

CITY OF NEVADA CITY
ACTION MINUTES
SPECIAL CITY COUNCIL MEETING OF MAY 12, 2021

NOTE: This meeting is available to view on the City's website www.nevadacityca.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. For website assistance, please contact Gabrielle Christakes, Deputy City Clerk at (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

CLOSED SESSION – 5:30 PM - Closed session adjourned at 6:30 PM

- a. Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b)
(1 case)
- b. Conference with Legal Counsel—Existing Litigation (Govt. Code Section 54956.9)
(Kenneth Paige et al vs. Nevada City—Nevada County Superior Court
Case No:CU21-085158)

REGULAR MEETING – 6:32 PM - Call to Order

NISENAN TRIBE RECOGNITION

PLEDGE OF ALLEGIANCE:

Roll Call: Present: Mayor Minett, Vice Mayor Strawser, Council Members Fernández, Fleming and Petersen

ANNOUNCEMENT OF ACTION FROM CLOSED SESSION:

Action: Direction to staff

ADOPTION OF THE AGENDA:

Item #9 was removed by City Manager to be tabled for further discussion.

Action: Motion by Petersen, seconded by Fernández to adopt the agenda as presented. Omitting Item #9 to be discussed further

(Approved 5-0, - Roll call votes ayes; Minett, Strawser, Petersen, Fernández, Fleming

PRESENTATIONS:

BUSINESS FROM THE FLOOR:

PUBLIC COMMENT (Per Government Code Section 54954.3)

Please refer to the meeting video on the City's website at www.nevadacityca.gov.

CONSENT ITEMS:

1. **Accounts Payable Activity Report—April 2021**
Recommended Action: Receive and file
2. **Action Minutes April 28, 2021 Council Meeting**
Recommended Action: Review and approve
3. **Prop 68 Playground Project: Consideration of Resolution 2021-20: A Resolution of the City Council of the City of Nevada City Authorizing the City to Receive \$53,000 of the County of Nevada’s Per Capita Grant Fund Allocation from the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018**
Recommended Action: Approve and Authorize the Interim City Manager to Sign the Resolution 2021-18 as the City’s Authorized Representative
4. **Request from the Landmarks Commission to Place a Bronze Plaque at Hirschman’s Pond**
Recommended Action: Approve the placement of a bronze plaque at Hirschman’s Pond, along the trail route.
5. **Request from Sierra Academy for Street Closure on June 4, 2021 on Cottage Street between Main and South Pine Streets for Graduation**
Recommended Action: Approve street closure with conditions
6. **Request to Approve Contract with Ralph Andersen and Associates for City Manager Recruitment**
Recommended Action: Authorize Interim City Manager to negotiate and enter into a contract with Ralph Andersen and Associates to recruit for a city manager in an amount not to exceed \$27,500.
7. **Receipt of Nevada County Transportation Commission’s (NCTC) Draft FY 2021/22 Overall Work Program (OWP) and Request for Approval of Resolution 2021-21: A Resolution of the City Council of the City of Nevada City Approving the Projects Proposed for Inclusion in the Nevada County Transportation Commission’s FY 2021/22 Overall Work Program**
Recommended Action: Review projects proposed for inclusion in the Nevada County Transportation Commission (NCTC Fiscal Year (FY) 2021/22) Overall Work Program (OWP) and pass Resolution 2021-XX approving the projects proposed for inclusion in the NCTC FY 2021/22 OWP.

Action: Motion by Fernández, seconded by Strawser to approve consent items 1 through 7 as presented. Item #4 approved to change language to indicate absence of discrimination towards the Jewish Community

(Approved 5-0, Roll call votes ayes; Minnett, Strawser, Petersen, Fleming and Fernández)

PUBLIC HEARING:

8. **Introduction and First Reading of Sign Ordinance Amendment**

Recommended Action: Hold Public Hearing, approve ordinance for introduction and first reading by title only, Ordinance 2021-05: An Ordinance of the City of Nevada City Amending Chapter 17.68 and 17.80 of the Nevada City Municipal Code Relating to Restrictions on Commercial Signage and Allowing Limited Exceptions to Size, Placement and Style

Action: Motion by Strawser, seconded by Fleming to approve for introduction and first reading by title only. Ordinance 2021-05: An Ordinance of the City of Nevada City Amending Chapter 17.68 and 17.80 of the Nevada City Municipal Code Relating to Restrictions on Commercial Signage and Allowing Limited Exceptions to Size, Placement and Style

(Approved 5-0, Roll call votes ayes; Minett, Strawser, Petersen, Fleming and Fernández)

9. **Appeal of a Planning Commission decision to deny a map amendment request to relocate and add a driveway to serve an existing residence at 230 American Hill Road and Possible Consideration of Resolution 2021-22: A Resolution of the City Council of the City of Nevada City Overturning the Planning Commission Decision to Deny a Map Amendment by Scott Rice to Add and Relocate a Driveway, Subject to Conditions of Approval**

Recommended Action: Adopt Resolution 2021-22, overturning the Planning Commission decision based on State Law “abutter’s rights” and to approve the Parcel Map Amendment subject to conditions of approval as may be modified at the public hearing, pursuant to Title 16.04 of the Nevada City Municipal Code and California Government Code Sec. 66474

Action: Item pulled from agenda to be address questions that have arisen. Motion by Minett, Secoded by Petersen.

(Approved 5-0, Roll call votes ayes; Minett, Strawser, Petersen, Fleming and Fernández)

BUSINESS:

10. **Discussion on Governor’s Intended June 15 Reopening and Determination of City’s Plans for Continued Outdoor Dining and Discussion on City Ordinances No. 2020-20 and 2020-21 Regarding Use of Face Masks**

Recommended Action: Discuss and provide direction to staff

Action: Direction to staff to take comments and formulate recommendations to be brought back to the June 6, 2021 Council Meeting.

CITY MANAGER AND COUNCILMEMBER REPORTS:

Interim City Manager Phillipe had nothing to report out on.

Vice-Mayor Strawser reported Transportation Committee coming up next week. ERC is restructuring in a good way. Would like follow-up with Waste Management on recycling location to replace SPD.

Councilmember Petersen commented on what a beautiful weather we are having.

Councilmember Fleming reported on securing \$1M grant to mitigate impact of Cannabis on community. Funds to be used on building infrastructure in City Hall. Met w/ 7 Hills regarding Cannabis education, School Resource Officer and parallel w/Probation Dept. 7 Hills will partner with Bright Futures for youth and Granite Wellness. Met with individual at Hirschman’s Pond regarding Amphitheater and advised there may be some funding available for that and open discussion in Community.

Councilmember Fernàndez attended Racial & Social Justice Elected Officials meeting and are working on Mission Statement.

Mayor Minett requested a report on Water Drought. Wants to let our town know to conserve and not wait until last minute. Would like to put information out on conserving Water for drought and dangerous fire conditions. Also noted there will be a free green waste drop-off in Grass Valley on May 21-24 and June 11-14.

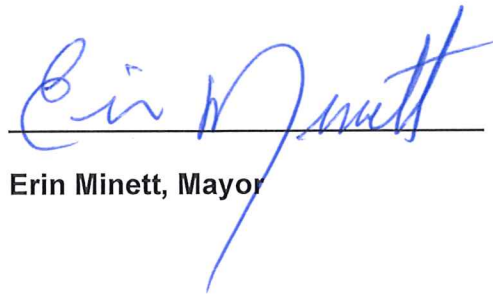
ADJOURNMENT: - 8:40 PM

AYES: MINETT, STRAWSER, FLEMING, FERNÁNDEZ, PETERSEN

NOES:

ABSTAIN:

ABSENT:



Erin Minett, Mayor

ATTEST:



Gabrielle Christakes, Deputy City Clerk