



CITY OF NEVADA CITY

CALIFORNIA

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PROCLAMATION

BY THE MAYOR, REINETTE SENUM

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "Old is the New Green" is the theme for National Preservation Month 2010, co-sponsored by City of Nevada and the National Trust for Historic Preservation.

NOW, THEREFORE, I, Reinette Senum, Mayor of Nevada City, do hereby proclaim May 2010 as National Preservation Month, and call upon the people of Nevada City to join their fellow citizens across the United States in recognizing and participating in this special observance.

REINETTE SENUM, MAYOR





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PROCLAMATION

A PROCLAMATION OF THE CITY OF NEVADA CITY HONORING CHARLES ALLERT ON THE EVENT OF THE 50TH STAGING OF THE TOUR OF NEVADA CITY BICYCLE CLASSIC

WHEREAS, the late Charles "Charlie" Allert, a master lithographer, and former bicycle racer, did in 1961 conceive, promote and bring to fruition the first Tour of Nevada City bicycle race on the streets of Nevada City; and

WHEREAS, the sporting event has, during the ensuing 50 years achieved national and worldwide prominence, and

WHEREAS, his foresight has placed Nevada City in the first echelon of major sporting venues, which now include it being the 2010 starting point of the prestigious annual AMGEN Tour of California bicycle race; and

WHEREAS, as such has produced great economic, cultural and social acclaim to and for this town; and

WHEREAS, the City Council of Nevada City desires to recognize the 50th anniversary of the Tour of Nevada City Bicycle Classic and for its positive influence on thousands if not millions of people across the country, around the world and here in Nevada City.

NOW THEREFORE, I, Reinette Senum, Mayor of Nevada City, do hereby proclaim Sunday, June 20, 2010 Charles Allert Day and call upon the people of Nevada City to join their fellow citizens across the United States in Recognizing and participating in this special observance.

REINETTE SENUM, MAYOR



Charles Allert, Founder and Guiding Light of the *TOUR OF NEVADA CITY*

1987

Charlie Allert is now retired from his life-long profession of lithographer. He founded the Grass Valley firm of Allert and Bassett at about the time he got the idea for the *Tour of Nevada City*. However, he still maintains an active interest in his first love- bicycle racing.

Charlie came to Nevada City from the Bay Area in 1960 to operate a press in a Nevada City litho shop. He was instantly taken with the possibilities of a race on the steep and twisting streets of this picturesque Gold Rush town.

He did not resort to half measures: he got on his bicycle and spent hours riding around town to find just the right combination of uphill, flat and downhill stretches.

His years of experience uniquely qualified him to judge the merit of what later became one of the, if not **THE TOUGHEST**, one mile criterium in the United States.

The course he chose proved to be a perfect challenge to all riders both men, women and juniors.

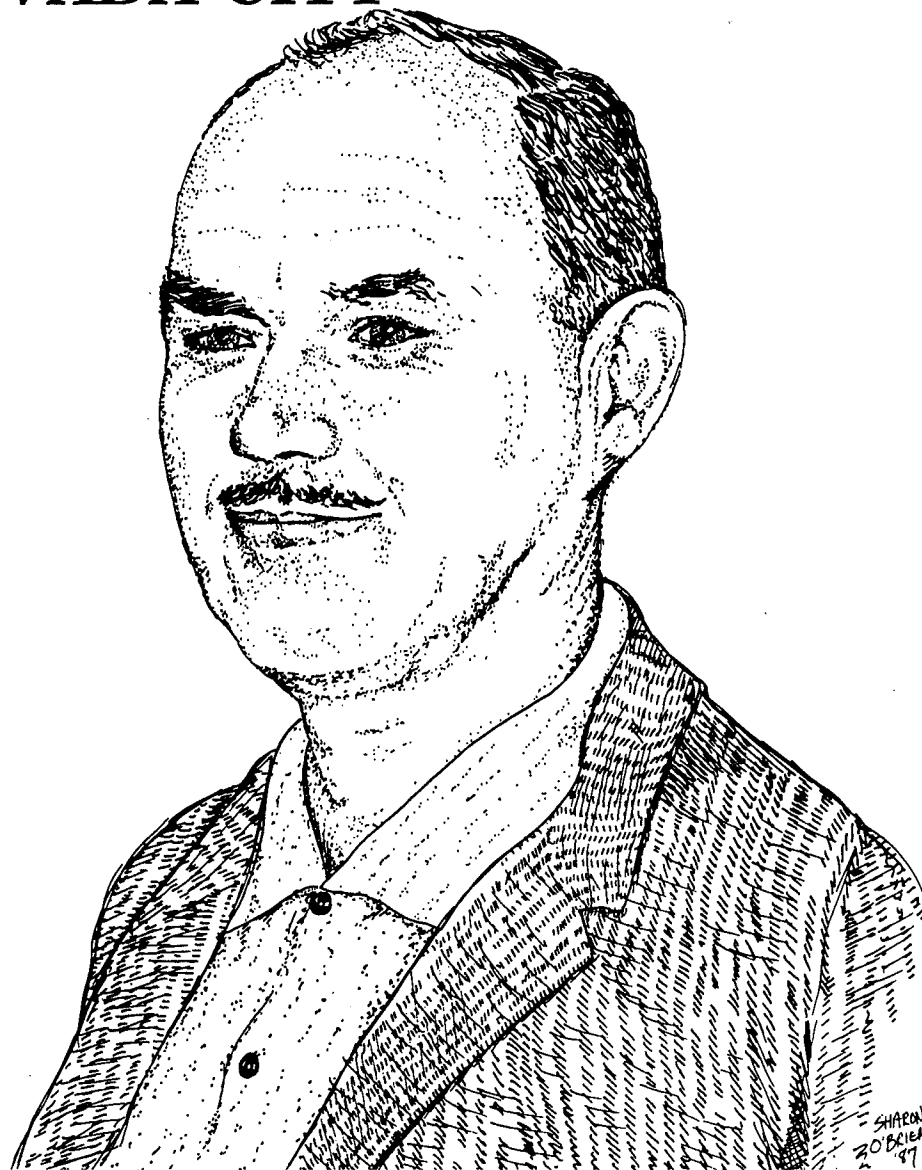
"Riders have told me that they feel a great sense of accomplishment just finishing the race," Allert said.

Charlie Allert rode bikes in his native Germany and continued to ride after arriving in the United States from Dresden with his parents at age 14. Allert also had a vaudeville act featuring some trick riding.

"That was when I was very young," he chuckled. He even has found time to do some comedy routines for the local stage. In 1968, he took part in the fund raising event that helped purchase the Nevada Theatre.

During the years he has lived in Nevada County, Allert has been active in many service clubs and organizations and has served with distinction as a Nevada Union High School District trustee.

-Bob Wyckoff



**Tour Of Nevada City
Bicycle Shop**



457 Sacramento St., Nevada City, Ca 95959

Phone (916) 265-2187

**CITY OF NEVADA CITY
DRAFT SUMMARY MINUTES
CITY COUNCIL MEETING OF APRIL 14, 2010**

NOTE: This meeting is available to view on the City's website www.cityofnevadacity.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. The agenda listed directly below the video screen has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, Contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

Regular meeting called to order at 6:30 p.m.

ROLL CALL

Present: Councilmembers Harris, Coffman, McKay, Vice Mayor Bergman, Mayor Senum

PLEDGE OF ALLEGIANCE

PROCLAMATION: In recognition of National Donate Life Month, April 2010

BUSINESS FROM THE FLOOR – PUBLIC COMMENT (Per Government Code Section 54954.3)

Niel Locke, local representative to the California Preservation Foundation Conference – Need more auction items - Please contact Gil Mathew; local media and public relations are being addressed; received 100 reservations for the conference so far; need volunteers to help with the conference – Please contact Cathy Whittlesey at the Nevada City Chamber of Commerce or Maryanne Mueller at the Grass Valley Chamber of Commerce; John Parent created the signage (presented an illustration-logo for Landmarks); refer to the Conference Schedule and Registration Form and for information.

1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

Vice Mayor Bergman

ERC Committee – Two things discussed – 1) Dan Lungren did a presentation about AB32; 2) Gil Mathew gave an update on Broadband presentation-the competition is heavy with many applications received.

Mayor Senum

Waste & Sanitation Meeting is next week and will bring report to next council meeting.

2. CONSENT ITEMS:

- A. Fire Department Activity Report for March, 2010
- B. Approval of Accounts Payable for March, 2010
- C. Police Department Activity Report for January, 2010
- D. Resolution No 2010-19 Approving Projects Proposed for Inclusion in the Nevada County Transportation Commission 2010-2011 Work Program

Action: Motion by Coffman, second by Bergman to approve Consent Items A through D.
(Approved 5 – 0)

2. APPROVAL OF MINUTES:

- A. Regular City Council Meeting Minutes for March 24, 2010.

Action: Motion by Coffman, seconded by Harris to approve Regular City Council Minutes for March 24, 2010 ad amended.
(Approved 5 – 0)

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

Administration & Finance

Subject: Consider Resolution No. 2010-20 Approving a Contract for Electronic Transaction Processing with Official Payments Corporation (OPC) and Authorize the Mayor to Sign – C. Andes, Finance Director.

Catrina Andes reported that she has been working with Rolando Navarro with OPC on the contract, a copy included in the packet; she indicated this would be an easy implementation process via a link on the City website to accept credit and debit card internet transactions; there is no cost to the City for providing this service; the customer will pay the 2% - 3% processing fee. Comments regarding the contract were received from Vice Mayor Bergman.

- Vice Mayor Bergman stated after reviewing the contract wording he finds serious flaws and it should be amended.
- The City Attorney stated that OPC is willing to change verbiage but it's a standard contract and he did not see any red flags.
- Vice Mayor Bergman indicated that he'd like to see a better form of this agreement. There's multiple comments and concerns he submitted that are valid and reasonable; OPC has limitations on their liability, gross negligence or wilfull conduct.
- Councilmember Harris indicated that she didn't feel there is exposure; to rewrite the contract it would expend our attorney's time and their attorney's time; stated this would be productivity of improvements for staff and a "convenient store" service to customers.
- Councilmember Coffman stated that she doesn't see the City carrying the liability as the contract is written.
- Councilmember Harris stated that she hasn't read anything in this contract that tells her that the City as any real exposure and to expend the City Attorney's time and OPC's attorney's time and come back to council is unnecessary.

Action: Motion by Harris, seconded by Coffman to approve Resolution No. 2010-20 approving a contract for electronic transaction processing with Official Payments Corporation (OPC) and authorize Mayor to sign.
(Approved 4 – 1, Noes: Bergman)

Subject: Consider Resolution No. 2010-21 Approving a Contract with Paychex, Inc. to Perform Payroll and Payroll Tax Services – C. Andes, Finance Director

Catrina Andes reported that the Finance and Administration Department reviewed three companies for outsourcing payroll. The services to be provided to the City would be biweekly payroll processing and tax reporting. There should be a minimal fiscal impact to the City; the cost will be offset by the current time staff spends processing payroll and tax preparation; references regarding Paychex have been checked with positive responses.

Action: Motion by McKay, seconded by Bergman to approve Resolution No. 2010-21 approving a contract with Paychex, Inc. to perform payroll and payroll taxes.
(Approved 5 – 0)

Subject: Consider Resolution No. 2010-22 Endorsing the Sierra Nevada Geotourism Project – Nicole DeJonghe' Martini Morris, Sierra Business Council.

City Manager, Albaugh indicated that it would be best to appoint a committee to look into related resources and to connect groups together; establish historical locations; delegate. City Manager Albaugh and Councilmember Coffman agreed to work together and look into this committee appointment.

Action: Motion by Harris, seconded by Bergman to approve Resolution No. 2010-22 and authorize the Mayor to sign an endorsement letter.
(Approved 5 – 0)

PUBLIC HEARINGS

None

5. OLD BUSINESS:

Subject: Nevada City Fire Department – 150th Anniversary Celebration Plan on Saturday, June 19th from 9:00 AM to 4:00 PM – S. Goodspeed – Fire Chief

Fire Chief Goodspeed introduced Andrew Trygg and Phil Kember with the Nevada City Fire Fighter's Association. Fire Fighter Trygg stated that the Fire Department was first formed June 1860; the 150th anniversary celebration will begin with a procession of fire trucks down Broad Street at 9:30 a.m.; this event will be an educational with activities offered, particularly with children (Fire Facts); demonstrations, food and entertainment.

Subject: Consider Resolution No. 2010-23 Approving the Sewer System Management Plan (SSMP) – B. Falconi, City Engineer
City Engineer Falconi stated this is an unfunded mandate from the State of California.

Action: Motion by McKay, seconded by Harris
(Approved 5 – 0)

Subject: Consider Resolution No. 2010-24 Approving a Contract, not to exceed \$14,600 with ECO LOGIC, for Analysis of Data and Estimation of Dilution Credits Available in Deer Creek, Analysis and Estimation of the Appropriate Copper and Zinc Limitations Using Current Data and Recent Regional Water Board Policies for the Waste Water Treatment Plant (WWTP) Permit – H. Schmitz, WWTP Chief Operator

WWTP Chief Operator Schmitz referred to the staff report included in the packet with the State requiring the City to take actions and meet time schedule orders to comply with the new effluent limitations set in the permit.
- Councilmember Harris asked if the City has put that \$100,000 into the project list or how are we planning for that.

- City Manager Albaugh stated that he believes that some money might be in the CIP and it is due to be reviewed in May and report back to the Council.

- Councilmember Harris indicated that if we are looking at new rates, we need an accurate set of projects to build into that as well as cost estimates.

Action: Motion by Coffman, seconded by Harris to approve Resolution No. 2010-24 Approving a Contract, not to exceed \$14,600 with ECO LOGIC, for Analysis of Data and Estimation of Dilution Credits Available in Deer Creek, Analysis and Estimation of the Appropriate Copper and Zinc Limitations Using Current Data and Recent Regional Water Board Policies for the Waste Water Treatment Plant (WWTP) Permit.
(Approved 5 – 0)

6. NEW BUSINESS:

Subject: Consider Request for Permission to Display Flags on City Lamp Posts During the National Crime Victim Rights Week

Rod Gillespie, Project Coordinator, Nevada County Victims' Witness Assistance Center requested to display flags annually on the gas lamps to bring awareness to crime victims beginning next year (April); flags are not designed yet, seeking City Council approval before expending the costs to purchase the flags and referred to the design sample included in the packet.

- Councilmember Harris indicated that flags displayed are for scheduled events and asked if the City wants to go beyond events compared to messaging.

- Mayor Senum stated concern of setting a standard for message flags.

- Councilmember McKay suggests looking at what other cities are doing.

Direction: To have City Planner and Planning Commission look into drafting a policy (events and/or causes).

Rod Gillespie announced there is a candlelight vigil on April 22nd at the Robinson Plaza and reminded everyone to where jeans on April 21st in recognition Denim Day.

Subject: Consider a Resolution of Intention, Resolution No. 2010-25 Approving an Amendment to the Contract Between the Board of Administration of the California Public Employee's Retirement System and the City Proposing Different Levels of Benefits for New Local Safety and Miscellaneous Employees – C. Andes, Finance Director

Finance Director Andes stated that adopting the resolution and amending the contract is the next step to complete the addition of a second tier of retirement formulas for new employees hired after the date of the effective contract amendment. The new tier for miscellaneous employees is 2% @ 60 years and for safety employees, 2% @ 55 years.

- Councilmember Harris suggested talking to the relevant parties to discuss CalPERS topic or have the City sponsor a CalPERS representative to visit; set an informational meeting.

Action: Motion by Coffman, seconded by Harris to approve Resolution No. 2010-25 a Resolution of Intention to approve an amendment to the contract between the Board of Administration of the California Public Employee's Retirement System and the City proposing different levels of benefits for new local safety and miscellaneous employees.

(Approved: 5 – 0)

Subject: Ordinance No. 2010-03 – An Ordinance of the City of Nevada City Amending the Contract Between the Board of Administration of the California Public Employee's Retirement System and the City Providing Different Levels of Benefits for New Local Safety and Miscellaneous Employees.

Action: Motion by Coffman, seconded by Harris to read title only on the first reading of Ordinance No. 2010-03.
(Approved 5 – 0)

City Attorney, Hal DeGraw read the title of Ordinance 2010-03; he added that CalPERS specified in their instructions that there is a 20 day waiting period, therefore don't expect a second reading at the next council meeting.

Subject: Consider Request to Revise Red No Parking zones to yellow Loading zones on Certain City Streets.

Diane Miessler reported that she was here tonight to discuss temporary parking while loading and unloading music equipment and proposes creating yellow curbs where red or 10 minute amnesty that is attended to avoid a parking citation; she referred to illustrations of Amigos, Chief Crazy Horse and McGees where these zones could be created.

Beth Moore, local musician stated she too has run into the same problem with law enforcement issuing parking citations while loading and unloading.

- Councilmember McKay referred to York Street curb is red and delivery trucks park there all the time.

- Councilmember Harris would like to hear from the Chief of Police.

Police Chief Trovato approached the Council. He told the Council that delivery trucks don't get ticketed.

- Councilmember Coffman stated that musicians have come to her lately to complain about the police while parked and musicians are unloading and loading equipment; that has never been a problem until recently; the system in past with police has worked fine without ticketing. She suggested the City issue a parking permit to the musician.

- Councilmember Harris indicated that there needs to be policy and standards between musicians and parking.

- Councilmember McKay suggested the permit be clear and concise and issued to the businesses to give to the musician, not have City Hall distribute the permit.

Public Comment

Fire Chief Goodspeed - asked the Council not to remove red curbs, they are dedicated for emergency space (i.e. fire hydrants, etc).

Tony Finnerty, Staff Photographer for Music for the Arts – Nevada City has an amazing music scene and supports local musicians.

Diane Meissler – Reported that the officer that issued the ticket was sarcastic and takes away the friendliness of the police department.

Direction: Staff to create a large visible permit to business establishments that have musicians that will allow for a 10 minute unloading and loading of equipment while parked. City Manager, Albaugh to bring back to City Council.

Subject: Appeal of City Manager's Rejection of Request of Divine Spark for Serving Lunches an Additional Two (2) Days per Week in the Nevada City Veteran's Building.

City Manager, Albaugh stated that one day was originally allowed at the Veteran's Building for a lunch program and then was extended to three days. There is a request from Divine Spark to serve 5 days per week. The veteran's building needs to be available for event rental. It was suggested to Thomas to contact local churches for these services.

Tomas Streicher, Divine Sparks, Inc – read a prepared statement and requested five days a week of free meals from the current three days per week schedule. See's a need; served over 75 people last week; these are members of our community and transients.

- Councilmember Coffman indicated that a rental fee of \$20/per hour is paid; has concerns for the five days a week during the summer months.
- Councilmember McKay indicated that if needed, the lunch could be moved.
- Mayor Senum supports the homeless and has received observance feedback of drug dealing and the lack of food cleanliness and trash in the parking lot.

Public Comment

Ruth Brown, 17455 Star Duster Drive – Compliments the City Council to see them working with Tomas for a solution; it's amazing.

Richy Benuzzi, 4th generation Nevada City resident – Urges City Council to work strongly with Tomas.

David, P.O. Box 435 – Thomas is kind to me with giving food.

Tom Mercherch – Lives in his van and thanks the City Council for working with Tomas.

Dan Brown, 17455 Star Duster Drive – The services that Divine Spark provides takes away from the City the responsibility to not have to provide; say yes to two more hours.

Claire Sullivan, 16096 Walker Drive – Two more days of nourishment.

Action: Motion by Coffman, seconded by Harris to allow Divine Spark, Inc to use the Veteran's Building five days a week, schedule to be determined by Dawn Zydonis, Park & Recreation Supervisor at \$20/per hour session and if a major event gets scheduled, the major event takes precedence.
(Approved 5 – 0)

7. CORRESPONDENCE:

- A. Note from Wally Krill Thanking the Public Works Dept for Responding and Correcting a Dangerous Tree Problem on Prospect Street.
- B. Letter to Police Officer Shane Franssen from Fred Barnes in Appreciation of the Return of a Lost Hearing Aid.
- C. Letter from John & Magdalena Halford Thanking Cindy Siegfried, City Planner for Being Helpful Regarding Park Avenue Extension.
- D. Letter from Nevada County Transportation Commission Regarding Revised Findings of Apportionment for FY 2009-10 Referencing Resolution 10-06 and 10-07.

8. ANNOUNCEMENTS:

- A. Parts of the 95959 Google video has been shown on National TV (Katie Couric).
- B. Firefighter Association Spaghetti Feed – April 18th, Noon – 7:00 p.m.

9. CITY MANAGERS REPORT

Action: Received and filed.

10. CLOSED SESSION

None

11. ADJOURNMENT:

Action: Motion by McKay, seconded by Harris to adjourn the meeting at 8:47 p.m.

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk