



**Regular Meeting of
Nevada City Council**

**City Hall – Beryl P. Robinson, Jr. Conference Room
317 Broad Street, Nevada City, CA 95959**

WEDNESDAY	February 9, 2021	6:30 P.M.
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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.

Duane Strawser, Mayor

**Erin Minett, Council Member
Daniela Fernández, Council Member**

**Douglas Fleming, Vice Mayor
Gary Petersen, 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 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.

To watch City Council Meetings live you have the follow options:

- 1. Public Television Channel 17*
- 2. City's website: <https://nevadacityca.gov/pview.aspx?id=20797&catid=563>*
- 3. Nevada City Public Meetings, YouTube Channel:
<https://www.youtube.com/channel/UCXSQwrXteyI2YII3IbyGMYQ>*
- 4. Granicus: http://nevco.granicus.com/player/camera/2?publish_id=7&redirect=true*

If you wish to comment during Public Comment time or on any item on the agenda, you have the following options:

- 1. Please click the link below to join the webinar and use the "RAISE HAND" feature at the bottom of your screen:
<https://us02web.zoom.us/j/89009138474>
Webinar ID: 890 0913 8474*
- 2. Email your comments to nevadacitypubliccomment@gmail.com*

Comments will be accepted until 7pm on the Monday prior to the meeting date. Comments will not be read during the City Council meeting (due to virtual participation option above), but will be forwarded to all Council Members prior to the City Council Meeting, so they have time to read them before to the meeting time. When sending an email it is extremely helpful to include the following:

- a. Full Name*
- b. Address (specific or general, i.e.: resident in unincorporated Nevada City)*
- c. The item number that you are commenting on.*

CALL TO ORDER

NISENAN TRIBE RECOGNITION: This City Council Meeting Convenes On the Ancestral Territories of the Nevada City Rancheria Nisenan Tribe

PLEDGE OF ALLEGIANCE

ROLL CALL

- _____ Mayor Strawser
- _____ Vice-Mayor Fleming
- _____ Councilmember Fernández
- _____ Councilmember Minett
- _____ Councilmember Petersen

MEETING PROCEDURES: *All items on agenda will be open for public comments before final action is taken. Citizens wishing to introduce written material into the record at the public meeting on any item are requested to provide a copy of the written material to the Deputy City Clerk prior to the meeting date so that the material may be distributed to the City Council prior to the meeting. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit (or lesser time if the Mayor determines it necessary due to the number of persons who may wish to speak on an item). The Mayor similarly has the discretion of limiting the total discussion time for an item as may be necessary.*

ADOPTION OF THE AGENDA (This is the time for agenda modifications)

ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

PRESENTATIONS

PUBLIC COMMENT: Government Code Section 54954.3 provides that any member of the public may address the City Council on any matter NOT ON THE AGENDA that is within the subject matter jurisdiction of the city. **The Brown Act, with limited exceptions, does not allow the Council or staff to discuss issues brought forth under Public Comment.** The Council cannot take action on non-agenda items. Concerns may be referred to staff or placed on a future agenda. Please note that comments from the public will also be taken on each agenda item. At the time it is heard. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit (or lesser time if the Mayor determines it necessary due to the number of persons who may wish to speak on an item). The Mayor similarly has the discretion of limiting the total discussion time for an item as may be necessary.

CONSENT AGENDA: All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Council or staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda

1. **Accounts Payable—January**
Recommended Action: Receive and file
2. **Police Activity Report—January**
Recommended Action: Receive and file
3. **Building Activity Report—January**
Recommended Action: Receive and file
4. **Consideration of Adoption of Resolution No. 2021-44: A Resolution of the City Council of the City of Nevada City Making the Legally Required Findings to Continue to Authorize the Conduct of Remote “Telephonic” Meetings During the State of Emergency**
Recommended Action: Reconfirm resolution
5. **Consideration of Resolution No. 2022-10: A Resolution of the City Council of the City of Nevada City Authorizing Submittal of Application for All CalRecycle Grant and Payment Programs for Which Nevada City is Eligible**
Recommended Action: Adopt resolution
6. **Request for Approval of Resolution No. 2022-11: A Resolution of the City Council of the City of Nevada City Approving an Amendment to Contract with Anthropological Studies Center, Sonoma State University (Mark Selverston) for Sugarloaf Trail Section 106 Cultural Resources Study in the Amount of \$3,450**
Recommended Action: Approve resolution
7. **Request for Approval of an Agreement between City of Nevada City , Sierra Academy of Expeditionary Learning (SAEL) and Bear Yuba Land Trust for Educational Activities at Hirschman Trail and Property**
Recommended Action: Authorize Interim City Manager to sign agreement
8. **Award of Bid for Commercial Street Project—Storm Drainage**
Recommended Action: Award bid

CONSENT ITEMS FORWARD: Items pulled from the Consent Agenda will be discussed individually with action taken by separate motion.

PUBLIC HEARINGS:

Notice to the Public:

The City Council, when considering the matter scheduled for hearing, will take the following actions:

- a) Open the Public Hearing*
- b) Presentation by Staff*
- c) Presentation by Applicant or Appellant (if applicable)*
- d) Accept Public Testimony*
- e) Applicant or Appellant Rebuttal Period (if applicable)*
- f) Close the Public Hearing*
- g) Council Comments and questions*
- h) Council Action*

Once the hearing is closed, no further public comment will be taken. If you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you, or someone else, raised orally at the public hearing or in written correspondence received by the city at or before the public hearing.

Public hearings listed for continuance will be continued as noted and posting of this agenda serves as notice of continuance. Any matter not noted for continuance will be posed separately.

9. Public Hearing on Ordinance No. 2022-01: An Ordinance of the City Council of the City of Nevada City Amending Title 17 of the City of Nevada City Municipal Code Adding Chapter 17.82—Objective Design Standards for Streamlined and Ministerial Residential Developments

Recommended Action: Hold public hearing, waive reading of the ordinance, read by title only, introduce by title only and scheduled for second reading and adoption for February 23, 2022

BUSINESS

10. Consideration of Updated Facility Rental Policies

Recommended Action: Approve the proposed updated policies

11. Discussion on Request from Nevada City Co-Housing for Burn Ban Exemption to Municipal Code Section 8.08.010

Recommended Action: Hear staff comments, open for public comment and discuss with possible direction to staff to return with proposed ordinance amendments or determine that Municipal Code Section 8.08.010 will stand as written

CITY MANAGER, COUNCILMEMBER REPORTS AND FUTURE AGENDA ITEMS

ADJOURNMENT

THE MEETING WILL ADJOURN AT 9:30 P.M. UNLESS A DECISION IS MADE BY MOTION OF A COUNCILMEMBER TO EXTEND THE TIME.

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

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].

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 October 27th, 2021 Regular Meeting of the Nevada City City Council was posted October 22nd, 2021 at the entrance of City Hall. The agenda, along with staff reports, is also posted on the City's website.

Signed October 22, 2021 at Nevada City, California

Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk