



**SPECIAL CITY COUNCIL MEETING
FRIDAY, MAY 1, 2020**

**Special Meeting – 11:00 AM
Via Zoom Teleconference
Live Streamed on Channel 17, nevadacityca.gov, and
On YouTube at “Nevada City Public Meetings”**

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**

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](https://www.youtube.com/channel/UCv8v8v8v8v8v8v8v8v8v8v8) 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 10 am the day of the special meeting. You may also comment during the meeting by subscribing to the City's youtube channel Nevada City Public Meetings and submitting your public comments 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.

SPECIAL MEETING – 11:00AM - Call to Order

Roll Call: Mayor Senum, Vice Mayor Minett, Council Members Moberg, Parker and Strawser

1. NEW BUSINESS:

A. Subject: Resolution 2020-XX Ratifying the Director of Defense and Disaster’s Second Supplemental Proclamation of a Local Emergency Issued on April 24, 2020 Ordering the Partial Reopening of Pioneer Park and Authorizing the City Manager to Order the Reopening of Parks and Public Facilities When Appropriate

Recommendation: Discuss and approve adoption of Resolution 2020-XX of the City Council of the City of Nevada City.

Certification of Posting of Agenda

I, Loree’ McCay, Administrative Services Manager for the City of Nevada City, declare that the foregoing agenda for the May 1, 2020 Special Meeting of the Nevada City City Council was posted April 29th, 2020 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed April 29th, 2020, at Nevada City, California

Loree’ McCay, Administrative Services Manager

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.*

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

May 1, 2020

TITLE: Resolution 2020-XX Ratifying the Director of Defense and Disaster's Second Supplemental Proclamation of a Local Emergency Issued on April 24, 2020 Ordering the Partial Reopening of Pioneer Park and Authorizing the City Manager to Order the Reopening of Parks and Public Facilities When Appropriate

RECOMMENDATION: Adopt Resolution 2020-XX of the City Council of the City of Nevada City ratifying the Director of the Civil Defense and Disaster's Second Supplemental Proclamation Of A Local Emergency In The City Of Nevada City To Order A Partial Reopening Of Pioneer Park For Walking And Jogging Only And Authorizing The City Manager To Order The Reopening Of Parks And Public Facilities When Appropriate.

CONTACT: Catrina Olson, City Manager
Crystal Hodgson, City Attorney

BACKGROUND / DISCUSSION:

In the City's efforts to protect the public from the spread of COVID-19, the City's Director of Defense and Disaster issued an order on March 24, 2020, with in part closed City-owned parks and pools and City-owned public restrooms, and closed City Hall to public entrance, effective 5:00 p.m. on March 18, 2020. The City Council confirmed and ratified the Order at its March 25, 2020, regular City Council meeting.

In the intervening weeks, the number of COVID-19 cases in the County has stabilized and other jurisdictions with the County, such as the City of Grass Valley, have ordered the partial reopening of some of their park facilities. Catrina Olson, as Director of Defense and Disaster, and in consultation with Mayor Senum and Dawn Zydonis, Director of Parks and Recreation, determined that a partial reopening of Pioneer Park for walking and jogging only, with the public continuing to maintain recommended social distancing, was appropriate. Therefore, on April 24, 2020, the Director of Defense and Disaster ordered the partial reopening of the park. Section 2.44.050 (B)(1) of the Nevada City Municipal Code requires that the City Council confirm orders of the Director of Defense and Disaster within 7 days. Therefore, staff seeks your approval of the proposed resolution to ratify the Director of Defense and Disaster's Second Supplemental Declaration of the Local Emergency.

The proposed resolution would also give the City Manager the authority to reopen city parks, pools, tennis courts, City Hall, City restroom, and other city owned facilities in the appropriate stages and at the appropriate times when the state, county, and public health authorities allow for further modifications of the closures, without need for the Director of Defense and Disaster to issue formal orders to do so.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FISCAL IMPACT: None.

ATTACHMENTS:

- ✓ Resolution 2020-XX Ratifying the Director of Defense and Disaster's Second Supplemental Proclamation of a Local Emergency Issued on April 24, 2020 Ordering the Partial Reopening of Pioneer Park and Authorizing the City Manager to Order the Reopening of Parks and Public Facilities When Appropriate

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY RATIFYING THE DIRECTOR OF DEFENSE AND DISASTER'S SECOND SUPPLEMENTAL PROCLAMATION OF A LOCAL EMERGENCY IN THE CITY OF NEVADA CITY TO PARTIALLY REOPEN PIONEER PARK FOR WALKING AND JOGGING ONLY AND AUTHORIZING THE CITY MANAGER TO ORDER THE REOPENING OF PARKS AND PUBLIC FACILITIES WHEN APPROPRIATE

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of the respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Nevada County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, the Governor of California declared a Statewide state of emergency due to the COVID-19 virus on March 4, 2020, to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 5, 2020, the Director of the Civil Defense and Disaster Council of Nevada City under her authority in Nevada City Municipal Code Section 2.44.050 (A)(1) proclaimed a local emergency because of COVID-19, which was ratified by the City Council at the March 11, 2020, City Council meeting; and

WHEREAS, ON March 18, 2020, the Director of the Civil Defense and Disaster Council of the City of Nevada City issued a First Supplement To The Executive Order Of The Civil Defense And Disaster Council's Proclamation Of A Local Emergency In The City Of Nevada City, which was ratified by the City Council on March 25, 2020. The First Supplement declared a variety of emergency related orders, including a provision closing all city-owned public parks, pools, and public restrooms, and City Hall; and

WHEREAS, the number of cases of COVID-19 have stabilized as the public has complied with social distancing requirements and the state-wide stay-at-home order; and

WHEREAS, on April 24, 2020, the Director of the Civil Defense and Disaster Council of Nevada City, based on the advice of the mayor and staff, ordered a partial reopening of Pioneer Park in the City of Nevada City that allowed for walking and jogging through the park, while maintaining recommended social distancing measures to allow for opportunities for exercise for the citizenry.

WHEREAS, Section 2.44.050 (B)(1) of the City of Nevada City Municipal Code requires that orders of the Director of Civil Defense and Disaster of the City of Nevada City be confirmed by the City Council within seven (7) days; and

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED, that the Director of the Civil Defense and Disaster Council's Second Supplement To The Executive Order Of The Civil

Defense And Disaster Council's Proclamation Of A Local Emergency In The City Of Nevada City, as issued by the Director of the Civil Defense and Disaster on April 24, 2020, is hereby ratified and confirmed; and

IT IS FURTHER RESOLVED AND ORDERED, that the City Council of the City of Nevada City hereby authorizes the City Manager of the City of Nevada City to order the reopening of parks, pools, public restrooms, tennis courts, walking and hiking trails, City Hall, and all other city-owned public facilities in appropriate stages and at appropriate times for the duration of the local emergency at the City Manager's discretion, without need for the Director of Defense and Disaster to make further officials orders.

IT IS FURTHER ORDERED, that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services.

PASSED AND ADOPTED by the City Council of the City of Nevada City at a special meeting of the City Council held the 1st of May 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Reinette Senum, Mayor
City of Nevada City

ATTEST:

Niel Locke, City Clerk
City of Nevada City

APPROVED AS TO FORM:

Crystal V. Hodgson, City Attorney
City of Nevada City

Exhibit "A"

SECOND SUPPLEMENT TO THE EXECUTIVE ORDER OF THE CIVIL DEFENSE AND DISASTER COUNCIL'S PROCLAMATION OF A LOCAL EMERGENCY IN THE CITY OF NEVADA CITY

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of the respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Nevada County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, the Governor of California declared a Statewide state of emergency due to the COVID-19 virus on March 4, 2020, to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 5, 2020, the Director of the Civil Defense and Disaster Council of Nevada City under her authority in Nevada City Municipal Code Section 2.44.050 (A)(1) proclaimed a local emergency because of COVID-19, which was ratified by the City Council at the March 11, 2020, City Council meeting; and

WHEREAS, ON March 18, 2020, the Director of the Civil Defense and Disaster Council of the City of Nevada City issued a First Supplement To The Executive Order Of The Civil Defense And Disaster Council's Proclamation Of A Local Emergency In The City Of Nevada City, which was ratified by the City Council on March 25, 2020. The First Supplement declared a variety of emergency related orders, including a provision closing all city-owned public parks, pools, and public restrooms, and City Hall; and

WHEREAS, the number of cases of COVID-19 have stabilized as the public has complied with social distancing requirements and the state-wide stay-at-home order; and

WHEREAS, the Director of the Civil Defense and Disaster Council of Nevada City, based on the advice of the mayor and staff, desires to order a partial reopening of Pioneer Park in the City of Nevada City to allow for walking and jogging through the park, that can be done while maintaining recommended social distancing measures to allow for opportunities for exercise for the citizenry.

NOW THEREFORE, I, Catrina Olson, the Director of the Civil Defense and Disaster Council of Nevada City, do hereby issue the following order to become effective immediately, subject to ratification by the City Council within seven (7) days of this order:

IT IS HEREBY ORDERED THAT:

1. Partial Reopening of Pioneer Park for Walking and Jogging. Pioneer Park will reopen on April 25, 2020, for walking and jogging. Other park facilities including the swimming pool, tennis courts, playground equipment, and BBQ areas will remain closed, until further order of the City.
2. Effective Date. This Order shall become effective immediately.

ADOPTED this 24th day of April, 2020.

By: _____

Catrina Olson
Director of Civil Defense and Disaster Council

ATTEST:

APPROVED AS TO FORM:

Deputy City Clerk
Gabrielle Christakes

Crystal V. Hodgson
City Attorney