



**Regular Meeting of
Nevada City Council**

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

WEDNESDAY	May 25, 2022	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**

NOTICE TO THE PUBLIC: Please be advised that the Council Chambers are currently open to the public. This meeting is accessible to the public in person, via Zoom video conference, via YouTube, or on the local government cable channel 17. Individual City Council members may participate remotely in accordance with applicable open meeting law requirements. In-person meetings will be conducted in accordance with local and State Department of Public Health orders and guidance and requirements of the California Division of Occupational Safety and Health (CalOSHA).

The public is encouraged to participate or observe this meeting by:

1. Attending this meeting in person at the City of Nevada City Council Chambers located at 317 Broad Street Nevada City, California.
2. Attending this meeting via Zoom video conference by linking to the following site: <https://us02web.zoom.us/j/89009138474> or,
by telephone: Dial 1-669-900-9128 Webinar ID: 890 0913 8474
3. Observing this meeting live from the City of Nevada City YouTube channel at: <https://www.youtube.com/channel/UCXSQwrXtey12YII3lbyGMYQ>
4. Observe this meeting live from the local government cable channel 17

Public comments may be made:

1. In person: Live at the meeting. Members of the public desiring to speak on a matter appearing on the agenda should ask the Mayor for the opportunity to be heard when the item comes up for Council consideration. Comments for all agenda items are limited to a speaking time of three minutes.
2. Via Zoom: If you choose to join the City Council Meeting via Zoom video conference you will be able to utilize the “Raise Hand”. If joining by telephone: Dial 1-669-900-9128 Webinar ID: 890

0913 8474, dial *9 to “Raise Hand”. The Mayor will call on those who wish to speak at the appropriate time, not to exceed three minutes.

3. In writing: Email your comments to publiccomment@nevadacityca.gov 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:
 - Full Name
 - Address (specific or general, ie: resident in unincorporated Nevada City)
 - The item number that you are commenting on

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 317 Broad Street, Nevada City, California during normal business hours. Government Code § 54957.5(b)(1). Copies will also be provided at the appropriate meeting.

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 530-265-0187 Extension 133. 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].

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)

PRESENTATIONS

Proclamation: A Proclamation Honoring the Grand Opening and Ribbon Cutting of The Acupuncture Spot

Proclamation: A Proclamation Honoring the 75th Anniversary of the Nevada City Lion's Club and Their Community Contributions

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. **Action Minutes May 11, 2022 Regular Meeting**
Recommended Action: Review and approve
2. **Fire Activity Report April 2022**
Recommended Action: Receive and file
3. **Consideration of an Updated Special Event Street Closure Request from the Nevada City Chamber of Commerce for the 2022 Art Walk Events**
Recommended Action: Review, approve, and authorize the updated street closure requests per the submitted request
4. **Consideration of a Bandshell Rental Request to Include Extended Hours for the KVMR Mini Celtic Festival on September 10, 2022 from 2:00pm to 8:00pm**
Recommended Action: Review, approve, and authorize the bandshell rental and extended hours request per the submitted application
5. **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

- 6. Consideration of Adoption of Resolution No. 2022-32: A Resolution of the City Council of the City of Nevada City Approving the Subrecipient Agreement with the Nevada County Transportation Commission for Transportation Planning and Authorize the Mayor to Sign**
Recommended Action: Adopt resolution
- 7. Consideration of Adoption of Resolution No. 2022-33: Regional Surface Transportation Program (RSTP) Claim for the Commercial Street Phase 2 Street Improvement Project in the Amount of \$92,000**
Recommended Action: Adopt resolution
- 8. Consideration of Adoption of Resolution No. 2022-34: Local Transportation Fund (LTF) Claim for Pedestrian and Bicycle Facilities Funds for the Commercial Street Phase 2 Street Improvement Project in the Amount of \$61,500**
Recommended Action: Adopt resolution
- 9. Consideration of Adoption of Resolution No. 2022-35: A Resolution Requesting the Nevada County Transportation Commission (NCTC) Allocate \$126,063 of the City's Fiscal Year 2022/23 Local Transportation Funds (LTF) for Public Transportation.**
Recommended Action: Adopt resolution

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.

10. Conduct a Public Hearing in Consideration of Ordinance No. 2022-06: An Ordinance of the City Council of the City of Nevada City, State of California, Amending Chapter 3.08 (“Purchasing”) of Title 3 (“Revenue and Finance”) of the City of Nevada City Municipal Code, Relating to Purchasing Procedures; and

Consideration of Resolution No. 2022-36: A Resolution of the City Council of the City of Nevada City, California, Adopting Purchasing Policies to Implement a Revised Purchasing Ordinance

Recommended Action: Hold first reading, waive reading of Ordinance in its entirety, read by title only, and schedule for second reading and adoption for June 8, 2022; adopt the resolution.

11. Conduct a Public Hearing in Consideration of Ordinance No. 2022-07: Ordinance of the City of Nevada City Amending Sections of Chapter 12.02 (“Encroachments on Public Right-of-Way”) of Title 12 (“Streets, Sidewalks and Public Places”) Regarding Resurfacing of Streets and Sidewalks

Recommended Action: Hold first reading, waive reading of Ordinance in its entirety, read by title only, and schedule for second reading and adoption for June 8, 2022.

BUSINESS

12. Consideration of Resolution No. 2022-37: A Resolution of the City Council of the City of Nevada City Declaring Every November in Nevada City Nisenan Heritage Month and Direct Staff on Property Acquisition Under the Nisenan Land Back Initiative and Related Activities

Recommended Action: Adopt the Resolution and provide direction to staff

13. Receive a Report from the Nevada City Fire Safety Advisory Committee; Authorize the City Manager to Execute Contracts for Adoption of the Drummond and Broad Street Slivers; Authorize Vegetation Management Activities for the Drummond Sliver in an Amount Not-To-Exceed \$9,000; and Provide Staff Direction on the Committee’s Recommendations

Recommended Action: Receive the report, authorize the approval of the contracts, authorize the vegetation management activities on the slivers and provide staff direction.

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.

Certification of Posting of Agenda

I, Gabrielle Christakes, Administrative Services Manager/Deputy City Clerk for the City of Nevada City,

declares that the foregoing agenda for the May 25, 2022 Regular Meeting of the Nevada City City Council was posted May 20, 2022 at the entrance of City Hall. The agenda, along with staff reports, is also posted on the City's website.

Signed May 20, 2022 at Nevada City, California

Gabrielle Christakes, Administrative Services Manager/Deputy City Clerk