



**Regular Meeting of
Nevada City Council**

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

WEDNESDAY	November 9, 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.

Doug Fleming, Mayor

Daniela Fernández, Vice Mayor

Adam Kline, Council Member

Gary Petersen, Council Member

Lou Ceci, 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 Fleming
_____	Vice-Mayor Fernández
_____	Councilmember Petersen
_____	Councilmember Kline
_____	Councilmember Ceci

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)

ANNOUNCEMENT OF ACTION FROM CLOSED SESSION (if needed)

PRESENTATIONS

Proclamation: National Hospice and Palliative Care Month

Proclamation: Nevada County Food and Toy Run Day

Proclamation: The Place on South Pine Street Grand Opening and Ribbon Cutting

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 October 26, 2022 Regular Meeting**
Recommended Action: Review and approve the minutes
2. **Accounts Payable – October 2022**
Recommended Action: Receive and file the report
3. **Police Activity Report October 2022**
Recommended Action: Receive and file the report
4. **Building Activity Report October 2022**
Recommended Action: Receive and file the report
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 the resolution

6. **Consideration of Award of Contract with First Serve Productions Inc. in an Amount Not-To-Exceed \$27,120 for Tennis Court Resurfacing; Authorize a Project Contingency of 10%, Not-To-Exceed \$2,712; 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

7. **Second Reading and Consideration of Adoption of Ordinance 2022-12: An Ordinance of the City Council of the City of Nevada City Authorizing the Implementation of a Community Choice Aggregation Program in the City of Nevada City**

Recommended Action: Hold second reading and adopt the ordinance

BUSINESS

8. **Consideration of Resolution 2022-67: A Resolution of the City Council of the City of Nevada City Adopting the City of Nevada City 2022-2027 Strategic Plan**

Recommended Action: Receive a report and adopt the resolution

9. **Consideration of Resolution 2022-68: A Resolution of the City Council of the City of Nevada City Adopting the City of Nevada City 2023 Legislative Platform and Authorizing the Mayor and City Manager to Have Signature Authority for Letters of Advocacy**

Recommended Action: Receive a report and adopt the resolution

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, Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the November 9, 2022 Regular Meeting of the Nevada City City Council was posted November 4, 2022 at the entrance of City Hall. The agenda, along with staff reports, is also posted on the City's website.

Signed November 4, 2022 at Nevada City, California

Gabrielle Christakes, Deputy City Clerk