



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, MAY 27, 2020**

**Closed Session – 6:00 PM
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**

The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2nd and 4th 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, ONLINE AT THE CITY'S WEBSITE

WWW.NEVADACITYCA.GOV, or [Nevada City Public Meetings-YouTube Channel](http://NevadaCityPublicMeetings-YouTubeChannel) or at [HTTP://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7](http://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7)

2. If you wish to make a comment on a specific agenda item, please submit your comment via email to the City Manager at NEVADACITY.OLSON@GMAIL.COM.

Comments will be accepted at the email provided until 2pm the day of the meeting PLEASE INCLUDE THE AGENDA ITEM NUMBER AND LETTER IN YOUR SUBJECT LINE. For comments during the meeting subscribe to the City's youtube channel Nevada City Public Meetings and submit your public live 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 constraints.

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: 6:00 PM

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.

1. Pursuant to Government Code Section 54956.9, the City Manager, City Attorney and Consulting Employment Practices Attorney are requesting a closed session item to discuss the settlement regarding the Equal Employment Opportunity Commission (EEOC) claim of Charles Hurst against the City, EEOC charge 550-2019-01855.

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 – April 2020
Recommendation: Receive and file.

B. Subject: Local Transportation Fund (LTF) Claim for Pedestrian and Bicycle Facilities Funds for Boulder Street Sidewalk and Railing Improvement Project

Recommendation: Pass Resolution No. 2020-XX, a Resolution requesting the Nevada County Transportation Commission (NCTC) Allocate \$34,000 of Nevada City's Apportionment of Local Transportation Funds for Pedestrian and Bicycle Facilities for the Boulder Street Sidewalk and Railing Improvements Project.

- C. Subject:** Regional Surface Transportation Program (RSTP) Claim for Boulder Street Sidewalk and Railing Improvements Project

Recommendation: Pass Resolution No. 2020-XX, a Resolution requesting the Nevada County Transportation Commission (NCTC) Requesting that NCTC Allocate \$86,000 of Nevada City's Apportionment of Regional Surface Transportation Program Funds for Boulder Street Sidewalk and Railing Improvements Project.

- D. Subject:** A Resolution for the Approval of the Regional Transportation Mitigation Fee Program Inflation Adjustment

Recommendation: Pass Resolution 2020-XX, a Resolution Approving the Regional Transportation Mitigation Fee (RTMF) Program Inflation Adjustment.

- E. Subject:** A Resolution for the Land Use Covenant and Agreement to Restrict Use of City Property, Deer Creek Environs Property

Recommendation: Pass Resolution 2020-XX, a Resolution of the City of Nevada City Approving and Authorizing Mayor to Sign the Land Use Covenant and Agreement to Restrict Use of Property – Environmental Restrictions and authorize the Mayor to sign.

- F. Subject:** Update on State and Local Eviction Moratoriums

Recommendation: Receive and file.

- G. Subject:** The 2019 Annual Housing Progress Report

Recommendation: Receive and File the 2019 Annual Progress Report (APR) and direct staff to submit the report to the Governor's Office of Planning and Research and the Housing Community Development Department in accordance with Government Code Section 65400(b)(1).

- H. Subject:** Action Minutes May 13, 2020 City Council Meeting

Recommendation: Review and approve City Council Meeting action minutes of May 13, 2020.

- I. Subject:** Action Minutes May 20, 2020 Special City Council Meeting, Budget Workshop

Recommendation: Review and approve Special City Council Meeting, Budget Workshop action minutes of May 20, 2020.

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** Permanent Local Housing Allocation (PLHA) Program

Recommendation: Review the information regarding the Permanent Local Housing Allocation (PLHA) Program and the possibility of a multi-jurisdictional agreement for a joint application and funds administration to be submitted by Nevada County with funding to be managed by Nevada County with local direction for fund use. City Council to direct staff to then bring back a Resolution for adoption committing to the multi-jurisdictional agreement/approach to the PLHA Program.

B. Subject: Unenforced Smoking Areas Pilot Project Update

Recommendation: Pass Resolution 2020-XX, a Resolution of the City of Nevada City, City Council Approving the Implementation of the Unenforced Smoking Areas Program.

C. Subject: Relaxation of Outdoor Dining Regulations ,On-Site Parking Requirements, Signage Regulations and Wavier of Related Fees Related to Covid-19

Recommendation: It is recommended that the City Council direct the City Manager, acting as the Director of Defense and Disaster, to establish a program to assist restaurants and retail establishments in the following ways:

1. Outdoor Dining. For the purpose of allowing restaurants to request an increase in the allowable public and private space available for outdoor dining: relax outdoor dining regulations, development standards and conditions of approval, and to establish regulations which allow outdoor consumption of alcohol at restaurants where indoor consumption of alcohol was already allowed; and
2. Waive Fees. Waive the following fees until 11:59 p.m. on November 19, 2020:
 - a. Use of public space for outdoor dining; and
 - b. Applications for a relaxation of outdoor dining regulations.
3. Parking. Allow a reduction in mandatory on-site parking on private property for increased outdoor dining space, or for retail pick-up with a property owner's permission; and
4. Signage. To permit each restaurant and retail establishment the use of one temporary sign (including A-frame signage) not to exceed 12 square feet, in such a manner that signage does not impede accessible pedestrian access along the sidewalk or into the business; and
5. Administration. Allow staff to process these adjustments administratively. This includes making temporary administrative adjustments (i.e., reduction of enforcement on existing conditions of approval) to previously approved Conditional Use Permits and other entitlement mechanisms.

D. Subject: Update on Staff's Request for Broad Street Closures During Shelter in Place Orders

Recommendation:

1. Receive staff report and provide staff direction regarding Broad Street closures;
2. Review and approve Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City Suspending the Imposition and Collection of Parking Fees at City Parking Meters During the Covid-19 Local Emergency.

5. PUBLIC HEARINGS:

A. Subject: Consideration of and First Reading of Ordinance Repealing and Readopting Chapter 17.150 of the Nevada City Municipal Code entitled "Wireless Telecommunication Facilities in the City"

Recommendation: Hold first reading, waive reading of Ordinance in its entirety, and read by title only, Ordinance 2020-XX Repealing and Readopting Chapter 17.150 of the Nevada City Municipal Code entitled “Wireless Telecommunication Facilities in the City”.

6. OLD BUSINESS:

7. NEW BUSINESS:

8. CORRESPONDENCE:

9. ANNOUNCEMENTS:

10. CITY MANAGER’S REPORT:

11. ADJOURNMENT

Certification of Posting of Agenda

I, Gabrielle Christakes, Administrative Service Technician/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the May 27th, 2020 Regular Meeting of the Nevada City City Council was posted May 22nd, 2020 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed May 22nd, 2020, at Nevada City, California

Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk

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

May 27, 2020	Regular Council Meeting
June 10, 2020	Regular Council Meeting
June 24, 2020	Regular Council Meeting
July 3, 2020	Holiday
July 8, 2020	Regular Council Meeting
July 22, 2020	Regular Council Meeting
August 12, 2020	Regular Council Meeting
August 26, 2020	Regular Council Meeting
September 7, 2020	Holiday
September 9, 2020	Regular Council Meeting
September 23, 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.*