



**Regular Meeting of
Nevada City Council**

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

WEDNESDAY	June 22, 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/UCXSQwrXtey12YII3IbyGMYQ>
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: Award Presentation to Duane Strawser Upon His Dedication to Nevada City and His Term as Mayor in 2021-2022

Proclamation: Award Presentation to Erin Minett Upon Her Dedication to Nevada City and Her Term as Mayor in 2020-2021

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 June 1, 2022 Special Meeting**
Recommended Action: Review and approve
2. **Action Minutes June 8, 2022 Regular Meeting**
Recommended Action: Review and approve
3. **Fire Activity Report May 2022**
Recommended Action: Receive and file
4. **Consideration of Adoption of Resolution No. 2022-53: A Resolution of the City Council of the City of Nevada City Acknowledging the Report of Required Annual Inspections of Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code**
Recommended Action: Adopt the resolution
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. 2022-54: A Resolution of the City Council of the City of Nevada City Amending Vehicles and Traffic Regulations**

by Establishing the Intersection of Searls Avenue and Argall Way as an Intersection Where a Stop is Required in all Directions of Travel

Recommended Action: Adopt resolution

- 7. Consideration of Award of a Contract With Traffic Limited for Annual City Street Striping in an Amount Not-To-Exceed \$17,957.28 and Authorize the City Manager to Execute any Contracts or Related Documents**

Recommended Action: Award the contract and authorize the City Manager to execute related documents

- 8. Consideration of Award of a Contract With PSCE to Remove and Dispose of the Existing Barn Building at Nevada City Public Works Yard in an Amount Not-To-Exceed \$23,267.00 and Authorize the City Manager to Execute any Contracts or Related Documents**

Recommended Action: Award the contract and authorize the City Manager to execute related documents

- 9. Award of Contract with PSCE in an Amount Not-To-Exceed \$ 30,630 and Hardcore Construction in an Amount Not-To-Exceed \$124,880 for Phase I and Phase II 2022 Sewer Improvements at Various Locations; Authorize a Project Contingency of 10%, Not-To-Exceed \$15,551; and Authorize the City Manager to Execute any Contracts or Related Documents**

Recommended Action: Award the contract, authorize the contingency, and authorize the City Manager to execute related documents

- 10. Consideration of Adoption of Resolution No. 2022-55: A Resolution of the City Council of the City of Nevada City Approving a Date Change Request for the Regular City Council Meetings in July 2022**

Recommended Action: Adopt resolution

- 11. Second Reading and Adoption of Ordinance No. 2022-08: An Ordinance Approving the Annexation and Prezoning of 43.5 Acres Within the Unincorporated Area of Nevada County in Two Distinct Areas Along State Highway 49 and Old Downieville Highway**

Recommended Action: Hold second reading and adopt Ordinance 2022-08, approving the annexation of 43.5 acres of Nevada County territory into the City of Nevada City and pre-zoning the properties as provided in the Ordinance making findings A-C:

- A. That all the proposed annexation territory is within the City's current Sphere of Influence boundary;
- B. That all of the proposed annexation territory will be pre-zoned in a manner that is compatible with the City's General Plan Land Use designations as may be amended; and
- C. That the City has the capacity to serve the proposed annexation territory in terms of Police, Fire, and Sewer service.

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.

12. Conduct a Public Hearing on the City's Fiscal Year 2022-2023 Proposed Annual Budget by:

Consideration of Resolution No. 2022-46: A Resolution of the City Council of the City of Nevada City Adopting Fiscal Year 2023-2023 Budget; and

Consideration of Resolution No. 2022-47: A Resolution of the City Council of the City of Nevada City Adopting the Fiscal Year 2022-2023 Citywide Classification and Compensation Plan; and

Consideration of Resolution No. 2022-48: A Resolution of the City Council of the City of Nevada City Adopting the Fiscal Year 2022-2023 Citywide Master Fee Schedule; and

Consideration of Resolution No. 2022-49: A Resolution of the City Council of the City of Nevada City Certifying Compliance with the 2021-2022 Appropriations Limitation and Establishing the Appropriation Limitation for the 2022-2022 Fiscal Year Adopting the Appropriations Limit for Fiscal Year 2022-2022

Recommended Action: Conduct the public hearing and adopt the resolutions

BUSINESS

- 13. Consideration of Adoption of Resolution No. 2022-50: A Resolution of the City Council of the City of Nevada City Approving and Adopting the Comprehensive Memorandum of Understanding with the Nevada City Police Officer's Association With a Term of July 1, 2022 Through June 30, 2025; and**

Consideration of Adoption of Resolution No. 2022-51: A Resolution of the City Council of the City of Nevada City Approving and Adopting the Comprehensive Memorandum of Understanding with the Nevada City Management And Supervisory Employee's With a Term of July 1, 2022 Through June 30, 2025; and

Consideration of Adoption of Resolution No. 2022-52: A Resolution of the City Council of the City of Nevada City Approving and Adopting the Comprehensive Memorandum of Understanding with the Nevada City Miscellaneous Employee's Association With a Term of July 1, 2022 Through June 30, 2025

Recommended Action: Adopt the resolutions

- 14. Consideration of Authorizing the City Manager to Develop and Implement an Interim Sidewalk Dining and Retail Permitting Process and a Trial Bollard Street Closure Schedule for Commercial Street Through September 30, 2022**

Recommended Action: Discuss and authorize the City Manager to implement the related plans

- 15. Consideration of the Adoption of the Nevada City Street Sign Replacement Design Program**

Recommended Action: Direct staff to replace street signs substantially in the style selected by the Planning Commission at their regular meeting held June 16, 2022

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 June 22, 2022 Regular Meeting of the Nevada City City Council was posted June 17, 2022 at the entrance of City Hall. The agenda, along with staff reports, is also posted on the City's website.

Signed June 17, 2022 at Nevada City, California

Gabrielle Christakes, Administrative Services Manager/Deputy City Clerk