



ORDINANCE No. 2501

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ORDINANCE AMENDING ARTICLE 2 OF CHAPTER II, OF THE NEVADA COUNTY ADMINISTRATIVE CODE - BOARD OF SUPERVISORS, SETTING THE BOARD OF SUPERVISORS COMPENSATION FOR SERVICES IN ALIGNMENT WITH THE COUNTY ELECTED OFFICIALS, AND DELETING THE EVENT ALLOWANCE AND THE ASSIGNMENT OF A COUNTY VEHICLE TO FIFTH DISTRICT SUPERVISOR

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Findings and Declarations

The Board of Supervisors hereby finds and declares that:

1. Prior to the passage of Proposition 12 in 1970, the State Legislature set the salary of a board of supervisors; and
2. After the passage of Proposition 12, Article XI, §1, subdivision (b) of the California Constitution was amended to require a board of supervisors to set their own compensation via ordinance; and
3. The Nevada County Board of Supervisors last passed an ordinance setting their compensation on June 26, 2018; and
4. Human Resources has conducted a recent survey of board salaries and determined that the Board of Supervisors' salaries were still more than 21% below the average of like counties (Butte, El Dorado, Mendocino, Placer, Sacramento, Sutter, Yolo, and Yuba Counties); and
5. The County desires to attract qualified candidates to seek election and to adequately compensate Supervisors once they are elected; and
6. There is a need to establish a common method of determining Supervisors' compensation by attaching their salaries to that of Nevada County elected officials; and
7. Additional changes need to be made to clear up conflicting benefits information; and
8. Additional non-substantive citation changes need to be made in furtherance of creating a more uniform County Code

Therefore, the Board of Supervisors wishes to amend Article 2 of Chapter II of the Nevada County Administrative Code that sets forth the compensation for the Board of Supervisors and adopt citation changes to create uniformity within the Article regarding Board of Supervisors.

SECTION II:

Article 2 of Chapter II of the Nevada County Administrative Code is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION III:

Severability. If any provision of this Article or the application thereof to any person or circumstance is held invalid, the remainder of this Article, including the application of such part or provision to other circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Article are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that anyone (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

SECTION IV:

This Ordinance shall be passed and adopted immediately after notice and a public hearing as required by statute, and shall take effect and be in force at the expiration of sixty (60) days from and after its passage, and shall become operative on the 12th day of March 2022, and, before the expiration of fifteen (15) days after its passage a summary shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.

PASSED AND ADOPTED by a majority vote of the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of January, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller and Susan K. Hoek.

Noes: None.

Absent: Hardy Bullock.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: _____



Susan K. Hoek, Chair

1/11/2022 cc:

GIS*
Union*
COB*
CoCo*
QC*
HR*

EXHIBIT A

Sec. A-II 2.1 Repealed

Sec. A-II 2.2 Compensation - Board of Supervisors

- A. Each member of the Board of Supervisors shall receive as compensation for services an annual base salary equal to the percentage, designated below, of the average annual base salary of County elected officials, payable biweekly consistent with the Nevada County Personnel Code.

Effective the first pay period after March 12, 2022 – 35%

Effective the first pay period of fiscal year 2022/2023 – 37%

Effective the first pay period of fiscal year 2023/2024 – 40%

Subsequent fiscal years – 40%

In addition, the Chair of the Board of Supervisors will receive an additional 5%, and the Vice-Chair will receive an additional 2.5%, of their own base salaries as compensation for the additional responsibilities required in these roles.

- B. The Board of Supervisors compensation for services shall be increased or decreased commensurate with the applicable terms and conditions in any future County elected officials' base salary adjustments.
- C. Members of the Board of Supervisors shall receive the same benefits provided by the County to other County of Nevada elected officials, with the exception of the Sheriff, to the extent authorized by law. Members of the Board of Supervisors shall have the option to opt out of CalPERS and instead participate in a 401(a) Plan where the County of Nevada would contribute an amount equal to the Board Member's contribution to CalPERS, up to 8% of a Board Member's salary, into the 401(a) Plan.

(Ord. 1707 (4/23/1991); Ord. 1859 (4/19/1994); Ord. 1907 (7/23/1996); Ord. 1983 (9/15/1998); Ord. 2043 (1/9/2001); Ord. 2104 (12/24/2002); Ord. 2194 (1/24/2006); Ord. 2280 (1/13/2009); Ord. 2386 (10/14/2014); Ord. 2452, (6/26/2018))

Sec. A-II 2.3 Expenditures for Training and Orientation of Supervisors-Elect

Upon request, the Board of Supervisors may authorize payment of course fees, travel and per diem expenses, course materials, and consultant services which the Board deems proper and beneficial to the exercise of supervisorial duties by newly elected Supervisors. (Ord. 1266, (1/7/1985))

Sec. A-II 2.4 Time and Place of Meetings of Board of Supervisors

The Board of Supervisors shall meet in regular session on each of the second and fourth Tuesdays of every month, except as herein provided, at the Rood Administrative Center, 950 Maidu Avenue, Nevada City, 95959 California. The Board may also meet at such other times and places as the Board may decide is required to conduct its business. Notice shall be given of the time and place of any meeting. All notices shall comply with the provisions of the Brown Act (Cal.Gov't Code §§54950-54963.) and all other laws applicable thereto.

Provided, further that the Board of Supervisors shall meet on those dates as designated in the Board's annual meeting calendar which will be adopted by the Board at the beginning of each calendar year, and as adjusted by a majority of the Board of Supervisors or the County Executive Officer during the year.

For State law as to meetings of Board of Supervisors, see Cal. Gov't Code §§25080-25081.

(Ord. 2475 (1/28/2020; Ord. 1615 (1/2/1990); Ord. 1888 7/18/1995); Ord. 1994 2/23/1999); Ord. 2169 (2/8/2005))

Sec. A-II 2.5 Rules Regarding Abstentions

Any member of the Board of Supervisors, or any other elected or appointed official serving on any board, committee or commission of the County of Nevada shall be entitled to abstain from voting on any matter coming before such person and the abstention shall not count as a vote for any purpose, either for or against the motion or matter for which the voting is taken.

(Ord. 1558 (2/14/1989))

Sec. A-II 2.6 Repealed

Sec. A-II 2.7 Repealed