

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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SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, February 25, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Susan Hoek, 4th District

Richard Anderson, 5th District

STANDING ORDERS:

Chair Hall called the meeting to order at 9:00 A.M.

Pledge of Allegiance led by Mr. Steve Monaghan, Chief Information Officer.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted there is an error in Agenda Item 8b; the contract term ends in June 30, 2022, not 2020.

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: The following members provided comment: Mr. Richard Benuzzi, Nevada County resident; Ms. Shirley Osgood, District III resident; Mr. Matthew Coulter, District I resident; Mr. Niel Locke, District I resident; Ms. Billie Edwards, District V resident; Ms. Angela Rule, District III resident; Ms. Brenda English, District III resident; and Mr. Michael Taylor, District I resident.

PRESENTATIONS:**Clerk of the Board: Julie Patterson Hunter**

1. [SR 20-0632](#) Presentation and request for adoption of a Resolution proclaiming the month of March 2020 as "Youth Art Month" in Nevada County. (Scott W. Lay, Nevada County Superintendent of Schools)

Adopted.

Enactment No: RES 20-045

ACTION TAKEN: Mr. Scott Lay, Nevada County Superintendent of Schools, provided a PowerPoint presentation regarding Youth Art Month, celebrating the art of the County's youth. He reported on the importance of the arts in schools, noting that there is a greater emphasis on arts in education. California Arts Standards were rolled out throughout the State in 2019 and the framework is currently being revised to reflect arts aligned with the new standards for 2020. Superintendent Lay thanked the Board for the opportunity to showcase student art in the County building.

Chair Hall read the proposed Resolution proclaiming Youth Art Month into the record, and Board discussion ensued.

Chair Hall provided an opportunity for public comment and members of the public provided comment.

The Board members thanked Superintendent Lay for the presentation and presented him with the Proclamation.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 20-045. On a roll call vote the motion passed unanimously.

2. [SR 20-1119](#) Presentation highlighting Nevada Joint Union High School District's Vision, Mission, Core Values, and Strategic Plan. (Brett W. McFadden, NJUHSD Superintendent)

ACTION TAKEN: Superintendent Brett McFadden, Nevada Joint Union High School District (NJUHSD), provided a PowerPoint presentation regarding the District's Vision, Mission, Core Values, and Strategic Plan through 2025. He reported on the importance of arts in education and reviewed how they include arts at the schools throughout NJUHSD. Superintendent McFadden explained that the District is combined of six high schools and one adult education school, and serves 2,670 students. He reviewed the District's focus on instructional practice, and described the projects they have implemented as a result of the District's Measure B Bond Program. Superintendent McFadden completed his presentation with an overview of the challenges they will be facing in the future.

Board questioning and discussion ensued.

Chair Hall provided an opportunity for public comment and members of the public commented.

CONSENT CALENDAR:

Director of Social Services: Tex Ritter

3. [SR 20-0887](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada-Sierra Connecting Point Public Authority (In-Home Supportive Services) for the provision of services related to maintaining the Community Resource Directory of 211 Nevada County database (www.211NevadaCounty.com) and services related to the operation of the Nevada County 211 Call Center (Res. 19-268), increasing the maximum contract price from \$190,263 to \$195,563 to obtain software to support the database for 211, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Pulled from consent)

Adopted.

Enactment No: RES 20-056

4. [SR 20-1003](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada County Superintendent of Schools pertaining to the provision of family support and self-sufficiency services in Western Nevada County (Res. 19-439), increasing the maximum contract price from \$473,839 to \$ 576,239, for the period July 1, 2019 through June 30, 2020, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Social Services' Fiscal Year 2019/20 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 20-046

5. [SR 20-0890](#) Resolution approving the renewal Memorandum of Understanding (MOU) between the Nevada County Probation Department and the Department of Social Services (DSS) related to developing a coordinated services approach between DSS - CalWORKs and the County Probation Department for dual clients for Fiscal Year 2019/20, in the maximum amount of \$55,000, and authorizing the Director of the Department of Social Services and the Chief Probation Officer to sign the MOU.

Adopted.

Enactment No: RES 20-047

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

6. [SR 20-0811](#) Resolution authorizing commitment of Health and Human Services Agency funds in the amount of \$150,000 to the Regional Housing Authority (RHA) in furtherance of the proposed funding and development of the Brunswick Commons Affordable Housing Project on County-owned property located at 936 Old Tunnel Rd., Grass Valley, CA (APN 035-400-054), and authorizing the Chair of the Board of Supervisors to sign all documents necessary to complete the grant of funds to RHA. (Housing)

Adopted.

Enactment No: RES 20-048

Sheriff-Coroner/Public Administrator: Shannan Moon

7. [SR 20-1002](#) Resolution approving Intergovernmental Agreement 97-08-0009 between the County of Nevada and the United States Marshals Service to house federal detainees at the Wayne Brown Correctional Facility, maintaining the Jail Capital Projects Reserve within the General Fund, increasing the reimbursement rate to \$136 per detainee per day and \$57 per hour for transportation of federal detainees, and authorizing the Chair of the Board of Supervisors to execute the Agreement effective beginning on the date of the last signature. (Pulled from consent)
Adopted.
Enactment No: RES 20-057

Assessor: Sue Horne

- 8a. [SR 20-0630](#) Resolution accepting the revenue allocations of the awarded State Supplementation for County Assessors Program (SSCAP), in the amount of \$156,948 for Fiscal Year 2019/20 and \$193,787 for Fiscal Year 2020/21, and directing the Auditor-Controller to amend the Assessor's Fiscal Year 2019/20 budget. (4/5 affirmative vote required) (Pulled from consent)
Adopted.
Enactment No: RES 20-058
- 8b. [SR 20-1120](#) Resolution approving a contract between the County of Nevada and Hines Enterprise Document Management (EDM), Inc. for document scanning services, in the amount of \$127,000, for the period February 25, 2020 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract. (Pulled from consent)
Adopted.
Enactment No: RES 20-059

Community Development Agency Director: Sean Powers

9. [SR 20-1072](#) Resolution authorizing State of California Cannabis Equity Act grant funding to be executed by the Director of the Nevada County Community Development Agency.
Adopted.
Enactment No: RES 20-049

Director of Public Works: Trisha Tillotson

10. [SR 20-0997](#) Approval to submit a Letter of Concern to the California Public Utility Commission regarding unpaid Rule 20A Invoices to the Pacific Gas and Electric Company. (Dist. II) (Pulled from consent)
Approved.

Chief Information Officer: Stephen Monaghan

11. [SR 20-0812](#) Resolution appointing Mr. Reinard W. Brandley Consulting Services as the Nevada County Airport Engineer and Consultant, for a five-year term for the period February 25, 2020 through February 25, 2025. (Airport)
Adopted.
Enactment No: RES 20-050
12. [SR 20-1000](#) Resolution awarding and approving a Standard Public Works Contract between the County of Nevada and Bill Litchfield Construction, Inc., for Phase III of the Nevada County Airport Hangar Restoration Project located at 13308 Nevada City Avenue, Grass Valley (Res. 19-639), in the amount of \$252,494 plus a contingency of \$25,250 for a maximum contract amount of \$277,744, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Airport's Fiscal Year 2019/20 budget. (4/5 affirmative vote required) (Facilities)
Adopted.
Enactment No: RES 20-051

Interim County Librarian: Elise Strickler

13. [SR 20-0942](#) Resolution increasing the Link + grant award from Northnet Library System for Fiscal Year 2019/20 by \$2,349 for a total grant award of \$14,450 (Res. 19-605), and directing the Auditor-Controller to amend the Library's Fiscal Year 2019/20 budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-052

County Executive Officer: Alison Lehman

14. [SR 20-0996](#) Resolution amending various Nevada County Budgets through the Second Consolidated Budget Amendment for the 2019/20 Fiscal Year. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 20-053

15. [SR 20-1062](#) Resolution approving a contract between the County of Nevada and National Research Center pertaining to conducting two National Citizen Surveys and two National Employee Surveys, in the total amount of \$64,710, for the period March 1, 2020 through June 1, 2025, and authorizing the Chair of the Board of Supervisors to execute the contract.
Adopted.
Enactment No: RES 20-054

Clerk of the Board: Julie Patterson Hunter

16. [SR 20-1063](#) Resolution proclaiming June 6, 2020 as the annual "North San Juan Cherry Festival" Day.
Adopted.
Enactment No: RES 20-055
17. [SR 20-1029](#) Approve the appointment of Mr. Chris Navo as the Contractor member on the Sewage Disposal Technical Advisory Group.
Appointed.
18. [SR 20-0892](#) Acceptance of Board of Supervisors Summary Minutes for February 11, 2020.
Accepted.

ACTION TAKEN: Chair Hall introduced the consent calendar. Agenda Items #3, 7, 8a & b, and 10 pulled from consent.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to approve the consent calendar less Agenda Items #3, 7, 8a & b, and 10. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

Director of Social Services: Tex Ritter

3. [SR 20-0887](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Nevada-Sierra Connecting Point Public Authority (In-Home Supportive Services) for the provision of services related to maintaining the Community Resource Directory of 211 Nevada County database (www.211NevadaCounty.com) and services related to the operation of the Nevada County 211 Call Center (Res. 19-268), increasing the maximum contract price from \$190,263 to \$195,563 to obtain software to support the database for 211, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Pulled from consent)
Enactment No: RES 20-056

ACTION TAKEN: None.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to adopt Resolution 20-056. On a roll call vote the motion passed unanimously.

Sheriff-Coroner/Public Administrator: Shannan Moon

7. [SR 20-1002](#) Resolution approving Intergovernmental Agreement 97-08-0009 between the County of Nevada and the United States Marshals Service to house federal detainees at the Wayne Brown Correctional Facility, maintaining the Jail Capital Projects Reserve within the General Fund, increasing the reimbursement rate to \$136 per detainee per day and \$57 per hour for transportation of federal detainees, and authorizing the Chair of the Board of Supervisors to execute the Agreement effective beginning on the date of the last signature. (Pulled from consent)
Enactment No: RES 20-057

ACTION TAKEN: Staff responded to questions from the public.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to adopt Resolution 20-057. On a roll call vote the motion passed unanimously.

Assessor: Sue Horne

- 8a.** [SR 20-0630](#) Resolution accepting the revenue allocations of the awarded State Supplementation for County Assessors Program (SSCAP), in the amount of \$156,948 for Fiscal Year 2019/20 and \$193,787 for Fiscal Year 2020/21, and directing the Auditor-Controller to amend the Assessor's Fiscal Year 2019/20 budget. (4/5 affirmative vote required) (Pulled from consent)
Enactment No: RES 20-058

ACTION TAKEN: None.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Scofield, to adopt Resolution 20-058. On a roll call vote the motion passed unanimously.

- 8b.** [SR 20-1120](#) Resolution approving a contract between the County of Nevada and Hines Enterprise Document Management (EDM), Inc. for document scanning services, in the amount of \$127,000, for the period February 25, 2020 through June 30, 2022, and authorizing the Chair of the Board of Supervisors to execute the contract. (Pulled from consent)
Enactment No: RES 20-059

ACTION TAKEN: None.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson, to adopt Resolution 20-059. On a roll call vote the motion passed unanimously.

Director of Public Works: Trisha Tillotson

- 10.** [SR 20-0997](#) Approval to submit a Letter of Concern to the California Public Utility Commission regarding unpaid Rule 20A Invoices to the Pacific Gas and Electric Company. (Dist. II) (Pulled from consent)

ACTION TAKEN: None.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to approve the letter of support. On a roll call vote the motion passed unanimously.

DEPARTMENT HEAD MATTERS:*Clerk of the Board: Julie Patterson Hunter**

19. [SR 20-0909](#) Resolution endorsing and certifying John Woolman School, located at 13075 Woolman Lane, Nevada City, CA 95959 (APN 004-081-059) as Nevada County Historical Landmark NEV 20-01. (Dist. IV)

Adopted.

Enactment No: RES 20-060

ACTION TAKEN: Mr. Joseph Byrne, Historical Landmarks Commissioner, and Ms. Amy Cooke, Director, Sierra Friends Center, located at the John Woolman School campus, provided a PowerPoint presentation regarding the history of John Woolman School, and requested the Board designate the School as Nevada County Historical Landmark NEV 20-01.

Board discussion ensued and the Board thanked Mr. Byrne and Ms. Cooke for the presentation.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to adopt Resolution 20-060. On a roll call vote the motion passed unanimously.

Clerk of the Board: Julie Patterson Hunter

20. [SR 20-0912](#) Resolution endorsing and certifying the Kentucky Flat School, located at 13281 Newtown Road, Nevada City, CA 95959 (APN 052-090-007) as Nevada County Historical Landmark NEV 20-02. (Dist. IV)

Adopted.

Enactment No: RES 20-061

ACTION TAKEN: Mr. Joseph Byrne, Historical Landmarks Commissioner and Mr. Jack Stillens, previous owner of the Kentucky Flat School, reported on the School's historical importance in the area. They requested the Board designate the School as Nevada County Historical Landmark NEV 20-02.

Board discussion ensued and the Board thanked Mr. Byrne and Mr. Stillens for the presentation.

Chair Hall provided an opportunity for public comment, and members of the Historical Landmarks Commission, Grass Valley School District, and the community spoke in favor of preserving the history of Nevada County and the historical designations of both the John Woolman and Kentucky Flat Schools.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Scofield, to adopt Resolution 20-061. On a roll call vote the motion passed unanimously.

After a brief recess, Chair Hall called the meeting back to order.

SCHEDULED ITEMS: 10:30 A.M.

Agricultural Commissioner: Chris de Nijs

21. [SR 20-0939](#) Public hearing, pursuant to Government Code Section 65858, to review and approve the written report outlining the measures taken to alleviate the conditions which led to the adoption of County Ordinance No. 2465 and to consider the adoption of an extension of the April 23, 2019 Urgency Ordinance (County Ordinance No. 2465), extending the temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County of Nevada for a period of one year from date of the expiration of the 10-months and 15-days moratorium.

(Introduce/Waive further reading/Adopt) An Interim Urgency Ordinance extending the temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County of Nevada for an additional one year. (4/5 affirmative vote required)

Waived further reading and adopted.

Enactment No: ORD-2476

ACTION TAKEN: Chair Hall read the title of the proposed Interim Urgency Ordinance into the record.

Mr. Chris de Nijs, Agricultural Commissioner, provided a PowerPoint presentation regarding the Urgency Ordinance, proposing to extend the temporary moratorium on the cultivation of Industrial Hemp. He reviewed the difference between Hemp and Cannabis plants, which are impossible to tell apart without a lab test. He reported on the history of Hemp, first introduced in the United States in 1608, and the current agricultural uses which include: paper, textiles, biodegradable plastics and clothing. The current Ordinance is scheduled to sunset on March 9, 2020. Mr. de Nijs reported that the things to consider include: cross pollination; local regulations; economic viability; uniformity of State (California Department of Food and Agriculture) and Federal law; actions being taken in other jurisdictions; and County staffing levels available for enforcement of the State Program. He summarized that due to the complexity of the issue he requested the Board extend the Ordinance to allow staff more time to review and ensure the County considers all options and impacts associated with cultivation of Industrial Hemp.

Mr. de Nijs explained that if approved, the Interim Urgency Ordinance will expire on February 25, 2021 and is the last extension allowed under Government Code 65858. Staff recommends the Board adopt the Interim Urgency Ordinance and provide further direction to staff on next steps.

Chair Hall opened the public hearing for public comment and members of the public expressed their concerns regarding cultivation of Industrial Hemp in Nevada County.

Board discussion ensued.

County Executive Officer, Alison Lehman, explained that following the Board's approval of the Interim Urgency Ordinance, a Board Order would be created, directing staff to prepare an Ordinance to implement a ban on Industrial Hemp Cultivation and return to the Board for adoption.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hoek, to approve the report. On a roll call vote the motion passed unanimously.

MOTION: Motion made by Supervisor Hoek, seconded by Supervisor Miller, to Introduce, Waive further reading and Adopt Interim Urgency Ordinance 2476. On a roll call vote the motion passed unanimously.

Chief Information Officer: Stephen Monaghan

22. [SR 20-1054](#) Presentation by Sierra Business Council (SBC) regarding the Nevada County Last-Mile Broadband Grant Pilot-Program Award Recommendations for Fiscal Year 2019/20, and direction to staff to develop grant award contracts with Exwire, Inc. in the amount of \$52,900, and Nevada County Fiber in the amount of \$124,209, to bring back to the Board of Supervisors for approval and execution.
Accepted.

ACTION TAKEN: Mr. Steve Monaghan, Chief Information Officer, Mr. Jeffrey Thorsby, Senior Management Analyst, and Ms. Jessica Carr, Associate Director, Sierra Small Business Development Center at Sierra Business Council (SBC), provided a PowerPoint presentation regarding the Last Mile Broadband Grant Pilot project and next steps to move forward. Mr. Thorsby provided clarification of the Last-Mile infrastructure.

Ms. Carr outlined the County's strategy and framework for building broadband infrastructure, and the Federal and State funding that is available for implementation of broadband. She reported that three companies responded to the grant program, and two of the companies were awarded funding, including Exwire, Inc. in the amount of \$52,900, and Nevada County Fiber, in the amount of \$124,209, for a total amount of \$177,109. Staff recommended that the remaining fund balance of \$47,891 be rolled to Fiscal Year 2020/21.

Board questioning and discussion ensued.

Chair Hall provided an opportunity for public comment, and comments were provided.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to accept the report and direct staff to develop grant award contracts with Exwire, Inc. in the amount of \$52,900, and Nevada County Fiber, in the amount of \$124,209, to bring back to the Board of Supervisors for approval and execution. On a roll call vote the motion passed unanimously.

***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.

ACTION TAKEN: Not held.

***CLOSED SESSIONS:**

[SR 20-0067](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are Mali Dyck, Assistant County Executive Officer, Steven Rose, Human Resources Director, and Donna Williamson, Labor Attorney. The labor negotiations concern the Management Employees' Association and the Probation Peace Officers' Association.

[SR 20-1020](#) Pursuant to Government Code Section 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation cases: County of Nevada v. PG&E Corporation, et al., Nev. Co. Sup. Ct., Case No. CU19-083418, and In Re: PG&E Corporation and Pacific Gas and Electric Company, Debtors., U. S. Bankruptcy Ct., No. Dist. of Ca., San Francisco Div., Case No. 19-30088

ACTION TAKEN: Ms. Katharine Elliott, County Counsel, read the title of the closed sessions into the record and the Board entered into closed session.

Chair Hall provided an opportunity for public comment, and Counsel responded to questions.

Following closed session, County Counsel reported that regarding the first closed session, direction was provided to staff.

With regard to the closed session involving the County of Nevada v. Pacific Gas and Electric Corporation, Nevada County has worked with a team of wildfire experts and outside legal counsel to understand the damages suffered from the 2017 North Bay Fires. Each of the nine participating cities and counties used the same team of wildfire experts, which employed the same economic methodology. All damages were negotiated together with PG&E on a pro-rata basis and the parties further engaged in a fair allocation process to finalize an appropriate and equitable allocation amount for each city and county. All participating cities and counties have agreed to each of the allocation amounts and this Board has now authorized signing onto that Allocation Agreement. Based on that Allocation Agreement, the County of Nevada will be receiving \$4,150,000, which represents 1% of the total allocation of \$415 million allocated to the nine public entities. Nevada County will receive that money only if approved by the Bankruptcy Court at a confirmation hearing. So that is still a question but that amount will become public.

County Counsel noted that the Agreement does not in any way affect the individual victims whatsoever, and in fact she believed it assisted them in their negotiation process. This Agreement only allocates money amongst the North Bay cities and counties based on that previously negotiated amount.

ADJOURNMENT:

ACTION TAKEN: Chair Hall adjourned the meeting at 12:23 P.M.


Signature and Attestation



Heidi Hall, Chair

ATTEST:

By:



Lelia Lucchetti-Loomis, Deputy Clerk to the Board