



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 23, 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.

Erin Minett, Mayor

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

**Duane Strawser, Vice Mayor
Vacant, 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 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. Comments will be accepted at the email provided through the live meeting. You can also go to the Nevada City website at www.nevadacityca.gov and go to the public comment button to submit comments. PLEASE INCLUDE YOUR NAME AND ADDRESS IN YOUR COMMENT, AS WELL AS, INCLUDING THE AGENDA ITEM LETTER AND NUMBER IN YOUR SUBJECT LINE. 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: 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 Attorney, Crystal Hodgson and City Manager, Catrina Olson are requesting a closed session item to discuss and confer on the pending litigation involving the City in the case of LORRAINE REICH, in Propria Persona, and for SA VE NEV ADA COUNTY TREES, an unincorporated association of Citizens of Nevada City and Nevada County, State of California, Petitioners vs. CITY OF NEVADA CITY, PACIFIC GAS and ELECTRIC COMPANY, MOUNTAIN ENTERPRISES, INC., AND DOES 1 through 25, inclusive, Prespondents, Case No.CU20-084893.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Mayor Minett, Vice Mayor Strawser, Council Members Fleming and Fernández

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

PRESENTATIONS: Dr. Johnson, Nevada County Public Health Officer and Jill Blake, Director, Nevada County Public Health Department

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:

- A. **Subject:** League of California Cities 2020 Annual Conference Resolution Packet
Recommendation: Review and provide the League of California Cities voting delegate, Vice Mayor Strawser, direction on whether to approve a Resolution of the General Assembly of the League of California Cities calling for an amendment of Section 230 of the Communications Decency Act of 1996 to require social media companies to remove materials which promote criminal activities.

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 – August 2020

Recommendation: Receive and file.

B. Subject: Second Reading - Ordinance 2020-16, an Ordinance of the City of Nevada City Adding Section 17.80.240 to the Nevada City Municipal Code Regulating Stationary Standby Generators and Second Reading- Ordinance 2020-17 an Ordinance of the City of Nevada City Amending Section 8.20.90 of the Nevada City Municipal Code in Order to Update the City's Ordinance Pertaining to Emergency Use of Generators

Recommendation:

1. Adopt Ordinance 2020-16, an Ordinance of the City of Nevada City Amending Section 8.20.90 of the Nevada City Municipal Code to Add an Exception to the City's Noise Regulations for the Use of Emergency Generators.
2. Adopt Ordinance 2020-17, an Ordinance of the City of Nevada City Adding Section 17.80.240 to the Nevada City Municipal Code Regulating Stationary Standby Generators.

C. Subject: A Resolution of the City of Nevada City Awarding a Professional Services Contract Amendment to 4LEAF, Inc. for Building Inspection and Plan Review Services

Recommendation: Pass Resolution 2020-XX, a Resolution of the City of Nevada City awarding a professional services contract amendment to 4Leaf, Inc. for building inspection and plan review services for the City of Nevada City and authorize the Mayor to sign.

D. Subject: Award of Contract for Church Street Water Service Replacement

Recommendation: Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City to award a contract to PSCE in the amount of \$21,774 plus \$3,000 in contingencies for Church Street Water Service Replacement in Nevada City and authorize the Mayor to sign.

E. Subject: Notice of Completion for Commercial Street Phase 1 Water, Sewer and Storm Drain 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 Commercial Street Phase 1 Water, Sewer and Storm Drain in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.

F. Subject: Agreement for Public Safety Dispatch Services Between the City of Grass Valley, the Town of Truckee, the City of Nevada City and the County of Nevada (July 1, 2020 through June 30, 2021)

Recommendation: Review and approve the agreement for public safety dispatch services between the City of Grass Valley, the Town of Truckee, the city of Nevada City and the County of Nevada for the period of July 1, 2020 through June 30, 2021 and authorize the Mayor and City Manager to sign.

G. Subject: A Resolution of the City Council of the City of Nevada City to Award a Contract to Koch & Koch, Inc. in the Amount of \$60,500 for Water Reservoir Cleaning and Maintenance at the Water Treatment Plant in Nevada City

Recommendation: Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City awarding a contract to Koch & Koch Inc. in amount of \$60,500 for water reservoir cleaning and maintenance at Water Treatment Plant in Nevada City and authorize the Mayor to sign.

H. Subject: Action Minutes September 9, 2020 Regular City Council Meeting

Recommendation: Review and approve regular City Council meeting action minutes of September 9, 2020.

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: Tesla Energy Products Purchase Agreement and California Self Generation Incentive Program (SGIP)

Recommendation: Review, receive and file the attached Tesla Energy Products Purchase Agreement and California Self Generation Incentive Program.

B. Subject: A Resolution of the City Council of the City of Nevada City Renewing Goals of the 2015 Energy Action Plan and Adopting the 100% Renewables Committee's Renewable Energy Plan

Recommendation: Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City renewing goals of the 2015 Energy Action Plan and adopting the 100% Renewables Committee's Renewable Energy Plan.

5. PUBLIC HEARINGS:

6. OLD BUSINESS:

A. Subject: Cashin's Field Affordable Housing Development Request for Financial Assistance

Recommendation: Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City committing to an agreement with the Regional Housing Authority and Central California Housing Corporation to provide a loan to the Cashin's Field Affordable Housing Project in the amount of \$200,000 (effectively deferring that portion of development impact fees), and authorize the Mayor and City Manager to sign a letter of commitment for the loan.

7. NEW BUSINESS:

A. Subject: A Resolution of the City Council of the City of Nevada City Pledging Support to the Nisenan Tribal Community of the Nevada City Rancheria to Preserve and Protect their Native Culture and Acknowledging the Ancestral Nisenan Lands

Recommendation: Pass Resolution 2020-XX, a Resolution of the City Council of the City of Nevada City pledging support to the Nisenan Tribal Community of the Nevada City Rancheria to preserve and protect their Native Culture and acknowledging the Ancestral Nisenan Lands and that a statement of that acknowledgment be read prior to each City Council meeting.

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 September 23rd, 2020 Regular Meeting of the Nevada City City Council was posted September 18th, 2020 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed September 18th, 2020, at Nevada City, California

Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk

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

September 23, 2020	Regular Council Meeting
October 12, 2020	Holiday
October 14, 2020	Regular Council Meeting
October 28, 2020	Regular Council Meeting
November 18, 2020	Regular Council Meeting
December 9, 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.*