



**REGULAR CITY COUNCIL MEETING  
WEDNESDAY, AUGUST 14, 2019**

**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.*

**Reinete 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.

**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, Moberg, Parker & 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 AND COMMITTEE REPORTS:**

#### **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:** Notice of Completion for National Hotel and Main Street Sidewalks in Nevada City

**Recommendation:** Pass Resolution 2019-XX, a Resolution for the City of Nevada City authorizing the Mayor to sign a Notice of Completion for the National Hotel and Main Street sidewalks in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.

**B. Subject:** Award of Contract for Boulder Street Sidewalk and Railing in Nevada City

**Recommendation:** Pass Resolution 2019-XX, a Resolution of the City of Nevada City to award a contract to DMCE Concrete & Engineering Contractors in the amount of \$264,935 plus \$30,000 contingencies for Boulder Street Sidewalk and Railing and authorize the Mayor to sign.

**C. Subject:** Agreement with Dan Cortinavis PE Consulting Civil Engineer for Wastewater Treatment Plant Permit Compliance

**Recommendation:** Pass Resolution 2019-XX, A Resolution of the City Council of the City of Nevada City to Authorize a Professional Services Agreement with Dan Cortinavis PE Consulting Civil Engineer in an amount of \$9,600 to assist with compliance with the City's waste discharge permit with California Regional Water Quality Control Board and authorize the City Manager to sign.

- D. Subject:** Award Contract Amendment for Professional Engineering Services for Nevada Street Bridge over Deer Creek  
**Recommendation:** Pass Resolution 2019-XX, a Resolution of the City of Nevada City Awarding a Contract Amendment for a fixed price, not to exceed amount of \$55,134.98 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.
- E. Subject:** Approval of the Subrecipient Agreement with Nevada County Transportation Commission for Transportation Planning  
**Recommendation:** Pass Resolution 2019-XX, a Resolution approving the Subrecipient Agreement with the Nevada County Transportation Commission for transportation planning and Authorize the Mayor to sign.
- F. Subject:** Authorization for the City Engineer to Execute on Behalf of the City of Nevada City Right of Way Certifications for Federally Funded Projects with Caltrans Oversight  
**Recommendation:** Pass Resolution 2019-XX, a Resolution of the City Council of the City of Nevada authorizing the City Engineer to execute right-of-way certifications on behalf of the City of Nevada City for federal funded transportation projects with State of California, Department of Transportation oversight.
- G. Subject:** A Resolution Calling for a General Municipal Election on March 3, 2020  
**Recommendation:** Pass Resolution 2019-XX, a Resolution of the City of Nevada City Calling for a General Municipal Election on March 3, 2020.

**4. APPROVAL OF ACTION MINUTES:**

- A.** City Council Meeting – July 23, 2019

**5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:**

- A. Subject:** Old Airport Park Visioning Proposal  
**Recommendation:** Pass Resolution 2019-XX, a Resolution of the City of Nevada City to award a contract to JK Architecture Engineering to develop a conceptual plan for the Old Airport Property and authorize the City Manager to sign.
- B. Subject:** Nevada City Film Festival Special Sign Request at Robinson Plaza  
**Recommendation:** Review and approve the submitted sign request at Robinson Plaza advertising the Nevada City Film Festival.

**C. Subject:** A Resolution of the League of California Cities Calling on the California Public Utilities Commission to Amend Rule 20A to Add Projects in Very High Fire Hazard Severity Zones to the List of Eligibility Criteria and to Increase Funding Allocations for Rule 20A Projects

**Recommendation:**

1. Pass Resolution 2019-XX, a Resolution of the League of California Cities Calling on the California Public Utilities Commission to Amend Rule 20A to add Projects in Very High Fire Hazard Severity Zones to the List of Eligibility Criteria and to Increase Funding Allocations for Rule 20A Projects and authorize the Mayor to sign for submission to the California League of Cities.
2. Authorize the Mayor to sign the attached letter of support and submit to the California League of Cities.

**D. Subject:** Request for Partnership Between Sierra Streams Institute and the City of Nevada City

**Recommendation:** Consider the request for partnership from Sierra Streams Institute for City funding support for a Grant Writer to prepare an application to the North American Partnership for Environmental Community Action's (NAPECA) grant for up to \$125,000.

**6. PUBLIC HEARINGS:**

**A. Subject:** An Ordinance of the City of Nevada City Amending Chapter 9.22 of Title 9 and Chapter 17.142 of Title 17 of the Nevada City Municipal Code Relating to Cannabis Businesses that Use or Produce Hazardous Materials

**Recommendation:** Hold a Public Hearing and introduce by title only, and waive full reading of the Ordinance, for first reading of an Ordinance amending chapter 9.22 of title 9 and chapter 17.142 of Title 17 of the Nevada City Municipal Code relating to cannabis businesses that use or produce hazardous materials.

**7. OLD BUSINESS:**

**A. Subject:** An Ordinance of the City of Nevada City Amending Subsection B of Section 8.04.030 of Chapter 8.04 and Section 8.10.050 of Chapter 8.10 of the Nevada City Municipal Code Clarifying Authority of Fire Chief in Abatement Procedures for Fire Hazard Nuisances and Enforcement Thereof

**Recommendation:** Review and consider, waive reading of Ordinance, read title only and introduce for second reading and final adoption of the Ordinance.

**8. NEW BUSINESS:**

**9. CORRESPONDENCE:**

**A. Subject:** Correspondence regarding unenforced smoking area pilot project

**10. ANNOUNCEMENTS:**

**11. CITY MANAGER’S REPORT:**

**12. ADJOURNMENT**

**Certification of Posting of Agenda**

I, Loree’ McCay, Administrative Services Manager/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the August 14<sup>th</sup>, 2019 Regular Meeting of the Nevada City City Council was posted August 9<sup>th</sup>, 2019 at the entrance of City Hall. The agenda is also posted on the City’s website [www.nevadacityca.gov](http://www.nevadacityca.gov).

Signed August 9<sup>th</sup>, 2019, at Nevada City, California

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Loree’ McCay, Administrative Services Manager

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

August 14, 2019	Regular Council Meeting
August 16, 2019	Strategic Planning Retreat (8:00 AM to 2:30 PM)
August 28, 2019	Regular Council Meeting
September 2, 2019	Holiday
September 11, 2019	Regular Council Meeting
September 25, 2019	Regular Council Meeting
October 9, 2019	Regular Council Meeting
October 14, 2019	Holiday
October 23, 2019	Regular Council Meeting
November 11, 2019	Holiday
November 13, 2019	Regular Council Meeting
November 28/29, 2019	Holiday
December 10, 2019	Regular Council Meeting (Tuesday instead of Wednesday)

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.*