



**REGULAR CITY COUNCIL MEETING  
THURSDAY, JULY 23, 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.*

**Erin Minett, Mayor**

**Douglass Fleming, Council Member  
Daniela Fernández, Council Member**

**Duane Strawser, Vice Mayor  
Vacant, 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, ONLINE AT THE CITY'S WEBSITE [WWW.NEVADACITYCA.GOV](http://WWW.NEVADACITYCA.GOV) or [Nevada City Public Meetings-YouTube Channel](https://www.youtube.com/channel/UCv3v3v3v3v3v3v3v3v3v3v3) or at [HTTP://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH\\_ID=7](http://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7) (If you are unable to view the meeting live on YouTube please use one of the other 3 methods).**

**2. If you wish to make a comment on a specific agenda item, please submit your comment via email to [NEVADACITY.OLSON@GMAIL.COM](mailto:NEVADACITY.OLSON@GMAIL.COM). Comments will be accepted at the email provided through the live meeting. PLEASE INCLUDE YOUR NAME AND ADDRESS IN YOUR COMMENT, AS WELL AS, INCLUDING THE AGENDA ITEM LETTER AND NUMBER IN YOUR SUBJECT LINE. Additionally, for comments during the meeting subscribe to the City's youtube channel Nevada City Public Meetings and submit your public live during the meeting or send your text live during the meeting to [530-557-5026](tel:530-557-5026). Please keep your written comments to 3 minutes 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].**

*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 Minett, Vice Mayor Strawser, Council Members Fleming and Fernández

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS:** A Proclamation Acknowledging the Judicial Service of Kathleen Butz

**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 – June 2020

**Recommendation:** Receive and file.

**B. Subject:** Notice of Completion for the Boulder Street Sidewalk and Railing project in Nevada City

**Recommendation:** Pass Resolution 2020-XX, a Resolution for the City of Nevada City authorizing the Mayor to sign a Notice of Completion for the Boulder Street Sidewalk and Railing project in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.

- C. Subject:** Second Reading and Adoption of Ordinance 2020-10, an Ordinance of the City of Nevada City, California Imposing a Transactions and Use Tax to be Administered by the California Department of Tax and Fee Administration  
**Recommendation:** Adopt Ordinance 2020-10, an Ordinance of the City of Nevada City, California Imposing a Transactions and Use Tax to be administer by the California Department of Tax and Fee Administration.
- D. Subject:** Second Reading and adoptions of Ordinance 2020-11, an Ordinance of the City of Nevada City Repealing and Reenacting Chapter 13.08 of the Nevada City Municipal Code Regulating the City’s Sewer System  
**Recommendation:** Adopt Ordinance 2020-11, an Ordinance of the City of Nevada City Repealing and Reenacting Chapter 13.08 of the Nevada City Municipal Code Regulating the City’s Sewer System.
- E. Subject:** Second Reading and Adoption of Ordinance 2020-12, and Ordinance of the City of Nevada City Amending Portions of Chapter 13.20 of the Nevada City Municipal Code Pertaining to Flood Plain Management to Comply with FEMA’s Requirements  
**Recommendation:** Adopt Ordinance 2020-12, and Ordinance of the City of Nevada City Amending Portions of Chapter13.20 of the Nevada City Municipal Code pertaining to Flood Plain Management to comply with FEMA’s requirements.
- F. Subject:** Second reading and adoption of Ordinance 2020-13 an Ordinance of the City of Nevada City Amending Nevada City Municipal Code Sections 17.72.026 and 17.72.027 in Order to Update the City’s Accessory Dwelling Unit Regulations  
**Recommendation:** Adopt Ordinance 2020-13, and Ordinance of the City of Nevada City Amending the Nevada City Municipal Code Sections 17.72.026 and 17.72.027 in order to update the City’s Accessory Dwelling Unit (ADU) Ordinance, pertaining to height limits of ADUs within the multifamily zoning designation.
- G. Subject:** Letter of Support for US Forest Service Lease at the Nevada City Tech Center  
**Recommendation:** Review the letter of support for the US Forest Service lease property at 300 Providence Mine Road at the Nevada City Tech Center and authorize the City Council to sign.
- H. Subject:** Commitment of Auction Funds  
**Recommendation:** Commit the \$2,267.56 raised with the Pioneer Park Online Auction to projects to be completed within Pioneer Park.
- I. Subject:** Action Minutes July 8, 2020 Special City Council Meeting  
**Recommendation:** Review and approve Special City Council Meeting action minutes of July 8, 2020.

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

- A. Subject:** LAFCo Nevada City Sphere of Influence (SOI) Update  
**Recommendation:** Provide staff direction for any formal comments City Council would like to provide to LAFCo regarding the draft Environmental Impact Report (EIR) prepared for the Nevada City Sphere of Influence (SOI) update to be provided in a letter from the Mayor.
- B. Subject:** Proposition 68 – Per Capita Program and State Parks Program Update  
**Recommendation:** Provide staff direction to complete applications for two Proposition 68 programs and provide input on priority projects.
- C. Subject:** Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City Repealing Resolution No. 2020-36 Suspending the Imposition and Collection of Parking Fees at City Parking Meters During COVID-19 Local Emergency  
**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City Council of the City Of Nevada City repealing Resolution No. 2020-36 suspending the imposition and collection of parking fees at city parking meters during the Covid-19 local emergency.
- D. Subject:** Monthly Update on City Council Six-Month Strategic Objectives and Discuss Upcoming Strategic Planning Set for August 24, 2020  
**Recommendation:** Review current Strategic Plan goals and objectives and provide staff direction as to whether to move forward with the Strategic Planning Retreat scheduled for August 24, 2020.
- E. Subject:** Sugarloaf Clean-up Update  
**Recommendation:** Receive and file the update on the collaborative effort by Nevada City, Nevada County Health and Human Services, Nevada County Sheriff's Office and other community organizations to address the homeless encampments on Sugarloaf Mountain with particular concern around fire danger.
- F. Subject:** Commercial and Residential Back-up Generators  
**Recommendation:** Provide staff direction to prepare and present an Ordinance option to regulate commercial and residential generators in a manner that provides objective standards for administrative processing.

#### **5. PUBLIC HEARINGS:**

#### **6. OLD BUSINESS:**

#### **7. NEW BUSINESS:**

- A. Subject:** Ordinance 2020-XX, an Ordinance of the City of Nevada City Repealing and Reenacting Section 2.40.010 of the Nevada City Municipal Code Setting the Date for General Municipal Elections

**Recommendation:** Waive reading of Ordinance, read title only and introduce for first reading: Ordinance 2020-XX, an Ordinance of the City of Nevada City repealing and reenacting Section 2.40.010 of the Nevada City Municipal Code setting the date for General Municipal Elections.

**B. Subject:** Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City, California Appointing a Member to Fill the Office of City Council Member Until Election can be Held to Select a Permanent City Council Member to Fill Reinette Senum’s Vacant Seat Caused by her Resignation

**Recommendation:** Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City, California appointing a member to fill the office of City Council Member until election can be held to select a permanent City Council Member to fill Reinette Senum’s vacant seat caused by her resignation.

**8. CORRESPONDENCE:**

**9. ANNOUNCEMENTS:**

**10. CITY MANAGER’S REPORT:**

**11. ADJOURNMENT**

**Certification of Posting of Agenda**

I, Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk for the City of Nevada City, declares that the foregoing agenda for the July 23<sup>rd</sup>, 2020 Regular Meeting of the Nevada City City Council was posted July 17<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 June 17<sup>th</sup>, 2020, at Nevada City, California

Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk

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

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|--------------------|-------------------------|
| July 23, 2020      | Regular Council Meeting |
| August 12, 2020    | Regular Council Meeting |
| August 24, 2020    | Strategic Planning      |
| August 26, 2020    | Regular Council Meeting |
| September 7, 2020  | Holiday                 |
| September 9, 2020  | Regular Council Meeting |
| September 23, 2020 | Regular Council Meeting |
| October 12, 2020   | Holiday                 |
| October 14, 2020   | Regular Council Meeting |
| October 28, 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.*