

# 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*

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*Julie Patterson Hunter, Clerk of the Board*  
*Alison Lehman, County Executive Officer*  
*Katharine L. Elliott, County Counsel*



## BOARD OF SUPERVISORS

950 Maidu Avenue  
Nevada City, CA 95959-8617  
(530) 265-1480  
Fax: (530) 265-9836  
bdofsupervisors@co.nevada.ca.us

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
<b>Tuesday, November 17, 2020</b>	<b>9:00 AM</b>	<b>Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California</b>

**The Board of Supervisors welcomes you to their regular meeting.**

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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 remotely due to the dramatic increase of new cases and in anticipation of Nevada County returning to the Red "Substantial" Tier. This meeting will be 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>. Closed Captioning is available for hearing impaired viewers.

Members of the public who are unable to view the meeting on television or through the web may call 1 (415) 655-0001 to listen to the meeting live. You will be prompted to provide Meeting ID# 126 678 7970 & Password# 79877879.

Public comment for items not on the agenda will be taken following adoption of the Consent Calendar, or as soon thereafter as possible. Please refer to Pages #7 and #8 for information on how to participate in the meeting, as well as options being made available for members of the public to provide comment in both Western and Eastern County.

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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 <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.

**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 prior to, or 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 20-3565](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Restpadd Health Corp. for the provision of 24-hour locked acute psychiatric services for residents of Nevada County who meet criteria for 5150 placement (PESN3883; Res. 19-559), increasing the maximum contract price from \$404,180 to \$589,180 due to an increase in services, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors execute the Amendment.

**Director of Public Works: Trisha Tillotson**

2. [SR 20-3575](#) Resolution approving a contract between the County of Nevada and Mark Thomas & Company, Inc., for engineering and design services for the Guardrail Safety Audit Project - County Project No. 225035, in the amount of \$216,689.01, for the period November 17, 2020 through November 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract. (Dists. I, II, III and IV)
3. [SR 20-3574](#) Resolution approving bidding documents for the Egress/Ingress Fire Safety Project-County Contract 715001, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with the applicable regulations with the bid opening date to be set by the Director of Public Works. (Dists. I, II, III, IV, V)

Chief Probation Officer: Michael Ertola

4. [SR 20-3563](#) Resolution approving an agreement between the County of Nevada and the County of El Dorado to house youth from Nevada County at the El Dorado County Juvenile Treatment Center upon closure of the Nevada County Youth Center, at a rate of \$125 per bed day for non-reserved bed and \$150 per day for JTC Challenge commitments, for the period beginning November 1, 2020 with a term of three years, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Director of Human Resources : Steven Rose

5. [SR 20-3568](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and ReliaStar Life Insurance Company pertaining to Basic and Supplemental Life insurance for employees and their dependents (Res. 20-337), increasing the maximum Basic Life and AD&D insurance policy coverage for Class 1 employees to \$500,000, increasing the Basic Life only premium rate for all employees covered under the Basic Life plan effective November 1, 2020 from \$.07 to \$.095 per \$1,000 of coverage, for an annual premium increase of \$6,723, authorizing the Chair of the Board of Supervisors to execute the Amendment, and authorizing the Human Resources Director to execute annual renewal documents.

Chief Information Officer: Stephen Monaghan

6. [SR 20-3566](#) Resolution approving the bid construction documents and specifications for the Nevada County Dispatch Remodel Project located at the Carl F. Bryan II Juvenile Hall, 15434 Highway 49, Nevada City, CA, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)

Clerk of the Board: Julie Patterson Hunter

7. [SR 20-3594](#) Resolution proclaiming December 12, 2020 as "Nevada County Food and Toy Run" Day.
8. [SR 20-3560](#) Selection of representative-elect, Amador County Supervisor Richard Forster, as Group 1 Supervisor Representative to the County Medical Services Program Governing Board, for a term beginning January 1, 2021 and ending December 31, 2023, and direction to the Clerk of the Board of Supervisors to complete the ballot.
9. [SR 20-3569](#) Resolution appointing members to the Special District Boards with Insufficient Candidates: Mr. Richard Thickens, Higgins Area Fire Protection District; Mr. Michael Covert and Ms. Michele Roush Rowe, San Juan Ridge County Water District; and Ms. Amy Boyle and Ms. Alyssa Wittler, Washington County Water District.

10. [SR 20-3572](#) Approval of the Conflict of Interest Code for the Twin Ridges Home Study Charter School.
11. [SR 20-3570](#) Acceptance of resignation from Ms. Jennifer Morrill as a Private Sector Representative member on the Adult and Family Services Commission.

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

Call the meeting to order:

#### **Consent:**

*These items are expected to be routine and noncontroversial. The Board of Directors 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 prior to, or 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.*

Director of Public Works: Trisha Tillotson

- 12a. [SR 20-3576](#) Resolution amending various Nevada County Sanitation District No. 1 budgets for Fiscal Year 2020/21. (4/5 affirmative vote required) (Dist. IV)

Clerk of the Board: Julie Patterson Hunter

- 12b. [SR 20-3585](#) Acceptance of Nevada County Sanitation District No. 1 Board of Directors Summary Minutes for October 27, 2020.

#### **Public comment:**

Members of the public shall be allowed to address the Board on items not appearing on the NCSD#1 agenda that are of interest to the public and are within the subject matter jurisdiction of the Board by using one of the various options listed on pages #7 and #8.

#### **Adjournment:**

#### **PUBLIC COMMENT:**

- [SR 20-3583](#) Members of the public shall be allowed to address the Board on items not appearing on the Board of Supervisors agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the various options listed on pages #7 and #8.

**\*DEPARTMENT HEAD MATTERS:****Director of Public Works: Trisha Tillotson**

- 13a. [SR 20-3573](#) Resolution authorizing Environmental Clearance for an amendment to Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers and Duties, removing the Planning Commission's authority to review the Capital Improvement Plan (CIP) and delegate it to the Planning Director as allowed under Government Code section 65403, and authorizing the Nevada County Department of Public Works to file Notice of Exemption with the Nevada County Clerk-Recorder's office. (All Dists.)
- 13b. [SR 20-3595](#) (Introduce/Waive further reading) An Ordinance amending Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers, and Duties.

**County Counsel: Katharine L. Elliott**

14. [SR 20-3586](#) (Introduce/Waive further reading) An Ordinance repealing Articles 22 and 23 of Chapter II of Title 1 of the Administrative Code of the County of Nevada regarding the County's Conflict of Interest Code and the Conflict of Interest Code for the Nevada County Board of Supervisors.

**Chief Information Officer: Stephen Monaghan**

15. [SR 20-3457](#) Acceptance of the wildfire preparedness informational presentation to the Board of Supervisors by Office of Emergency Services and Stakeholders.
16. [SR 20-3579](#) (Introduce/Waive further reading) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use And Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a pilot program until the end of declared fire season in 2021. (4/5 affirmative vote required) (Emergency Services)

**\*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 Joseph Center.*
- 3. Outside the District V Board of Supervisors office.*
- 4. Online at <https://nevco.legistar.com/Calendar.aspx> and <http://www.mynevadacounty.com/boardmeetings>.*

*Posted: November 12, 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.

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.

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

**WAYS TO PARTICIPATE DURING THE NOVEMBER 17, 2020 BOARD MEETING:**

In response to the dramatic increase of new COVID-19 cases and in anticipation of Nevada County returning to the Red "Substantial" Tier, the following options for viewing the meeting will be provided:

- 1) View the meeting from the Eric Rood Administrative Center at the Outside Public Comment Kiosk
- 2) Listen by calling 1 (415) 655-0001 (Meeting ID# 126 678 7970 and the Password# 79877879)
- 3) View at [www.mynevadacounty.com/boardmeeting](http://www.mynevadacounty.com/boardmeeting)
- 4) View on Nevada County Media Channel 17 in the Western County
- 5) View on Suddenlink Channel 78 in the Eastern County

**PROVIDE PUBLIC COMMENT BEFORE THE NOVEMBER 17, 2020 MEETING BY:**

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

**PROVIDE PUBLIC COMMENT DURING THE NOVEMBER 17, 2020 MEETING BY:**

In response to the dramatic increase of new COVID-19 cases and in anticipation of Nevada County returning to the Red "Substantial" Tier, the following options for providing public comment will be provided:

1) Outside Virtual Kiosk:

Eric Rood Administrative Center: Members of the public can provide comment in-person at a virtual public comment kiosk outside at the Eric Rood Administrative Center on the left-side of the front entrance.

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 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.

**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)