) with contract costs totaling \$145,003.40, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code section 9208.

Adopted.

Enactment No: 23-548

15. [SR 23-4828](#) Resolution authorizing additional signatories for the Community Development Block Grant 2017 Mitigation Resilient Infrastructure Program for the 2023-2025 Vegetation Removal Project. (All Districts)

Adopted.

Enactment No: 23-549

Public Works Director: Heba El-Guindy and Emergency Services Director: Craig Griesbach

16. [SR 23-4809](#) Resolution awarding a contract to R.E.Y. Engineers, Inc., for county road right-of-way mapping and surveying services for the 2023 Federal Emergency Management Agency Roadside Vegetation Management Project, Phase I, Federal Emergency Management Agency Grant FEMA-4344-FM-CA PJ0704: Nevada County, FIPS: 057-00000, Supplement 357, California Office Of Emergency Services Contract Dr-4344-704-151R, for a total amount not-to-exceed \$595,077.57, for the period of November 7, 2023 through December 31, 2024, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Office of Emergency Services Fiscal Year 2023/24 budget. (All Districts) (4/5 affirmative vote required)

Adopted.

Enactment No: 23-550

Facilities Management Director: Justin Drinkwater

17. [SR 23-4784](#) Resolution approving a list of design service professionals to work on specific projects as they arise for the period November 7, 2023 through June 30, 2028, and authorizing the Purchasing Agent to solicit bids from the list and to execute and encumber contracts up to a maximum contract amount of \$100,000. (Facilities Management)

Adopted.

Enactment No: 23-551

18. [SR 23-4793](#) Resolution approving a General Use Agreement between the County of Nevada and Nevada City Chamber of Commerce for use of the parking area and trail at the Nevada County Eric Rood Administrative Center for various events, for a 5-year term of December 1, 2023 through December 1, 2028, and authorizing the Director of Facilities to execute the agreement. (Facilities Management)

Adopted.

Enactment No: 23-552

County Counsel: Katharine L. Elliott

19. [SR 23-4800](#) (Introduce/Waive further reading) An Ordinance amending, adding, and repealing non-substantive sections of the Nevada County Land Use and Development Code.
First reading held.

District II Supervisor: Ed Scofield

20. [SR 23-4860](#) Resolution proclaiming the week of November 27 through December 1, 2023 as “California Clerk of the Board of Supervisors Week” in Nevada County, in recognition of the high level of services bestowed upon the people of the County of Nevada, and the people of California by Clerks of the Board.
Adopted.
Enactment No: 23-553

Clerk of the Board: Julie Patterson Hunter

21. [SR 23-4814](#) Acceptance of Board of Supervisors Summary Minutes for October 10 and 24, 2023.
Accepted.

Approval of the Consent Agenda.

Adopted.

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

Call the meeting to order

Recessed as the Nevada County Board of Supervisors and convened as the Nevada County Sanitation District No. 1 Board of Directors.

CONSENT CALENDAR:

County Counsel: Katharine L. Elliott

22. [SR 23-4837](#) (Waive further reading/Adopt) An Ordinance amending, adding, and repealing non-substantive sections of the Nevada County Sanitation District Code.
Waived further reading and adopted.
Enactment No: SD-75

Clerk of the Board: Julie Patterson Hunter

23. [SR 23-4847](#) Acceptance of Nevada County Sanitation District No. 1 Summary Minutes for October 24, 2023.
Accepted.

Approval of the Consent Agenda.

Adopted.

Public comment:

No public comment received.

Adjournment:

Adjourned the meeting of the Nevada County Sanitation District No. 1 Board of Directors and reconvened as the Nevada County Board of Supervisors.

INDIVIDUAL BOARD MEMBER ITEM:*District II Supervisor: Ed Scofield**

24. [SR 23-4844](#) Resolution honoring the life and legacy of United States Senator Dianne Feinstein.

Adopted.

Enactment No: 23-554

COMMUNITY PRESENTATION:**Clerk of the Board: Julie Patterson Hunter**

25. [SR 23-4840](#) Resolution proclaiming December 9, 2023 as "Nevada County Food and Toy Run Day."

Adopted.

Enactment No: 23-555

SCHEDULED ITEM: 10:00 AM**Planning Director: Brian Foss**

26. [SR 23-4839](#) Resolution adopting Development Impact Mitigation Fees for the Nevada County Consolidated Fire District, pursuant to Nevada County Land Use and Development Code section L-IX 2.3.

Adopted.

Enactment No: 23-556

SCHEDULED ITEM: 10:15 AM**Public Works Director: Heba El-Guindy**

27. [SR 23-4858](#) Resolution approving the Local Traffic Mitigation Fees and the Regional Transportation Mitigation Fees, and accepting the associated 2023 Nexus Study Updates.

Adopted.

Enactment No: 23-557

DEPARTMENT HEAD MATTERS:*Child Support Services and Housing Director: Mike Dent**

28. [SR 23-4807](#) Resolution approving a contract between the County of Nevada and Sierra Roots pertaining to the provision of a temporary emergency shelter during extreme weather and Public Safety Power Shutoff (PSPS) events, in the maximum amount of \$41,283, for the period September 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: 23-558

Behavioral Health Director: Phebe Bell

29. [SR 23-4816](#) Resolution approving acceptance of Behavioral Health Bridge Housing Program award and execution of a subcontract agreement with Advocates for Human Potential, Inc. on behalf of the California Department of Health Care Services, in the maximum amount of \$3,601,814, for the contract term of June 23, 2023 through June 30, 2027, authorizing the Director of Behavioral Health to execute the subcontract agreement, and directing the Auditor-Controller to amend the Behavioral Health 2023/24 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: 23-559

30. [SR 23-4819](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Foothill House of Hospitality, dba Hospitality House (Res. 23-304) for services including the provision of Homeless Outreach and Access and Linkage to Treatment, increasing the maximum contract price from \$585,347 to \$1,482,810, revising Exhibit "A", Schedule of Services to reflect the addition of activities related to the Behavioral Health Bridge Housing program funds and Exhibit "B", Schedule of Charges and Payments to reflect the increase in the maximum contract price, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Adopted.

Enactment No: 23-560

Director of Social Services: Rachel Peña

31. [SR 23-4804](#) Veterans Services Office informational presentation. (David West, Veterans Services Officer)

Accepted.

Chief Probation Officer: Jeff Goldman

32. [SR 23-4842](#) Resolution approving the Nevada County Community Corrections Partnership Plan for Fiscal Year 2023/24, and authorizing the Chair of the Board of Supervisors to execute the Plan.

Adopted.

Enactment No: 23-561

***ANNOUNCEMENTS:**

Updates were provided by the members of the Board.

***CLOSED SESSION:**

33. [SR 23-4833](#) According to Government Code § 54956.9(d)(1), County Counsel requests a closed session to discuss the following existing litigation case: *Andresen vs. Minnis, et al.*, Nevada County Superior Court, Case No. TCU17-6612.

Closed Session held.

Direction was given to staff.

Recess for lunch**AFTERNOON SESSION****SCHEDULED ITEM: 1:30 PM****Planning Director: Brian Foss**

34. [SR 23-4841](#) Resolution denying the appeal filed by Glenn Christ regarding the Planning Department's September 15, 2023 letter outlining that the approved Christ Tentative Final Map (FM07-010; EIS08-053) was not eligible for the State automatic extension of time provided by Assembly Bill 1561 as a matter of law, and directing the Planning Director to work with the Appellant regarding the resubmittal of FM070-010 as allowed for by Nevada County Land Use and Development Code Chapter IV, section L-IV 2.12.C.

Continued.

DEPARTMENT HEAD MATTERS:*Code and Cannabis Compliance Director: Matt Kelley**

35. [SR 23-4835](#) Resolution accepting the award of the California Department of Cannabis Control Local Jurisdiction Retail Access Grant in the amount of \$275,000, and authorizing the Community Development Agency Director to execute the grant agreement.

Adopted.

Enactment No: 23-562

Chief Information Officer: Landon Beard

36. [SR 23-4792](#) Nevada County Enterprise Information Security Program informational presentation.
Approved.

37. [SR 23-4849](#) Resolution approving Amendment 1 to Purchasing Contract 50112 between the County of Nevada and ePlus Technology Inc. for project manager services related to the enterprise resource project, increasing the contract amount by \$737,435.34 for a not to exceed amount of \$787,339.44, extending the termination date to December 31, 2025, authorizing the Purchasing Agent to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 Revised American Rescue Plan Act Expenditure Plan budget. (4/5 affirmative vote required)

Adopted.

Enactment No: 23-563

ADJOURNMENT:

Meeting adjourned at 2:53 p.m.