



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 10, 2021**

**Closed Session - 5:30 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
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/UCXSQwrXtey12YII3IbyGMYO>*
- 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. To join the Regular City Council Meeting (Zoom Webinar) as an attendee on the 2nd Wednesday of the month click on this link:
<https://us02web.zoom.us/j/88619125017?pwd=TmVxUnMyOVdZSjQ5OURiTUdRVThLUT09>*
- 2. To join the Regular City Council Meeting (Zoom Webinar) as an attendee on the 4th Wednesday of the month click on this link:
<https://us02web.zoom.us/j/86727202235?pwd=O0pMO2YyOD0xNk1qK1Y5TXJnWFVvUT09>*

You will be asked to enter an email address to be allowed into the meeting. The City does not collect or monitor these email addresses, it is a process that Zoom requires.

Directions will be given during the meeting to assist you on how to make your comments, but here are some things to know in advance:

- a. You will not be able to change your name once you join the meeting, so be sure to set that prior to signing onto the meeting.*
 - b. When you want to speak on an item, you will need to “raise your hand”. So look for that at the bottom of the screen and be sure you know how to that prior to the time that you actually want to speak.*
 - c. When you are given permission to address the Council, you have 3 minutes to speak (unless the Mayor informs us otherwise during the meeting). Your video will not be turned on, the Council will only be able to hear your voice.*
- 3. Email your comments to nevadacity.olson@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, 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, ie: resident in unincorporated Nevada City)*
- c. The item number and letter that you are commenting on.*

Also, keep in mind that public comments are limited to 3 minutes during the meeting, so it shouldn't take longer than 3 minutes to read your comments.

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: 5:30 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.

- A.** Pursuant to Government Code Section 54957: evaluation of the performance of the City Manager.
- B.** Public Employee Appointment, Pursuant to Government Code Section 54957: Acting and Interim City Manager.

REGULAR MEETING: 6:30 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

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, COMMITTEE REPORTS AND FUTURE AGENDA ITEMS:

A. Citywide COVID-19 Update

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:** Accounts Payable Activity Report – January 2021
Recommendation: Receive and file.

B. **Subject:** Action Minutes January 27, 2021 Regular City Council Meeting
Recommendation: Review and approve Regular City Council Meeting action minutes of January 27, 2021.

C. **Subject:** Action Minutes February 1, 2021 Special City Council
Recommendation: Review and approve Special City Council Meeting action minutes of February 1, 2021.

D. **Subject:** 2nd Quarter Financial Update, Fiscal Year (FY) 20/21
Recommendation: Receive and file.

E. **Subject:** A Resolution of the City Council of the City of Nevada City Adopting the Second Amendment to the Professional Services Agreement for Legal Services (Jones and Mayer) Appointing Dean Pucci as the Contract City Attorney for Nevada City

Recommendation: Pass Resolution 2021-XX, a Resolution of the City Council of the Nevada City adopting the second amendment to the Professional Services Agreement for Legal Services (Jones and Mayer) appointing Dean Pucci as the contract City Attorney for Nevada City.

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

5. PUBLIC HEARINGS:

A. Subject: Appeal of Planning Commission Decision to Deny a Variance from Development Performance Standards and Historic District Signage Standards as Proposed by Representatives of the National Exchange Hotel for the Property Located at 211 Broad Street, Nevada City

Recommendation: Continue item 5A, appeal of the Planning Commission decision to deny a variance from development performance standards and Historic District Signage Standards proposed by representatives of the National Exchange Hotel for the property located at 211 Broad Street, Nevada City to the date certain of March 10, 2021.

B. Subject: First Reading of Ordinance 2021-XX, an Ordinance of the City of Nevada City to Repeal and Reenact Chapter 12.02 of the Nevada City Municipal Code pertaining to Encroachment Permits on Public Right-Of-Way

Recommendation: After holding a public hearing, approve for introduction and first reading by title only, Ordinance 2021-XX, an Ordinance of the City of Nevada City to Repeal and Reenact Chapter 12.02 of the Nevada City Municipal Code pertaining to Encroachment Permits on Public Right-Of-Way.

C. Subject: A Resolution of the City Council of the City of Nevada City, State of California, Amending the Renewal Application Fees for Cannabis Business Permittees

Recommendation: Approve Resolution 2021-XX to Update the Cannabis Business Renewal Fee.

6. OLD BUSINESS:

7. NEW BUSINESS:

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 February 10th, 2021 Regular Meeting of the Nevada City City Council was posted February 5th, 2021 at the entrance of City Hall. The agenda is also posted on the City's

website www.nevadacityca.gov.

Signed February 5th, 2021, at Nevada City, California

Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk

CITY OF NEVADA CITY
City Council
Long Range Calendar

February 10, 2021	Regular Council Meeting
February 15, 2021	Presidents Holiday
February 24, 2021	Regular Council Meeting
March 10, 2021	Regular Council Meeting
March 24, 2021	Regular Council Meeting
March 31, 2021	Cesar Chavez Day Holiday
May 14, 2021	Regular Council Meeting
May 28, 2021	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.*