

# City of Nevada City

## **Memorandum**

**DATE:** City Council Meeting of August 10, 2011  
**TO:** Honorable City Council  
**FROM:** Dave Brennan, City Manager  
**SUBJECT:** Adoption of Resolution Indicating Support for Hospitality House Services  
and Authorizing Submittal of Certificate of Local Need

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**Recommendation:** Adopt the attached resolution

**Discussion:** Hospitality House has provided essential services to the homeless population in Nevada County and is applying for a Federal Emergency Shelter Grant (FESG) in the amount of \$132,000 to continue those services through 2012. Besides organizing safe and sanitary shelter for homeless residents, Hospitality House arranges transportation for those in need.

During the last nine month season, Hospitality House provided 27,000 meals produced by volunteers, 8400 person nights of shelter to 342 different individuals in need of services. In Nevada City, shelter services have been provided on Monday nights at St. Canice.

It is hoped that receipt of the Federal Emergency Shelter Grant (FESG) will allow Hospitality House to continue their good work.

**RESOLUTION NO. 2011-XX**

**RESOLUTION APPROVING A CERTIFICATE OF LOCAL NEED TO  
DEMONSTRATE SUPPORT FOR THE EMERGENCY HOUSING SERVICES  
OPERATED BY HOSPITALITY HOUSE IN NEVADA CITY  
FOR 2011 AND 2012**

**WHEREAS**, Hospitality House has operated emergency shelter services for homeless individuals and families in Nevada City; and,

**WHEREAS**, Hospitality House has provided essential housing one day per week for nine months of the year most recently at available room at Saint Canice in Nevada City; and

**WHEREAS**, The Nevada City Council has previously supported the program services of Hospitality House to help provide safe and secure shelter for homeless individuals and families.

**NOW, THEREFORE, BE IT RESOLVED**, the Nevada City Council approves a declaration of support for Hospitality House through 2012 and authorizes the Mayor to sign the Certificate of Local Need on behalf of the city.

**PASSED AND ADOPTED** by the City Council of the City of Nevada City at a regular meeting, held on the 10<sup>th</sup> of August, 2011 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Niel Locke, City Clerk**

**ATTACHMENT C**  
**CERTIFICATION OF LOCAL APPROVAL**

For Applicants with a Project in more than one eligible City and/or County, copy this form as necessary for each City and/or County. Each eligible City and/or County must complete this form as instructed.

**Instructions: If the Project is located in an FESG-eligible City, the Certification of Local Approval must be completed by the City. If the Project is located in the unincorporated area of an FESG-eligible County, the Certification must be from the County.**

Organizations may apply for multiple shelters and Projects located in more than one eligible. However in this case, the Certification of Local Approval is required for **each** City or County, as applicable.

I, \_\_\_\_\_, duly Authorized to act on behalf of \_\_\_\_\_  
*(Name and Title)*

\_\_\_\_\_ hereby approve of the \_\_\_\_\_  
*(Name of Jurisdiction)*

operation of the following Projects (see list below) proposed by Foothill House of Hospitality dba Hospitality House  
*(Name of Nonprofit Organization)*

which is/are to be located/operated in Nevada City:  
*(Name of State FESG eligible Jurisdiction)*

- Emergency Shelter
- Transitional Housing
- Hotel/Motel Vouchers
- Day Center
- Homeless Prevention Project (For example, initial rent, rent in arrears, or utility assistance)
- Supportive Services-Only Project (For example, medical services without shelter)
- Other \_\_\_\_\_

<b>CERTIFICATION</b>
<i>(Name)</i>
<i>(Title)</i>
<i>(Date)</i>
<i>(Signature)</i>

# NEVADA CITY FIRE DEPARTMENT

(530) 265-2351 • Fax (530) 265-8640  
317 BROAD STREET  
NEVADA CITY, CALIFORNIA 95959

August 10, 2011

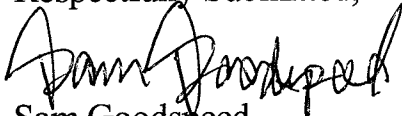
TO: Honorable City Council Members

FROM: Sam Goodspeed, Fire Chief

RE: July 2011 - Fire Activity Report

REQUEST: That the City Council accept the July 2011 - Fire Activity Report.

Respectfully Submitted,



Sam Goodspeed

Fire Chief

Nevada City Fire Department

## Station 54 Incident Responses

**Alarm Date Between {07/01/2011} And {07/31/2011}**

Alm Date	Alm Time	Location	Incident Type
07/02/2011	14:54:00	301 Sacramento ST /Nevada	321 EMS call, excluding vehicle
07/03/2011	15:00:00	625 Eskaton CIR /348/356/	321 EMS call, excluding vehicle
07/03/2011	18:32:00	10812 Fern LANE /Nevada C	561 Unauthorized burning
07/03/2011	22:31:00	105 Martin ST /Nevada Cit	321 EMS call, excluding vehicle
07/04/2011	04:34:00	105 Martin ST /Nevada Cit	321 EMS call, excluding vehicle
07/04/2011	05:08:00	317 Gracie RD /Nevada Cit	311 Medical assist, assist EMS c
07/05/2011	14:02:00	430 Searls AVE /Nevada Ci	321 EMS call, excluding vehicle
07/05/2011	20:59:00	121 Dorsey DR /Grass Vall	710 Malicious, mischievous false
07/07/2011	05:50:00	509 Nimrod ST /D/Nevada C	321 EMS call, excluding vehicle
07/07/2011	16:04:00	11060 Banner Mine WAY /Ne	321 EMS call, excluding vehicle
07/08/2011	14:25:00	Maltman DR & Brunswick RD	322 Motor vehicle accident with
07/08/2011	14:56:00	13225 Evergreen DR /Nevad	321 EMS call, excluding vehicle
07/09/2011	01:15:00	Sylvan RD & Lindley AVE /	321 EMS call, excluding vehicle
07/09/2011	02:46:00	301 Sacramento ST /Nevada	611 Dispatched & cancelled en ro
07/09/2011	05:49:00	326 Gracie RD /Nevada Cit	321 EMS call, excluding vehicle
07/09/2011	08:26:00	150 Sutton WAY /214/Grass	311 Medical assist, assist EMS c
07/09/2011	21:59:00	105 Martin ST /Nevada Cit	321 EMS call, excluding vehicle
07/09/2011	23:04:00	State Highway 20 ~1 mile	322 Motor vehicle accident with
07/10/2011	01:22:00	207 Clay ST /Nevada City,	321 EMS call, excluding vehicle
07/10/2011	09:17:00	211 Reward ST /Nevada Cit	321 EMS call, excluding vehicle
07/10/2011	12:55:00	841 Old Tunnel RD /In a S	321 EMS call, excluding vehicle
07/11/2011	13:43:00	State Highway 20, 1 1/2 m	611 Dispatched & cancelled en ro
07/12/2011	05:01:00	12770 Nevada City HWY /Ne	321 EMS call, excluding vehicle
07/12/2011	08:14:00	State Highway 49 HWY & Sh	322 Motor vehicle accident with
07/12/2011	08:19:00	201 Church ST /Nevada Cit	321 EMS call, excluding vehicle
07/12/2011	12:44:00	979 Gold Flat RD /Nevada	321 EMS call, excluding vehicle
07/12/2011	13:13:00	565 Brunswick RD /4/Grass	321 EMS call, excluding vehicle
07/13/2011	16:14:00	389 Joerschke DR /Grass V	311 Medical assist, assist EMS c
07/13/2011	18:07:00	669 S Auburn ST /2/Grass	111 Building fire
07/13/2011	20:02:00	400 Railroad AVE /6/Nevad	311 Medical assist, assist EMS c
07/14/2011	09:39:00	275 Dorsey DR /Grass Vall	554 Assist invalid
07/14/2011	10:23:00	Highway 20/49 N/B offramp	131 Passenger vehicle fire
07/14/2011	20:02:00	Shorthill RD & Kentucky F	160 Special outside fire, Other
07/15/2011	10:27:00	400 Railroad AVE /Nevada	311 Medical assist, assist EMS c
07/15/2011	21:22:00	Nevada City HWY & Hubbard	463 Vehicle accident, general cl
07/19/2011	11:37:00	117 New Mohawk RD /F/Neva	743 Smoke detector activation, n
07/19/2011	17:55:00	145 Bost AVE /Nevada City	321 EMS call, excluding vehicle
07/19/2011	20:20:00	13794 Racoon Mountain RD	322 Motor vehicle accident with
07/20/2011	08:59:00	217 King Hiram DR /Nevada	321 EMS call, excluding vehicle
07/20/2011	10:35:00	709 Sutton WAY /Grass Val	743 Smoke detector activation, n
07/20/2011	14:41:00	Goldhill & Hanging Wall /	611 Dispatched & cancelled en ro
07/20/2011	16:05:00	10985 Bubbling Wells RD /	321 EMS call, excluding vehicle
07/20/2011	20:03:00	Broad ST & York ST /Nevad	321 EMS call, excluding vehicle
07/20/2011	21:31:00	13310 John Bauer AVE /Gra	745 Alarm system activation, no
07/20/2011	23:00:00	Justine LANE & Newtown RD	322 Motor vehicle accident with
07/21/2011	06:34:00	109 Nevada City HWY /Neva	321 EMS call, excluding vehicle
07/21/2011	11:18:00	450 N Pine ST /Nevada Cit	412 Gas leak (natural gas or LPG
07/21/2011	13:59:00	748 Zion ST /Nevada City,	321 EMS call, excluding vehicle
07/21/2011	14:56:00	1000 Plaza DR /Grass Vall	131 Passenger vehicle fire

## Station 54 Incident Responses

**Alarm Date Between {07/01/2011} And {07/31/2011}**

Alm Date	Alm Time	Location	Incident Type
07/21/2011	15:01:00	775 Old Tunnel RD /Grass	700 False alarm or false call, O
07/21/2011	16:13:00	105 Argall WAY /Nevada Ci	131 Passenger vehicle fire
07/21/2011	19:06:00	841 Old Tunnel RD /Grass	311 Medical assist, assist EMS c
07/22/2011	17:29:00	S State Highway 49 & Brun	131 Passenger vehicle fire
07/22/2011	18:56:00	12109 Ore De Gold CT /Nev	321 EMS call, excluding vehicle
07/22/2011	22:10:00	Gracie RD & Gold Flat RD	322 Motor vehicle accident with
07/23/2011	16:16:00	State Highway 20 HWY & Ma	611 Dispatched & cancelled en ro
07/23/2011	23:19:00	State Highway 20 HWY & Sc	611 Dispatched & cancelled en ro
07/24/2011	23:21:00	10838 Ridge RD /Nevada Ci	622 No Incident found on arrival
07/25/2011	02:35:00	12109 Ore De Gold CT /Nev	311 Medical assist, assist EMS c
07/25/2011	11:35:00	727 Zion ST /Nevada City,	311 Medical assist, assist EMS c
07/25/2011	12:52:00	12086 Charles DR /Grass V	311 Medical assist, assist EMS c
07/25/2011	14:30:00	19 Rockwood DR /Grass Val	554 Assist invalid
07/25/2011	18:50:00	13200 Golden Eagle WAY /G	111 Building fire
07/25/2011	20:07:00	19 Rockwood DR /Grass Val	554 Assist invalid
07/25/2011	20:45:00	State Hwy 49 HWY & Cement	324 Motor Vehicle Accident with
07/26/2011	10:37:00	17318 Dusty DR /Nevada Ci	551 Assist police or other gover
07/27/2011	07:00:00	788 Nevada ST /Nevada Cit	321 EMS call, excluding vehicle
07/27/2011	21:52:00	237 Commercial ST /In fro	321 EMS call, excluding vehicle
07/28/2011	01:58:00	326 Clay ST /Nevada City,	463 Vehicle accident, general cl
07/28/2011	11:19:00	150 Sutton WAY /Grass Val	743 Smoke detector activation, n
07/28/2011	12:04:00	702 W Broad ST /Nevada Ci	444 Power line down
07/28/2011	14:50:00	Red Dog RD & Park AVE /Ne	463 Vehicle accident, general cl
07/29/2011	14:00:00	754 Zion ST /Nevada City,	321 EMS call, excluding vehicle
07/30/2011	14:56:00	105 Martin ST /Nevada Cit	321 EMS call, excluding vehicle

**Total Incident Count      74**

NCCFD

Nevada City Incident List

Alarm Date Between {07/01/2011} And {07/31/2011}

Alm Date	Alm Time	Location	Incident Type
07/01/2011	00:44:00	514 Orchard ST /Nevada City,	321 EMS call, excluding vehicle
07/01/2011	15:48:00	Pioneer Park/Nevada City, CA	321 EMS call, excluding vehicle
07/02/2011	14:54:00	301 Sacramento ST /Nevada	321 EMS call, excluding vehicle
07/03/2011	01:28:00	315 Broad ST /Nevada City, CA	321 EMS call, excluding vehicle
07/03/2011	22:31:00	105 Martin ST /Nevada City,	321 EMS call, excluding vehicle
07/03/2011	22:34:00	Broad ST & Union ALY /Nevada	622 No Incident found on arrival at
07/04/2011	04:34:00	105 Martin ST /Nevada City,	321 EMS call, excluding vehicle
07/04/2011	05:08:00	317 Gracie RD /Nevada City,	311 Medical assist, assist EMS crew
07/05/2011	14:02:00	430 Searls AVE /Nevada City,	321 EMS call, excluding vehicle
07/06/2011	12:29:00	404 Factory ST /Nevada City,	311 Medical assist, assist EMS crew
07/07/2011	05:50:00	509 Nimrod ST /D/Nevada City,	321 EMS call, excluding vehicle
07/07/2011	20:00:00	214 Drummond ST /Nevada City,	321 EMS call, excluding vehicle
07/08/2011	20:53:00	325 Spring ST /Nevada City,	321 EMS call, excluding vehicle
07/09/2011	01:15:00	Sylvan RD & Lindley AVE	321 EMS call, excluding vehicle
07/09/2011	02:46:00	301 Sacramento ST /Nevada	611 Dispatched & cancelled en route
07/09/2011	05:49:00	326 Gracie RD /Nevada City,	321 EMS call, excluding vehicle
07/09/2011	21:59:00	105 Martin ST /Nevada City,	321 EMS call, excluding vehicle
07/10/2011	01:22:00	207 Clay ST /Nevada City, CA	321 EMS call, excluding vehicle
07/10/2011	09:17:00	211 Reward ST /Nevada City,	321 EMS call, excluding vehicle
07/12/2011	08:19:00	201 Church ST /Nevada City,	321 EMS call, excluding vehicle
07/12/2011	12:44:00	979 Gold Flat RD /Nevada	321 EMS call, excluding vehicle
07/13/2011	18:30:00	950 Maidu LANE /Nevada City,	321 EMS call, excluding vehicle
07/13/2011	20:02:00	400 Railroad AVE /6/Nevada	311 Medical assist, assist EMS crew
07/14/2011	11:35:00	105 Sacramento ST /Nevada	321 EMS call, excluding vehicle
07/15/2011	10:27:00	400 Railroad AVE /Nevada	311 Medical assist, assist EMS crew
07/15/2011	14:57:00	315 Maidu LANE /Nevada City,	321 EMS call, excluding vehicle
07/16/2011	19:09:00	111 Orchard ST /Nevada City,	321 EMS call, excluding vehicle
07/19/2011	11:37:00	117 New Mohawk RD /F/Nevada	743 Smoke detector activation, no
07/19/2011	17:55:00	145 Bost AVE /Nevada City, CA	321 EMS call, excluding vehicle
07/19/2011	20:53:00	Nevada City HWY & Ridge RD	321 EMS call, excluding vehicle
07/20/2011	08:59:00	217 King Hiram DR /Nevada	321 EMS call, excluding vehicle
07/20/2011	18:21:00	950 Maidu LANE /Nevada City,	321 EMS call, excluding vehicle
07/20/2011	20:03:00	Broad ST & York ST /Nevada	321 EMS call, excluding vehicle
07/21/2011	06:34:00	109 Nevada City HWY /Nevada	321 EMS call, excluding vehicle
07/21/2011	11:18:00	450 N Pine ST /Nevada City,	412 Gas leak (natural gas or LPG)
07/21/2011	13:59:00	748 Zion ST /Nevada City, CA	321 EMS call, excluding vehicle
07/21/2011	16:13:00	105 Argall WAY /Nevada City,	131 Passenger vehicle fire
07/22/2011	13:15:00	201 Commercial ST /Nevada	321 EMS call, excluding vehicle
07/25/2011	02:34:00	101 Broad ST /Nevada City, CA	311 Medical assist, assist EMS crew
07/25/2011	08:09:00	788 Nevada ST /Nevada City,	321 EMS call, excluding vehicle
07/25/2011	09:08:00	957 Maidu LANE /Nevada City,	321 EMS call, excluding vehicle
07/25/2011	10:06:00	925 Maidu LANE /Nevada City,	321 EMS call, excluding vehicle
07/25/2011	11:35:00	727 Zion ST /Nevada City, CA	311 Medical assist, assist EMS crew
07/27/2011	07:00:00	788 Nevada ST /Nevada City,	321 EMS call, excluding vehicle
07/27/2011	11:34:00	108 Gold Tunnel DR /Nevada	321 EMS call, excluding vehicle

NCCFD

Nevada City Incident List

Alarm Date Between {07/01/2011} And {07/31/2011}

<b>Alm Date</b>	<b>Alm Time</b>	<b>Location</b>	<b>Incident Type</b>
07/27/2011	18:15:00	222 Park AVE /Nevada City, CA	911 Citizen complaint
07/27/2011	21:52:00	237 Commercial ST /In front	321 EMS call, excluding vehicle
07/28/2011	01:58:00	326 Clay ST /Nevada City, CA	463 Vehicle accident, general
07/28/2011	12:01:00	925 Maidu AVE /Nevada City,	321 EMS call, excluding vehicle
07/28/2011	12:04:00	702 W Broad ST /Nevada City,	444 Power line down
07/28/2011	15:10:00	220 Prospect ST /Nevada City,	552 Police matter
07/29/2011	14:00:00	754 Zion ST /Nevada City, CA	321 EMS call, excluding vehicle
07/30/2011	14:56:00	105 Martin ST /Nevada City,	321 EMS call, excluding vehicle
07/30/2011	16:58:00	Calanan Park, Union Alley and	300 Rescue, EMS incident, other
<b>Total Incident Count</b>		<b>54</b>	

**Station 54 Incident Type Summary**

**Alarm Date Between {07/01/2011} And {07/31/2011}**

<b>District</b>	<b>False</b>	<b>Fire</b>	<b>Good</b>	<b>Hazard</b>	<b>Overpressu</b>	<b>Rescue</b>	<b>Service</b>	<b>Special</b>
01	0	1	0	0	0	0	0	0
02	3	3	0	0	0	5	3	0
54	2	0	1	1	0	20	1	0
84	0	1	3	1	0	4	0	0
86	0	0	0	0	0	0	1	0
87	0	1	0	0	0	0	0	0
NEV	1	1	1	3	0	15	0	0
OPH	0	0	1	0	0	0	0	0
TNF	0	0	0	0	0	1	0	0
	<u>6</u>	<u>7</u>	<u>6</u>	<u>5</u>	<u>0</u>	<u>45</u>	<u>5</u>	<u>0</u>

NCCFD

NEV Day Time Paid Call Staffing

Date Between {07/01/2011} And {07/31/2011}

Date	Time	Incident	Type	Staff ID/Name	Hours
PCOD	Paid Call On Duty				
07/15/2011	08:00:00		O	NEV-50 Easthouse, Bret	12:00
Totals for Activity Code:					12:00
Avg for Activity Code:					12:00

Types: F=Fire, M=EMS/Medical, R=Rescue, O=Other

NCCFD

NEV Year-to-date Incident Participation

Activity Date Between {07/01/2011} And  
{07/31/2011}

Staff Id/Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
NEV-03 Cartzdafner, Kevin L	0	0	0	0	0	0	26	0	0	0	0	0	26	36.61
NEV-50 Easthouse, Bret	0	0	0	0	0	0	1	0	0	0	0	0	1	1.40
NEV-49 Fuller, Adam	0	0	0	0	0	0	1	0	0	0	0	0	1	1.40
NEV-09 Goodspeed, Samuel J	0	0	0	0	0	0	30	0	0	0	0	0	30	42.25
NEV-36 Hoffler, Jason	0	0	0	0	0	0	1	0	0	0	0	0	1	1.40
NEV-38 Kember, Phillip	0	0	0	0	0	0	2	0	0	0	0	0	2	2.81
NEV-15 Paulus, Daniel H	0	0	0	0	0	0	13	0	0	0	0	0	13	18.30
NEV-32 Peard, Tony A	0	0	0	0	0	0	2	0	0	0	0	0	2	2.81

Total Runs by Month											
Jan	0	Feb	0	Mar	0	Apr	0	May	0	Jun	0
Jul	71	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0

Grand Total Runs: 71

**CITY OF NEVADA CITY  
DRAFT SUMMARY MINUTES  
CITY COUNCIL MEETING OF JULY 27, 2011**

**NOTE:** This meeting is available to view on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov) – Go to [Quick Links](#) and Click on [Agendas & Minutes](#) and find the Archived Videos in the middle of the screen. Select the meeting date and Click on [Video](#) to watch the meeting. The agenda listed directly below the video screen has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, Contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

**Regular meeting called to order at 6:30 p.m.**

**ROLL CALL**

Present: Councilmembers Harris, Bergman, Senum, Vice Mayor Strawser, Mayor Bergman

**PLEDGE OF ALLEGIANCE**

**PRESENTATION/PROCLAMATION:**

None

**BUSINESS FROM THE FLOOR – PUBLIC COMMENT (Per Government Code Section 54954.3)**

**Wil Lindsey**, 11 Heilman Ct – Concerned about cars parking on Reward Street; there was a recent wedding event that took place at the St. Canice Hall and there wasn't sufficient room for a medical emergency vehicle to gain access with cars parked on both sides of Reward Street; wanted to know if parking is allowed on both sides of the street and suggested to Council to look into it.

**Direction:** Staff to look into vehicles parking on both sides of Reward Street and report back to Council.

Public Comment – Closed

**1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

Councilmember Harris

*NCTC* – Gained approval for shifting CMAQ funds to extend sidewalk from Zion Street to the Freeway and Searls Avenue; East Broad Street will be moved to next year. Also, an Update Regional Transportation Plan was put into each of the Councilmembers boxes for review.

*Airport Commission Board* – A draft Compatibility Plan is available for review.

*Transit Services Committee* – Changes in the JPA will be coming to Council.

Councilmember Bergman

*LAFCO* – Discussed the Sphere of Influence for the sewer district and Tahoe-Truckee Utility District.

Also attended a panel discussion at the Rood Center hosted by Yubanet about fire safety and air quality; it will broadcast on NCTV; it's the California Endowment for Health Journalism Fellowships through USC's Annenberg School of Communication and encouraged everyone to watch it.

Councilmember Senum – Met with Wendy, a Placerville City Councilmember regarding the homeless situation and the micro-houses we built; she and I decided to hold a dual conference in September; if we combine forces we will be more likely to receive grants to help; will keep the Council posted.

Vice Mayor Strawser – After a meeting to be determined next week with Truckee and Regional Visitors Bureau and convention center folks at Squaw Valley and North Star to get on the same page, I will then bring back to Councilmembers and County, to see if we want to concur to put in a bid for Amgen 2012; will bring back to Council next meeting.

Mayor McKay – Park & Recreation meeting is coming up.

## **2. CONSENT ITEMS:**

None

## **3. APPROVAL OF MINUTES:**

### **A. Regular City Council Meeting Minutes of July 13, 2011**

**Action:** Motion by Harris, seconded by Senum to approve Regular City Council Minutes for July 13, 2011 as presented.

**(Approved 5 - 0)**

## **4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:**

None

## **PUBLIC HEARINGS**

A. Subject: Appeal of Planning Commission Approval of a Use Permit for Mountain Stream Meditation Center to Operate at 710 Zion Street, Nevada City

City Planner Siegfried provided a power point presentation giving the background and timeline of the Planning Commission and the Use Permit application process.

- Councilmember Harris asked City Planner Siegfried to provide examples of Use Permits in the City other than B&Bs.
- City Planner Siegfried replied that St. Canice Center and a daycare were approved with Use Permits.
- Councilmember Senum stated concern of vehicles pulling out onto Zion Street.
- Vice Mayor Strawser stated he didn't feel that the no school high peak traffic window of 30 minutes was long enough (morning and afternoon) when school is in session and requested it to be 7:30 a.m.-8:30 a.m. and 2:30 p.m.-3:30 p.m.

Appellant Greg Schiffner read a prepared statement first thanking the Council. He read that a Use Permit went with the property, not the owner, therefore it would never be residential again; feels the application was rushed through City Hall; provided history back to 1984, he displayed a map requiring buffering commercial to residential to give protection to residents; asked if this is the appropriate use for this property; stated concern of noise, traffic, and the flow and congestion of the traffic and compared it with the events that take place St. Canice Hall.

Appellant Jeff Heilman stated he had no problem with the applicant's, personally and their desires; it's a highly impacted neighborhood; he provided calculations he came up with of the meditation center: Hours of operation = 15 hours per day, 7 sessions per day or 350 people; 175 vehicles per day; stated this is a substantial impact to air quality and vehicle noise. Compared it to Twin Cities Church and how it began with 35 people at Gold Run School and now it has its own church on 7 acres with a thousand cars going in and out during 3 church services on Sunday and a congregation of thousands of people.

Applicant John Travis stated that he honored the rebuttal of the appellants; he gave an overview of what the meditation center is about; he indicated it will never become popular like the church example given by appellant; they don't believe in mortgages and the property was purchased as a temple, as it is believed in Asia; believes it is the proper place for the use and for Nevada City; asked the Council to take the approved Use Permit for this center into consideration.

Applicant Steve Soilinsky read a prepared statement; stated since the 1960's he's been a Nevada City resident; he's an active member of Mountain Stream; beauty and tranquility is his life; he is an artist and business owner in Nevada City; he plans to working with neighbors in creating a tranquil sanctuary; this will prove to be a shining asset to the community.

Applicant representative Andy Cassano stated he had tremendous respect for the appellants; hope Council, being empowered by the voters, will use their judgment wisely and see it our way; tonight is a process and every Use Permit is treated as a case by case basis; feels this site is perfect for the use; Zion Street is a busy corridor; this house was built by the Schiffner family; stated this property is a 1.14 acre lot and is eligible to be split into 4 lots plus second units; staff's work is solid; there are virtually no physical changes to the property and a negative declaration was appropriate; meets community needs. Vice Mayor Strawser recommended the change of the school hours and we are fine with that and it's a good idea; willing to accept changes of property's occupancy, it would go back to the Planning Commission for review for better transparency and to the public.

#### Public Comment

**Janet**, 15 Heilman Court – Stated that she wrote to City Planner Siegfried regarding the entrance on Reward Street and City Planner Siegfried's response was that Reward Street was okay; Janet indicated there is a crest on Zion Street and now there will be an in/out at the crest and looks at that as a safety problem, but doesn't want Reward Street; asked that it really gets looked at carefully.

**Kim**, 14024 Willow Tree Lane – Stated she had the opportunity to attend the meditation center; the residents, in this case are able to choose their neighbor; urged the approval of the Use Permit.

**Charlie Price**, 420 Calvary – Stated he owns six rental units at 620-624.5 Zion Street; indicated he's not a member of the meditation center but believes this would be great for Nevada City; visually it sounds gorgeous and would be an asset to the area; hopes it goes through.

**Rich Hamner**, 401 Brock Road – Stated that over the years he's seen the impact of schools in the area; traffic on Zion Street affects Doane and Brock Road; the potential for emergency vehicles to respond in the area during peak hours is impossible, this is a real problem and needs to be addressed; believes as a resident on Brock Road he's been imposed upon enough; 8:20 a.m. and 2:40 p.m. has gone beyond conclusion; does not support the project.

**Denis Kutch**, Cooper Road – Stated he lived for more than 10 years next to 710 Zion Street; tonight he's representing the current owners at 718 Zion Street, the Gadbury's who are out of town tonight. Mr. Kutch read a letter written by the Gadbury's and it stated that the "project reflects the changing nature of the property and supports the project and not the appeal". Mr. Kutch stated that living at 718 Zion Street your neighbors are SPD, the recycle center, office & professional businesses; you do not relate to neighbors behind you or the residences on Zion Street; indicated he does not look at Zion Street as residential R1 zone; typical traffic counts are ADT=10 average daily trips, 30+ ADT is what he and his family did; strongly supports for a very buffering project.

**Dr. Pierce**, 422 Jordan St – Supports the project; practiced at former Dr. Kellerman's office; this house is very private; asked the Council to support the meditation center.

**Bruce Pardell**, Nevada City – Stated he is a meditation member and in the event that a Use Permit is granted we have made overtures with the appellant folks to peace, open- heartedness and tranquility found there.

**Lorraine**, 12567 Echo Drive – Not a member but have gone to a few sessions; appellants are worried about a church but there is no noise, only silent prayer meditation; limitations are possible for events but not denied and invite the neighbors; feels at peace.

**Perisha Busak**, Cobblestone Road – Stated she lived in the County for 29 years and feels the impact of this project is less than a family with parties and the comings and goings; beneficial for people in Nevada City and the neighborhood.

**Shirley McDonald**, 600 Searls Avenue – Stated she is a walker and believes that energy brings peace; thanked Bill for the sidewalks.

**Matthew Sutherland** – Stated he's familiar with the property and supports turning into a meditation center; asset to the community.

**David Judd**, 1735 Christian Valley Road – Stated he is a Buddhist Chaplin and meditation teacher; the number of people that attend meditation centers is low and are not growing, nor do they anticipate too with the church example given by the appellant tonight; maximum people per day is 30 and this is reflected in most monistari centers.

**Richard Baker**, 644 Zion Street – Supports the meditation center and asks the Council to accept approval of the Planning Commission decision.

**Steve Dodge**, 20 Heilman Court – Stated he's making last stand to keeping R1 zone a residential neighborhood; accepts mixed uses of Zion Street; in 1980's, the General Plan said no more uses from Reward Street to Zion Street; the issue of a Conditional Use Permit in order to have one being issued needs to have direct benefit to the community, is this a benefit to the entire community? Council's duty is to uphold the R1 zone; the opponents have 68 petition signatures; asked the Council to be objective and follow the General Plan and deny the Conditional Use Permit for 710 Zion Street.

**Carl Motts**, 329 Bridge Way – When I go to the meditation center I'll be walking, no traffic.

**Paul Seedy**, Miller Road, NSJ – Supports the meditation center.

**Kathleen Hare**, Willow Valley Road – Stated the signing of the petition opposing the meditation was because it was understood it was a zoning change; she wondered how many others thought the same?

**Natalie, King** Hiram Lane – Stated that the current parking is less than the current location.

**Sharon Lane** – Stated she's with the meditation center and hopes to give us a chance.

**Nicole Dillard**, 213 Reward Street – Stated she shares the boundary with them; support does not come from the neighborhood; it's about impact; concerned about the water issue, lack of pressure; she's told that the sewer lines are to be done before Fall and she suggests it should be done before you act on this; some of the correspondence came from real estate agents and feels there's an impact on value of the house; please consider that in your decision.

**Wil Lindsey** – Appellants stated quite clearly that there is no opposition to the meditation center itself; suggests before making a decision to get an EIR.

**Jacklyn Royce**, 207 Upper Park Avenue – Stated she's new to Nevada City and staff has done a serious review of this project and they are doing their job; the property is to be a quiet place and supports it; indicated that she does see it as a benefit to Nevada City whether you choose to go or not.

**Stuart Shepse**, Broad Street – Stated conflict but not for reasons said tonight; he's watched this panel protect neighborhoods until last year; the people that live in the neighborhood, if you want it I support it; stated he's against spot zoning; if you try to do it, do it the right way and not the magic wand way.

**Brent Daggett** – Stated his architectural credentials; commented that contrary to what Stuart said, a Conditional Use Permit is a process, not underhanded done very well.

Public Comment – Closed

Mayor McKay called for a five minute recess.

Mayor McKay asked Council to take a look at the agenda and address whether an item on the agenda needs to be continued.

**Direction:** Staff to continue Item A under Old Business - Consider Resolution No. 2011-XX – Approving Amendments and a Ten Year Extension to the Franchise Contract Dated July 31, 1995 with Waste Management, Inc. for Recycling and Solid Waste Disposal Services.

Summation of Applicant - Andy Cassano thanked everyone for coming out tonight and appreciates the letters received; the process was clear and concise; Council should support their Planning Commission.

Summation of Appellant – Jeff Heilman stated that Council will be stating precedence to the community if they uphold the decision of the Planning Commission. Greg Schiffner stated that Lavon Amaral signed the petition, so that makes the total now 69 signatures; stated that he had no attachment to the home that his uncle built; he read a story about an experience he had about a woman that lived in Laguna Beach and she told him "to fight for your neighborhood and zoning"; let's not spot zone; welcomes the organization in a location such as across from the Presbyterian Church; Council will be making one of the most important votes and he suggested they separate friendship of constituents to making this decision and listen to your fore fathers. We ask you to deny and uphold our appeal.

- Councilmember Harris thanked the audience input and their politeness; believes it is a key right to rely on zoning that exists there, we are to guard their rights; R1 needs to be protected; love the idea of a meditation

center and love for the meditation center to find their location in Nevada City; this opens up for standing firm with the General Plan and neighborhoods, and stick to zoning and uses prescribed.

- Councilmember Bergman stated it's not a question of zoning and there is a provision for R1; Conditional Use Permit gives scrutiny and should be looked on as a case by case basis; facts were evaluated and don't look at overturning that process. Concerns: 1) Limitation of Use Permit of 49 people is from the Fire Department; feels there should be a tighter control on occupancy, 2) Suggested that at transfer of the property, the land Use Permit maybe goes away, putting in further controls, 3) The use itself is not quasi-commercial, this is not a misfit, this is a good one.
- Vice Mayor Strawser stated that he considered all documents; trusts Planning Commission; appreciates staff and trust the information provided; seen the petitions on both sides and have to look at neighbors in Nevada City first and then other signatures. He stated he received disturbing phone calls in which the people that signed the negative petitions said they signed the petition because they felt pressured into signing it and understood it was a zone change; believes this project fits within the General Plan; stuck on both sides but leaning to the positive side; looking back, this property had bad taste with dead cars on it and a group of quiet individuals as a meditation center is better; asked if a Conditional Use Permit can be terminated with the use of the property changing ownership, this is a positive and safe way that it's controlled.
- Councilmember Senum stated she sees everyone's opinion; sees the need to protect zoning; it's very mixed use there and unique; looking at the reality of empty homes around town is not good but hears the neighbors in the neighborhood; concerned about traffic; if these folks ever leave, could we put in controls as mentioned; stated she's going for the meditation center.
- Mayor McKay stated he's a strong supporter of R1; impressed with what staff did; he's not a rubber stamp sitting up here at the table; with all the documentation presented he looked for a smoking gun but never found it; saw a lot of emotion tonight and we need to separate it out; he had to stick with the facts and there are plenty of facts; this is a mixed use area; this project is a perfect transition buffer for Zion Street and Reward Street; agrees to the concerns with property going forward but believes this center will be there for a long time.

**Action:** Motion by Bergman, seconded by Strawser to approve a Motion of Intent to deny the appeal and to uphold the Planning Commission's decisions, with the modifications to (1) extend the hours of operation during peak traffic hours, (2) to have staff provide more detailed information on potential traffic scenarios of vehicles stacking on Zion Street, and (3) to have the City Attorney review the possibility of a stipulation that can be legally prepared that would allow for mutual agreement between the City and the Property Owners whereby the Property Owner will rescind the Use Permit upon sale or transfer of the property. The matter was then continued to the Council meeting of August 10, 2011.

**(Approved 4 – 1, Noes Harris)**

**B. Subject:** Review Grantee Performance Reports Annual Status Reports for Program Income Revolving Loan Accounts for the Community Development Block Grant (CDBG)  
Public Comment – None

**Action:** Motion by Harris, seconded by Strawser to accept and file.  
**(Approved 5 – 0)**

## **5. OLD BUSINESS:**

**A. Subject:** Consider Resolution No. 2011-XX - Approving Amendments and a Ten Year Extension to the Franchise Contract Dated July 31, 1995 with Waste Management Inc. for Recycling and Solid Waste Disposal Services

**Action:** This item was continued to next Council meeting

## **6. NEW BUSINESS:**

**A. Subject:** Nevada County Requests for Comments on General Plan Amendment and Rezoning of HEW Building, Willow Valley Road and within the City's Sphere of Influence.

City Manager Brennan referred to the staff report and attachments included in the packet.

- Councilmember Harris stated she doesn't know what they are proposing and we need more time.
- Mayor McKay suggested asking for more time.
- Councilmember Bergman said it's difficult to comment when we don't know what they're proposing.
- Councilmember Reinette stated this is high density and is concerned with amount of traffic it would create.

Public Comment

**Brad Croul**, Nevada Street – Agrees with consensus; why would we want to accept high density, why not accept and keep the property as is and City chooses what density to apply to it but get annexed into City first then the City rezones it properly.

**Howard Hamer**, Washington Street – HEW Building traffic goes down Washington Street, concerned with traffic and how many people that proposed zoning would provide.

Public Comment – Closed

**Direction:** Staff to ask County for extension of time; come back on the August 10, 2011 Council meeting.

**7. CORRESPONDENCE:**

Federal energy Regulatory Commission – Determination on Requests for Modifications to the Yuba-Bear and Drum-

**8. ANNOUNCEMENTS:**

- Councilmember Senum stated she would be trying out her new espresso business at the Farmer's Market on Saturday and 5% will go to actions and projects.

**9. CITY MANAGER'S REPORT:**

**Action:** Received and filed.

**10. CLOSED SESSION:**

None

Report Out of Closed Session – City Manager Brennan reported that Staff is to proceed as directed.

**11. ADJOURNMENT**

**Action:** Motion by Harris, seconded by Strawser to adjourn meeting at 10:34 P.M.

**(Approved 5 – 0)**

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David McKay, Mayor

Attest:

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Niel Locke, City Clerk