



**REGULAR CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 13, 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.

Reinette Senum, Mayor

**Duane Strawser, Council Member
David Parker, Council Member**

**Erin Minett, 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: 6:10 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, 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.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Mayor Senum, Vice Mayor Minett, Council Members Moberg, Parker and Strawser

PLEDGE OF ALLEGIANCE

PROCLAMATIONS: "Nevada County Food and Toy Run Day" – December 14th, 2019

PRESENTATIONS:

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: Accounts Payable Activity Report – October 2019

Recommendation: Receive and file.

B. Subject: Fire Activity Report – September and October 2019

Recommendation: Receive and file.

C. Subject: Side Letter No. 2 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing Multiple Sections and Adding a Defined Work Period and Repayment Terms

Recommendation: Review and approve Side Letter No. 2 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – rescinding and replacing Article 14 of the current MOU with ARTICLE 14A and ARTICLE 14B, Defining a 28-day FLSA work period cycle started on June 30, 2019, Replace ARTICLE 23 Defining Fire Engineer rank, and defining repayment terms.

D. Subject: Authorization for Procurement of Nevada City Wastewater Plant Flow Control Valve

Recommendation: Pass Resolution 2019-XX, a Resolution of the City of Nevada City Council to authorize the procurement from Aqua Sierra Controls the Nevada City Wastewater plant flow control valve and authorize the City Manager or designee to sign purchase orders for the procurement in the amount of \$34,852.73 plus \$5,000.00 in contingencies.

E. Subject: Mile Marker Plaque for Placement on Hirschman Trail

Recommendation: Approve the requested plaque wording.

4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – November 6, 2019

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** 4th Quarter Financial Update, Fiscal Year (FY) 18/19 - UNAUDITED
Recommendation: Receive and file.
- B. **Subject:** Pacific Gas and Electric (PG&E) Energy Efficient Retrofit Project and On-Bill Financing Loan Agreement
Recommendation: Review the Pacific Gas and Electric (PG&E) Energy Efficient Retrofit Project and On-Bill Financing Loan Agreement and authorize the City Manager to sign.
- C. **Subject:** Plaque Honoring Ellen Clark Sargent at Calanan Park
Recommendation: Provide staff direction on an application by the Nevada County Historical Society to install a plaque honoring Ellen Sargent at Calanan Park.
- D. **Subject:** Award of Contract for Firms to Provide On-Call Planning Services
Recommendation: Pass Resolution 2019-XX, a Resolution of the City of Nevada City awarding three professional service contracts for on-call Planning Services.
- E. **Subject:** Acceptance of Gift Deed for Deer Creek Park II
Recommendation: Pass Resolution 2019-XX, a Resolution of the City Council of the City of Nevada City authorizing the acceptance of a Gift Deed from Terra Alta Development Company.
- F. **Subject:** A Resolution Approving a Senate Bill 2 Grant Application
Recommendation: Pass Resolution 2019-XX, a Resolution of the City council of the City of Nevada City, State of California 1) authorizing an application for a receipt of SB2 Planning Grants program funds and 2) direct City staff to submit an application to the California Department of Housing and Community Development (HCD).
- G. **Subject:** Measure “S” Ballot Measure Extension
Recommendation: City Council to provide staff direction to work with the Measure “S” Committee on development of next steps in moving forward on preparing to place a Measure on the ballot for the November 2020 election to extend the existing Special Tax Measure “S”, due to sunset 2023.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. **Subject:** Ordinance for the Regulation of Wireless Telecommunication Facilities in the City
Recommendation: Provide staff direction on any sections of the adopted Ordinance that Council wants to see clarified, expanded or amended.

8. NEW BUSINESS:
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 November 13th, 2019 Regular Meeting of the Nevada City City Council was posted November 8th, 2019 at the entrance of City Hall. The agenda is also posted on the City’s website www.nevadacityca.gov.

Signed November 8th, 2019, at Nevada City, California

Loree’ McCay, Administrative Services Manager/Deputy City Clerk

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

November 28/29, 2019	Holiday
December 10, 2019	Regular Council Meeting (Tuesday instead of Wednesday)
December 25, 2019	Holiday
January 1, 2019	Holiday
January 8, 2019	Regular Council Meeting
January 20, 2019	Holiday
January 22, 2019	Regular Council Meeting
February 10, 2019	Strategic Planning
February 12, 2019	Regular Meeting
February 17, 2019	Holiday
February 26, 2019	Regular Meeting
March 11, 2019	Regular Meeting
March 25, 2019	Regular Meeting

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.*