



**REGULAR CITY COUNCIL MEETING  
WEDNESDAY, MARCH 25, 2020**

**Regular Meeting - 6:30 PM**

**City Hall – Beryl P. Robinson, Jr. Conference Room  
317 Broad Street, Nevada City, CA 95959**

**MISSION STATEMENT**

*The City of Nevada City is dedicated to preserving and enhancing its small town character and historical architecture while providing quality public services for our current and future residents, businesses and visitors.*

**Reinette Senum, Mayor**

**Duane Strawser, Council Member  
David Parker, Council Member**

**Erin Minett, Vice Mayor  
Valerie Moberg, Council Member**

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The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month. Your interest is encouraged and appreciated. This meeting is recorded on DVD and is televised on local public television Channel 17. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Please turn off all cell phones or similar devices. Action may be taken on any agenda item. Agenda notices are available at City Hall. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Hall at 317 Broad Street, Nevada City, CA during normal business hours.

***In order to minimize the spread of the COVID 19 virus Governor Newsom has issued Executive Orders that temporarily suspend requirements of the Brown Act. Please be advised that the Council Chambers are closed to the public and that some, or all, of the City of Nevada City, City Council Members may attend this meeting telephonically.***

- 1. You are strongly encouraged to observe the City Council meetings live on PUBLIC TELEVISION CHANNEL 17 AND ONLINE AT THE CITY'S WEBSITE WWW.NEVADACITYCA.GOV.***
- 2. If you wish to make a comment on a specific agenda item, please submit your comment via email to the City Manager at [catrina.olson@nevadacityca.gov](mailto:catrina.olson@nevadacityca.gov). Comments will be accepted continuously during the meeting. Please limit to 200 words or less. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.***
- 3. In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in this meeting, please contact the Deputy City Clerk at (530) 265-2496 x133. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.***

***The City of Nevada City thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.***

**ANY MEMBER OF THE PUBLIC DESIRING TO ADDRESS THE COUNCIL ON ANY ITEM ON THIS AGENDA:** After receiving recognition from the Mayor, give your name and address, and then your comments or questions. Please direct your remarks to the Councilmembers. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. All citizens will be afforded an opportunity to speak, consistent with their Constitutional rights. Time limits shall be at the Mayor's discretion. **IF YOU CHALLENGE** the Council's decision on any matter in court, you will be limited to raising only those issues you or someone else raised at the meeting or Public Hearing described on this agenda, or in written correspondence delivered to the City Council at, or prior to, the meeting or Public Hearing.

**CLOSED SESSION: None**

**Under Government Code Section 54950 members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.**

**REGULAR MEETING – 6:30 PM - Call to Order**

**Roll Call:** Mayor Senum, Vice Mayor Minett, Council Members Moberg, Parker and Strawser

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS:**

**PRESENTATIONS:**

**BUSINESS FROM THE FLOOR**

**1. PUBLIC COMMENT**

Under Government Code Section 54954.3, members of the public are entitled to address the City Council concerning any item within the Nevada City Council's subject matter jurisdiction. Comments on items **NOT ON THE AGENDA** are welcome at this time. Normally, public comments are limited to no more than three minutes each.

**Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.**

**2. COUNCIL MEMBERS REQUESTED ITEMS, COMMITTEE REPORTS AND FUTURE AGENDA ITEMS:**

**3. CONSENT ITEMS:**

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, City staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

**A. Subject:** Fire Activity Report – February 2020

**Recommendation:** Receive and file.

- B. Subject:** Ordinance No. 2020-05, Adding Section 2.04.030 “Conduct While Addressing the City Council” and Section 2.36.075 “Conduct While Addressing the Planning Commission” to the Nevada City Municipal Code  
**Recommendation:** Waive the second reading and adopt the Ordinance No. 2020-05, an Ordinance of the City of Nevada City adding Section 2.04.030 “Conduct While Addressing the City Council” and Section 2.36.075 “Conduct While Addressing the Planning Commission” to the Nevada City Municipal Code.
- C. Subject:** Award Contract Amendment for Professional Engineering Services for Nevada Street Bridge over Deer Creek  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City Awarding a Contract Amendment for a fixed price, not to exceed the amount of \$17,444.08 for Professional Engineering Services for Nevada Street Bridge over Deer Creek based on hourly labor, and other rates set forth in Consultant’s cost proposal, to Dokken Engineering of Folsom, CA and the authorize City Engineer to sign.
- D. Subject:** Incorporate A List Of Projects Funded By SB 1: The Road Repair And Accountability Act  
**Recommendation:** Pass Resolution 2020-XX as follows:
1. Approve the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) in Fiscal Year 2020-21 as described in in Exhibit A.
  2. Appoint the City Manager, or designee, to execute all applications, negotiations and agreements which may be necessary for completion of the aforementioned project and expenditure of RMRA funds, except those designated to the City Engineer below.
  3. Appoint the City Engineer, or designee, to execute and submit all reports, payment requests, and changes to the project description, which may be necessary for completion of the aforementioned project and expenditure of RMRA funds.
- E. Subject:** Nevada City Farmer’s Market Street Closure Request  
**Recommendation:** Review and authorize Nevada City Farmers Market street closure request per application.
- F. Subject:** Nevada County Transportation Commission’s Draft Fiscal Year 2020/21 Overall Work Program  
**Recommendation:** Review projects proposed for inclusion in the Nevada County Transportation Commission (NCTC Fiscal Year (FY) 2020/21) Overall Work Program (OWP) and pass Resolution 2020-XX approving the projects proposed for inclusion in the NCTC FY 2020/21 OWP.
- G. Subject:** A Resolution of the City Council of the City of Nevada City to Award a Bid to Featherlite Trailers  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City to award a bid to Featherlite Trailers for \$8,791.19 to purchase a dump trailer for the City of Nevada City Public Works Department.

**H. Subject:** Continuance of a Public Hearing for the Consideration of Ordinance Amendments for the Regulation of Wireless Telecommunication Facilities in the City

**Recommendation:** Provide staff direction to continue a public hearing for the first reading of a draft amended Ordinance for the regulation of wireless telecommunication facilities in the City to April 8, 2020 unless City Council votes to cancel the April 8, 2020 meeting at which this item would be continued to the April 22, 2020 City Council meeting.

**I. Subject:** Resolution Ratifying the Civil Defense and Disaster Council's Supplemental Proclamation of a Local Emergency Issued on March 18, 2020

**Recommendation:** Adopt a Resolution of the City Council of the City of Nevada City ratifying the Civil Defense and Disaster Council's supplemental Proclamation of a Local Emergency in the City of Nevada City to order a moratorium on residential and commercial evictions, to halt City water and sewer service disconnections, to close City facilities to the public, and to provide for paid-employee administrative leave.

**J. Subject:** Acceptance of Audit Report for Fiscal Year 2018/2019

**Recommendation:** Review and accept the City of Nevada City Annual Financial Statements and Management Letter for year ended June 30, 2019.

**K. Subject:** Action Minutes March 11, 2020 City Council Meeting

**Recommendation:** Review and approve City Council Meeting Action Minutes of March 11, 2020.

**L. Subject:** Continuation of a public hearing for the appeal of the Planning Commission Decision to Deny a Variance from Development Performance Standards and Historic District Signage Standards as Proposed by Representatives of the National Exchange Hotel for the Property Located at 211 Broad Street, Nevada City

**Recommendation:** Provide staff direction to continue a public hearing for the appeal of the Planning Commission Decision to Deny a Variance from Development Performance Standards and Historic District Signage Standards as Proposed by Representatives of the National Exchange Hotel for the Property Located at 211 Broad Street, Nevada City to April 8, 2020 unless City Council votes to cancel the April 8, 2020 meeting at which this item would be continued to the April 22, 2020 City Council meeting.

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

**A. Subject:** Cancellation of the April 8, 2020 City Council Meeting

**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City of Nevada City approving the cancellation of the April 8, 2020 City Council meeting.

**B. Subject:** Urgency Ordinance Adding a Temporary Moratorium on Evictions Due to COVID-19

**Recommendation:** Waive reading of Ordinance and read by title only, and adopt an Urgency Ordinance of the City of Nevada City relating to a temporary moratorium on evicting tenants and declaring the Ordinance to be an emergency measure to take effect immediately upon adoption.

**C. Subject:** Urgency Ordinance Amending Nevada City Municipal Code Chapter 2.44 “Civil Defense, Emergency Preparedness, and Disaster Plan” to Make the City Manager the Director and to Update Provisions to Comply with State Law

**Recommendation:** Waive reading of Ordinance and read by title only, and adopt an Urgency Ordinance of the City of Nevada City amending Nevada City Municipal Code Chapter 2.44 “Civil Defense, Emergency Preparedness, And Disaster Plan” to Make the City Manager the Director and to update provisions to comply with State law.

**5. PUBLIC HEARINGS:**

**6. OLD BUSINESS:**

**7. NEW BUSINESS:**

**8. CORRESPONDENCE:**

**9. ANNOUNCEMENTS:**

**10. CITY MANAGER’S REPORT:**

**11. ADJOURNMENT**

**Certification of Posting of Agenda**

I, Gabi Christakes, Administrative Services Technician/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the March 25<sup>th</sup>, 2020 Regular Meeting of the Nevada City City Council was posted March 20<sup>th</sup>, 2020 at the entrance of City Hall. The agenda is also posted on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov).

Signed March 20<sup>th</sup>, 2020, at Nevada City, California

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Gabi Christakes, Administrative Services Technician/Deputy City Clerk

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**CITY OF NEVADA CITY  
City Council  
Long Range Calendar**

March 25, 2020	Regular Council Meeting
March 31, 2020	Holiday
April 8, 2020	Regular Council Meeting
April 22, 2020	Regular Council Meeting
May 13, 2020	Regular Council Meeting
May 25, 2020	Holiday
May 27, 2020	Regular Council Meeting
June 10, 2020	Regular Council Meeting
June 24, 2020	Regular Council Meeting

NOTE: This list is for planning purposes; items may shift depending on timing and capacity of a meeting.

***NOTICE:*** *As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council and to enforce the rules of the Council.*