

COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District (Chair)
Ed Scofield, 2nd District
Dan Miller, 3rd District (Vice-Chair)
Susan Hoek, 4th District
Richard Anderson, 5th District

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

Date	Time	Location
Tuesday, May 26, 2020	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 regularly scheduled 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 by remote.

The Board of Supervisors will attend the meeting and participate to the same extent as if they were present.

This meeting is broadcast live on Nevada County Media Channel 17 in the Western County and on Suddenlink Channel 78 in the Eastern County and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>.

Members of the public who are unable to view the meeting on television or through the web may call (408) 418-9388 to listen to the meeting live.

You will be prompted to provide the Meeting ID#: 126 468 9390 and the Password#: 62965645.

Closed Captioning is available for hearing impaired viewers.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Clerk of the Board staff remains dedicated to finding new and innovative methods to suit our County's civic engagement needs during this challenging time.

Before the meeting, members of the public can provide general comments on items that are of interest to the public and are within the subject matter jurisdiction of the Board, or on a particular agenda item before the meeting by: 1) Writing a letter to the Board of Supervisors; 2) Leaving a voice mail message at (530) 264-0554; 3) Emailing BOS.PublicComment@co.nevada.ca.us; or 4) Leaving an eComment:

<https://www.mynevadacounty.com/822/Meeting-Information-Video-Streaming>.

During the meeting, members of the public can comment on items under discussion by: 1) Leaving a voice mail message at (530) 264-0554; 2) Emailing BOS.PublicComment@co.nevada.ca.us; or 3) Leaving an eComment:

<https://nevco.granicusideas.com/meetings/3479-nevada-county-board-of-supervisors-may-26-2020-meeting-agenda>.

Please provide your name, and the number of the agenda item on which you wish to comment.

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.)

The agenda and all supporting documents may be obtained at <https://nevco.legistar.com/Calendar.aspx>. 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: 9:01 A.M.

Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board:

- 1) Before the meeting by writing the Board of Supervisors; leaving a voice mail message at (530) 264-0554, emailing BOS.PublicComment@co.nevada.ca.us; or leaving an eComment at <https://www.mynevadacounty.com/822/Meeting-Information-Video-Streaming>.*
- 2) During the meeting by leaving a voice mail message at (530) 264-0554; emailing BOS.PublicComment@co.nevada.ca.us; or leaving an eComment at <https://nevco.granicusideas.com/meetings/3479-nevada-county-board-of-supervisors-may-26-2020-meeting-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 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.

Behavioral Health Director: Phebe Bell

1. [SR 20-2783](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the expansion of Wraparound and Therapeutic Behavior Services to Eastern Nevada County (Res. 19-373), increasing the maximum contract price from \$1,857,843 to \$1,920,084, revising Exhibit "A" Schedule of Services to incorporate the increase in capacity of treatment from 50 treatment slots to 65 treatment slots, revising Exhibit "B" Schedule of Charges and Payments to reflect the increase in the maximum contract price and to add an alternative payment mechanism for services provided March through June 2020 due to impacts of the Coronavirus, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Interim Director of Social Services: Mali Dyck

2. [SR 20-2784](#) Resolution approving Amendment 2 to the agreement between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program to eligible clients (Res. 18-424), increasing the maximum contract price from \$282,083 to \$582,083 to incorporate specific guidance pertaining to the purchase of trailers or other approved structures, for the period July 1, 2018 through June 30, 2020, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Social Services budget. (4/5 affirmative vote required)
3. [SR 20-2780](#) Resolution approving temporary adjustments and flexibilities for CalWORKs requirements during the COVID-19 Pandemic to the General Assistance Program Manual, which brings the General Assistance Program in alignment with the current State and Federal Indigent Assistance Programs, such as CalWORKs, CalFresh, and Medi-Cal.
4. [SR 20-1848](#) Resolution approving a renewal contract between the County of Nevada and RecordXpress of California, LLC, dba Access Information Management for the continuation of cataloguing and storage of inactive, closed, and archival records for the County's Health and Human Services Agency, in the maximum amount of \$50,000, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract.

Planning Director: Brian Foss

5. [SR 20-2765](#) Acceptance of the 2019 County of Nevada General Plan Annual Progress Report, substantially in the form attached, pursuant to California Government Code Section 65400, and directing staff to submit the report to the Office of Planning and Research and the California Department of Housing and Community Development.

Director of Public Works: Trisha Tillotson

6. [SR 20-2674](#) Resolution approving projects proposed for inclusion in the Nevada County Transportation Commission's Fiscal Year 2020/21 Overall Work Program.

Director of Human Resources : Steven Rose

7. [SR 20-2882](#) Resolution accepting and approving a Side Letter Of Agreement between the County of Nevada and the Stationary Engineers Local 39 Professional Unit, authorizing a differential pay of 2.5% of base pay for employees who have achieved and regularly utilize a certificate in the administration of Freon and pesticide as a regular part of their assigned duties.

Chief Probation Officer: Michael Ertola

8. [SR 20-2720](#) Resolution approving Amendment 2 to the contract between the County of Nevada and George Mason University for the provision of a Risk-Need-Responsivity (RNR) Program (Res. 18-175), extending the contract end date to June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
9. [SR 20-2730](#) Resolution approving a renewal Memorandum of Understanding (MOU) between the County of Nevada and the County of Butte for the provision of Male Community Reentry Program Coordination Services for Fiscal Years 2020/21 through 2022/23, and authorizing the Chair of the Board of Supervisors to execute the MOU.

Chief Information Officer: Stephen Monaghan

10. [SR 20-2785](#) Resolution authorizing the capital asset purchase of two Dell Servers and one storage array, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Information Systems budget in the amount of \$46,655. (4/5 affirmative vote required)

Interim County Librarian: Elise Strickler

11. [SR 20-2601](#) Resolution accepting \$15,000 in National Endowment for the Arts funding from Arts Midwest to support the Big Read Program to promote reading and community engagement in Nevada County, for use during the period September 1, 2020, to June 30, 2021, and authorizing the County Librarian to sign all additional grant documents.

County Executive Officer: Alison Lehman

12. [SR 20-2718](#) Resolution amending various Nevada County budgets through the Third Consolidated Budget Amendment for Fiscal Year 2019/20. (4/5 affirmative vote required)
13. [SR 20-2638](#) Resolution approving the amended California State Association of Counties Excess Insurance Authority Joint Powers Authority (JPA) Agreement, including the change in the Authority's name to Public Risk Innovation, Solutions, and Management (PRISM), and authorizing the Chair of the Board of Supervisors to execute the Agreement.

14. [SR 20-2739](#) Resolution authorizing the Chair of the Board of Supervisors to execute Participation Agreement 20-MCIPNEVADA-29 between the County of Nevada and the California Department of Healthcare Services (DHCS), to allow the County to participate in the Medi-Cal Inmate Participation Program on an on-going basis (Evergreen basis), effective July 1, 2020 until terminated by either Nevada County or DHCS.

Individual Board Member Item: Supervisor Heidi Hall, District I

15. [SR 20-2906](#) Request to send a Letter of Support for Cashin's Field Affordable Housing Development located at 170 Gold Flat Road, Nevada City, to expand affordable housing in Nevada County.

Clerk of the Board: Julie Patterson Hunter

16. [SR 20-2881](#) Resolution endorsing and certifying the plaque commemorating Ellen Clark Sargent and Women's Suffrage, located at Calanan Park in Nevada City, CA 95959 (APN 005-396-013-000) as Nevada County Historical Landmark NEV 20-03. (Dist. I)
17. [SR 20-2833](#) Approve the reappointments of Ms. Ana Acton and Ms. Janeth Maroletti as Low-Income Sector representatives, and Mr. Langdon Waters as a Public Sector representative, to the Adult and Family Services Commission.
18. [SR 20-2895](#) Acceptance of Board of Supervisors Summary Minutes for May 11 and 12, 2020.

***DEPARTMENT HEAD MATTERS:**

Public Health Director: Jill Blake

19. [SR 20-2782](#) Acceptance of the Nevada County Public Health Department's 2019 Novel Coronavirus (COVID-19) informational presentation.

Health and Human Services Agency Director: Ryan Gruver

20. [SR 20-2894](#) Resolution amending and extending the County of Nevada's Resolution 20-101 exercising police power to impose substantive limitations on Residential and Commercial Evictions and Judicial Foreclosures to July 31, 2020.

Director of Human Resources : Steven Rose

- 21a. [SR 20-2639](#) Resolution adopting a Successor Memorandum of Understanding (MOU) between the County of Nevada and the Management Employee's Association, providing changes in Compensation and Terms and Conditions of Employment, for the period July 1, 2020 through June 30 2022, and authorizing the County Executive Officer to execute the MOU and Side Letter.

- 21b. [SR 20-2736](#) Resolution adopting a Successor Memorandum of Understanding (MOU) between the County of Nevada and the Probation Peace Officers' Association, providing changes in Compensation and Terms and Conditions of Employment, for the period July 1, 2020 Through June 30, 2023, and authorizing the County Executive Officer to execute the MOU.

Chief Information Officer: Stephen Monaghan

22. [SR 20-1328](#) Acceptance of the Reuse Study for the Loma Rica Corporation Yard (Lot 6), located at 12640 Loma Rica Drive, Grass Valley. (Facilities)

SCHEDULED ITEM: 11:30 A.M.

Planning Director: Brian Foss

23. [SR 20-2721](#) Public hearing to consider the Nevada County Planning Commission's April 23, 2020, (4-0 Vote) recommendation for the Swope Medical Group, Inc. (FBO Brent McDermott, MD) TPZ Rezone Project to: 1) find the adoption of Timberland Production Zones statutorily exempt from environmental review pursuant to CEQA Guidelines Section 15264; and 2) approve the corresponding amendment to Zoning District Map (ZDM) No. 87 to change APN 065-270-003 zoning from Forest with the Subdivision Limitation Combining District (FR-X), to Timberland Production Zone with the Subdivision Limitation Combining District (TPZ-X). (RZN20-0002) (District V)

(Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Map No. 87 to rezone 40.47 acres (APN 065-270-003) 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) (RZN20-0002) (Swope Medical Group, Inc.) (District V).

***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: 1:30 P.M.**DEPARTMENT HEAD MATTER:****Chief Information Officer: Stephen Monaghan**

24. [SR 20-2508](#) Acceptance of the Office of Emergency Services' Wildfire Preparedness informational presentation.

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

25. [SR 20-2792](#) Request to send a Letter of Support for AB 3012 (Wood and Daly): Residential Property Insurance.

***CLOSED SESSION:**

- [SR 20-2940](#) Pursuant to Government Code section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case:
Cavender v. Nevada County, et al., United States District Court, Eastern District, California, Case No. 2:19-cv-01050-JAM-AC.

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. Online at <https://nevco.legistar.com/Calendar.aspx>.*
- 3. Truckee Joseph Center.*
- 4. District V Board of Supervisors Conference Room.*

Posted May 21, 2020.

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.

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

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.

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)