



**Regular Meeting of  
Nevada City Council**

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

<b>THURSDAY</b>	<b>July 22, 2021</b>	<b>5:30 P.M.</b>
<p><b>CLOSED SESSION</b>—Pursuant to cited authority, the City Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented during the regular meeting.</p> <p>a. Labor negotiations—Government Code Section 54957.6  Agency Designated Representative: Joan Phillipe, Interim City Manager  Employee Organizations: Nevada City Miscellaneous Employee’s Association  Nevada City Police Supervisor’s Association  Nevada City Management and Supervisory Employees  Nevada City Police Officers Association</p> <p><b>Members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.</b></p>		

<b>THURSDAY</b>	<b>July 22 , 2021</b>	<b>6:30 P.M.</b>
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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.*

**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 2<sup>nd</sup> and 4<sup>th</sup> 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](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:  
<https://us02web.zoom.us/j/89009138474>  
Webinar ID: 890 0913 8474
  
2. Email your comments to [nevadacitypubliccomment@gmail.com](mailto: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, 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 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 Administrative Services Manager or 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. The Mayor has the discretion of limiting the total discussion time for an item.

**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. Comments shall be limited to three (3) minutes per person. At the mayor's discretion the time limit may be shortened if there is a large number of persons wishing to comment on an item.

**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 public requests otherwise, or if 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 23, 2021 Council Meeting**  
**Recommended Action:** Review and approve
2. **Action Minutes June 30, 2021 Special Council Meeting**  
**Recommended Action:** Review and approve
3. **Accounts Payable**  
**Recommended Action:** Receive and file
4. **Consideration of Resolution No. 2021-29: A Resolution of the City Council of the City of Nevada City Authorizing the City of Nevada City to Enter into an Amendment for Contract No. C9801427 with the State of California for the Per Capita Grant Program under the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018**  
**Recommended Action:** Adopt resolution
5. **Consideration of Resolution No. 2021-30: A Resolution of the City Council of the City of Nevada City Adopting a List of Projects for Fiscal Year 2021-22 Fund by SB1: The Road Repair and Accountability Act of 2017**  
**Recommended Action:** Adopt resolution
6. **Consideration of Adoption of Resolution No. 2021-31: A Resolution of the City Council of the City of Nevada City to Award A Contract to Peter Schack Construction Engineering for Mill Street Water Improvements and Authorize the Mayor to Sign**  
**Recommended Action:** Adopt resolution

7. **Consideration of Adoption of Resolution No. 2021-32: A Resolution of the City Council of the City of Nevada City to Request that NCTC (Nevada County Transportation Commission) Allocate \$109,301 of the Nevada City's Fiscal Year 2021/22 Estimated Apportionment of LTF (Local Transportation Funds) for Transit and Paratransit Services**

**Recommended Action:** Adopt resolution

8. **Consideration of Adoption of Resolution No. 2021-33: 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

9. **Consideration of Resolution 2021-34: A Resolution of the City Council of the City of Nevada City Approving Parcel Map 2021-01 and Authorizing the Mayor to Sign an Acceptance of an Offer of Dedication for Drainage Easement**

**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.*

## **BUSINESS**

10. **Council Chambers Technology Plan Update**

**Recommended Action:** This will be a verbal report by Chief Stec

**11. Consideration of Ordinance No. 2021-07: An Ordinance of the City of Nevada City Amending Section 9.22.070 (“Permittee Selection Process”) of Chapter 9.22 (“Cannabis Dispensaries and other Cannabis Businesses and Activity”) of Title 9 (“Public Peace, Morals and Welfare”) of the Nevada City Municipal Code Relating to Transfers of Cannabis Businesses**

**Recommended Action:** Discuss the desirability of amending the City’s cannabis business regulations to include a definition of when the corporate restructuring of a cannabis business qualifies as a “transfer” of a cannabis business permit. If it is determined that it is appropriate to proceed with the amendment, by motion introduce Ordinance No. 2021-07: An Ordinance of the City of Nevada City Amending Section 9.22.070 (“Permittee Selection Process”) of Chapter 9.22 (“Cannabis Dispensaries and Other Cannabis Businesses and Activity”) of Title 9 (“Public Peace, Morals and Welfare”) of the Nevada City Municipal Code Relating to Transfers of Cannabis Businesses for first reading by title only and schedule second reading for the August 11, 2021 council meeting

**12. Status Report on Shelter for Cooling and Warming Centers in the Event of Extreme Weather Conditions**

**Recommended Action:** Receive and file report with direction to staff about possible use of Seaman’s Lodge

**CITY MANAGER AND COUNCILMEMBER REPORTS**

**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 July 22nd, 2021 Regular Meeting of the Nevada City City Council was posted July 16, 2021 at the entrance of City Hall. The agenda, along with staff reports, is also posted on the City’s website.

Signed July 16<sup>th</sup>, 2021, at Nevada City, California

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Gabrielle Christakes, Administrative Services Technician/Deputy City Clerk

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