



REGULAR CITY COUNCIL MEETING-(REVISED)
MEETING AGENDA
WEDNESDAY, APRIL 24, 2019

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.

David Parker, Mayor

Duane Strawser, Council Member
Erin Minett, Council Member

Reinette Senum, Vice Mayor
Valerie Moberg, 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.

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 Manager, Catrina Olson and City Attorney, Hal DeGraw are requesting a closed session conference to confer on litigation involving the City in the case of Jacquelyn Sakioka, Successor in Interest to Estate of Ronson Sakioka v. State of California, County of Nevada, City of Nevada City and Genevieve Dungan, Nevada County Superior Court Case No. CU18-083228.
2. Pursuant to Government Code Section 54956.9 the City Manager, Catrina Olson, City Attorney, Hal DeGraw and Consulting Attorney, P. Scott Browne are requesting a closed session conference to confer on litigation involving the City in the case of Friends of Spring Street vs. Nevada City, et al., Nevada County Superior Court Case No. CIV 1304393, Appellate Case No. C081195.

3. Pursuant to Government Code Section 54957 a closed session is requested to discuss the process to evaluate the performance of the City Manager.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Mayor Parker, Vice Mayor Senum, Moberg, Minnett & Strawser

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

PRESENTATIONS: Swearing in of Sergeants Holcroft and Mason and Police Chief Ellis

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 AND COMMITTEE REPORTS:

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
Recommendation: Receive and file.

4. APPROVAL OF ACTION MINUTES:

- A.** City Council Meeting – April 10, 2019

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** Nevada County Transportation Commission's Draft Fiscal Year 2019/20 Overall Work Program
Recommendation: Review projects proposed for inclusion in the Nevada County Transportation Commission (NCTC Fiscal Year (FY) 2019/20) Overall Work Program (OWP) and pass Resolution 2019-XX approving the projects proposed for inclusion in the NCTC FY 2019/20 OWP.

- B. Subject:** Resolution to Surplus 1990 Ford Grumman Fire Engine
Recommendation: Pass Resolution 2019-XX A Resolution of the City Council of Nevada City Declaring the 1990 Ford Grumman Fire Engine as Surplus Property and authorize the Division Fire Chief to salvage the surplus property by direct sale or auction.
- C. Subject:** Monthly Update on City Council Six-Month Strategic Objectives
Recommendation: Receive and file.
- D. Subject:** Incorporate A List Of Projects Funded By SB 1: The Road Repair And Accountability Act
Recommendation: Pass Resolution 2019-XX as follows:
1. Approve the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) in Fiscal Year 2019-20 as described in in Exhibit A.
 2. Appoint the City Manager, or designee, to execute all applications, negotiations and agreements which may be necessary for completion of the aforementioned project and expenditure of RMRA funds, except those designated to the City Engineer below.
 3. Appoint the City Engineer, or designee, to execute and submit all reports, payment requests, and changes to the project description, which may be necessary for completion of the aforementioned project and expenditure of RMRA funds.
- E. Subject:** Pilot Project for Conversion of York Street and Commercial Street to One-Way Streets
Recommendation: Provide staff direction to proceed with three month Pilot Project for conversion of York Street (between Broad and Commercial) and Commercial Street (between Main and Broad) to One-Way Streets.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** Council Direction on how to Proceed with Expanding Telecommunications Regulations to Make Citywide
Recommendation: Provide staff direction on how Council would like to proceed with an Ordinance to expand telecommunications regulations citywide, more specifically whether Council wants to:
1. Amend and add to the existing telecommunications regulations applicable to public right of ways, already adopted, as necessary to extend those regulations Citywide, as recommended by City Attorney, Hal DeGraw and Consulting Attorney, Scott Porter, who drafted those regulations.
 2. Totally replace the existing Telecommunications Ordinance with a rewrite of the telecommunications regulations to apply citywide as recommended by Mr. Monroe.

8. NEW BUSINESS:

A. Subject: Response to Council Direction to Bring Forward an Urgency Ordinance or Moratorium Regarding Fifth Generation (5G) Facilities Applications

Recommendation: Based on the information presented in the staff report, provide staff direction to take no action in moving forward in preparing an Urgency Ordinance or Moratorium regarding Fifth Generation (5G) facilities.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT

Certification of Posting of Agenda

I, Loree’ McCay, Administrative Services Manager/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the April 24th, 2019 Regular Meeting of the Nevada City City Council was posted April 18th, 2019 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed April 18th, 2019, at Nevada City, California

Loree’ McCay, Administrative Services Manager/Deputy City Clerk

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

May 8, 2019	Regular Council Meeting
May 15, 2019	Budget Workshop (9am)
May 22, 2019	Regular Council Meeting
May 27, 2019	Memorial Day Observed
June 12, 2019	Regular Council Meeting
June 26, 2019	Regular Council Meeting
July 4, 2019	Holiday
July 10, 2019	Regular Council Meeting
July 23, 2019	Regular Council Meeting (Tuesday instead of Wednesday)

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.*