



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, AUGUST 28, 2019**

Regular Meeting - 6:00 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**

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.

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 54957.6, a closed session of the City Council will be held for the purpose of reviewing its position and instructing its designated representatives regarding employee salaries, salary schedules, fringe benefits and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada City are Catrina Olson, City Manager and Loree' McCay, Administrative Services Manager. The labor negotiations concern the following bargaining unit: Nevada County Professional Firefighters, Local 3800.

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: Prostate Cancer Awareness Month – September 2019

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: Fire Activity Report – July 2019

Recommendation: Receive and file.

B. Subject: Award of Contract for Little Idaho Diversion

Recommendation: Pass Resolution 2019-XX, a Resolution of the City Council of the City of Nevada City to award a contract to PSCE in the amount of \$24,544.00 plus \$5,000.00 contingencies for Little Idaho Diversion in Nevada City and authorize the Mayor to sign.

C. Subject: Award Contract Change Order for South Pine Street Sidewalk and Railing in Nevada City

Recommendation: Pass Resolution 2019-XX, a Resolution of the City Council of the City of Nevada City awarding a contract change order to Weiss Landscaping Inc. in the amount of \$62,000 for South Pine Street sidewalk and railing and authorize the Mayor to sign.

D. Subject: Approval Of Regional Transportation Mitigation Fee Program Inflation Adjustment

Recommendation: Pass Resolution 2019-XX approving the Regional Transportation Mitigation Fee (RTMF) Inflation Adjustment.

4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – August 14, 2019

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** Extreme Weather Shelter Memorandum of Understanding (MOU)
Recommendation: Approve the attached Memorandum of Understanding (MOU) between the County of Nevada, Sierra Roots and the City of Nevada City and authorize the Mayor to sign.

- B. **Subject:** A Resolution Supporting the Submittal of an Application to the California Department of Housing and Community Development by the County of Nevada for Funding Under the 2019 CalHome Program Disaster Assistance Approving the County of Nevada to Provide Services to those Impacted by the 2017 and 2018 Disasters within the Jurisdiction of the City of Nevada City
Recommendation: Pass Resolution 2019-XX of the City Council of the City of Nevada City supporting the submittal of an application to the California Department of Housing and Community Development by the County of Nevada for funding under the 2019 CalHome Program Disaster Assistance, Round 2; and approving the County of Nevada to provide services to those impacted by the 2017 and 2018 disasters within the jurisdiction of the City of Nevada City.

- C. **Subject:** Nevada City Three-Year Goals and Six-Month Strategic Objectives
Recommendation: Review and approve City of Nevada City three-year goals and six-month strategic objectives.

- D. **Subject:** Street Closure Request Application for a Celebration of Life for Past Planning Commissioner, John Parent
Recommendation: Review and authorize the street closure request application for a Celebration of Life for past Planning Commissioner, John Parent.

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: Introduce by title only, and waive the full reading of Ordinance 2019-XX, second 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.

- B. **Subject:** Ordinance for the Regulation of Wireless Telecommunication Facilities in the City
Recommendation:
 - 1. Adopt Resolution 2019-XX, finding that adoption of the Ordinance Amendment is Exempt to amend Chapter 17.150 and renaming it “Wireless

Telecommunication Facilities in the City” (“Ordinance”) is exempt from review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061 (b)(3) – Activity is not subject to CEQA because there is no possibility the Ordinance will have a significant effect on the environment

2. Hold a Public Hearing and introduce by title only, and waive full reading of the Ordinance, for first reading of an Ordinance amending Chapter 17.150 and renaming it “Wireless Telecommunication Facilities in the City”

C. Subject: Sugarloaf Trail Use Permit and Draft Initial Study/Mitigated Negative Declaration (IS/MND) Pursuant to the California Environmental Quality Act (CEQA)

Recommendation:

1. Adopt Resolution 2019-XX, adopting the Initial Study/Mitigated Negative Declaration (IS/MND) prepared pursuant to Section 15074 of the California Environmental Quality Act Guidelines and directing the City Clerk to File the Notice of Determination (NOD) with the Nevada County Clerk’s Office
2. Adopt Resolution 2019-XX , Approving the Sugarloaf Trail as Proposed by the Bear Yuba Land Trust and as Mitigated and Conditioned

7. OLD BUSINESS:

A. Subject: Parking Committee Update

Recommendation: Receive and file.

B. Subject: Annexation of Between 31.5 and 37.5 Acres in Two or Three Groups of Properties Identified as Priority Annexation Areas in the City Sphere of Influence

Recommendation: Pass Resolution 2019-XX, a Resolution of Intent to annex areas within the Nevada City Sphere of Influence identified for near-term annexation, into the City in advance of or concurrent with consideration and processing of any project thereon (includes options for consideration).

8. NEW BUSINESS:

A. Subject: Appointment of Voting Delegate and Alternates(s) for the 2019 League of California Cities Annual Conference October 16 - 18, 2019 in Long Beach, California

Recommendation: Pass a Motion designating a voting delegate and alternate(s) for the League of California Cities Business Meeting to be held on Friday, October 18, 2018 at the Long Beach Convention Center.

B. Subject: 1st Annual Review of Cannabis Dispensary Elevation 2477’

Recommendation: Provide staff direction regarding bringing a future agenda item forward for City Council to discuss expanding the number of authorized cannabis dispensary permits.

9. CORRESPONDENCE:

A. Subject: Open Letter to California Transportation Commission – Highway 174

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 28th, 2019 Regular Meeting of the Nevada City City Council was posted August 23rd, 2019 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed August 23th, 2019, at Nevada City, California

Loree’ McCay, Administrative Services Manager

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

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.*