

CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF AUGUST 12, 2020

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 Loree' McCay, Deputy City Clerk at (530) 265-2496, ext 134.

- 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 – 6:00 PM

1. Pursuant to Government Code Section 54956.9(d)(4) City Attorney, Crystal Hodgson, City Manager, Catrina Olson and Police Chief, Chad Ellis are requesting a closed session to discuss the potential for litigation being initiated by the City in a certain matter.

Action: No reportable action.

REGULAR MEETING – 6:30 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

PRESENTATIONS:

BUSINESS FROM THE FLOOR:

Action: Motion by Minett, seconded by Fernández to add an item to the agenda addressing the protest of August 9, 2020 and setting a Special City Council meeting.
(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

Action: Motion by Strawser, seconded by Fleming to set a Special City Council meeting to address the protest of August 9, 2020 for Friday, August 21, 2020 at 5 PM.
(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

1. PUBLIC COMMENT (Per Government Code Section 54954.3)

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

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS AND FUTURE AGENDA ITEMS:

3. CONSENT ITEMS:

- A. Subject:** Notice of Completion for Downtown Curb Ramp Improvements Project in Nevada City
Recommendation: Pass Resolution 2020-56, a Resolution for the City of Nevada City authorizing the Mayor to sign a Notice of Completion for Downtown Curb Ramp Improvements project in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.
- B. Subject:** Notice of Completion for the Pioneer Park Picnic Area Bathroom Improvements Project in Nevada City
Recommendation: Pass Resolution 2020-57, a Resolution for the City of Nevada City authorizing the Mayor to sign a Notice of Completion for the Pioneer Park Picnic Area Bathroom Improvements project in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.
- C. Subject:** Award Contract Amendment for Professional Engineering Services for Nevada Street Bridge over Deer Creek
Recommendation: Pass Resolution 2020-58, a Resolution of the City of Nevada City Awarding a Contract Amendment for a fixed price, not to exceed the amount of \$14,861.85 for Professional Engineering Services for Nevada Street Bridge over Deer Creek based on hourly labor, and other rates set forth in Consultant's cost proposal, to Dokken Engineering of Folsom, CA improvements in the form attached hereto as "Exhibit A," and incorporated herein by this reference, and the authorize City Engineer to sign.
- D. Subject:** Authorization for Procurement of Nevada City Wastewater Plant Aeration Basin Mixer
Recommendation: Pass Resolution 2020-59, a Resolution of the City of Nevada City Council authorizing the City Manager or designee to sign purchase orders for the procurement of Nevada City Wastewater Plant Aeration Basin Mixer from Pac Machine Company in the amount of \$6,469.00 plus \$500.00 in contingencies.
- E. Subject:** Memorandum of Understanding Between Nevada Irrigation District and the City of Nevada City
Recommendation: Review and approve the Memorandum of Understanding (MOU) between Nevada Irrigation District and the City of Nevada City and authorize the Fire Chief to sign.
- F. Subject:** Second Reading and Adoption of Ordinance 2020-14, an Ordinance of the City of Nevada City Repealing and Reenacting Section 2.40.010 of the Nevada City Municipal Code Setting the Date for General Municipal Elections
Recommendation: Adopt Ordinance 2020-14, an Ordinance of the City of Nevada City repealing and reenacting Section 2.40.010 of the Nevada City Municipal Code setting the date for General Municipal Elections.
- G. Subject:** Operations & Maintenance Agreement with the Department of Toxic Substances Control for the Providence Mine Site
Recommendation: Review and approve the Operations and Maintenance

Agreement with the Department of Toxic Substances Control and authorize the Mayor to sign.

- H. **Subject:** Action Minutes July 23, 2020 Regular City Council Meeting
Recommendation: Review and approve regular City Council meeting action minutes of July 23, 2020.

Action: Motion by Strawser, seconded by Fleming to approve items 3A through 3H as presented.

(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** Memorandum of Understanding for Nevada County CARES Act Funding
Recommendation: Provide staff direction as to the acceptance, authorizing the City Manager to sign, or denial of the memorandum of understanding (MOU) for Nevada County CARES Act funding.

Action: Staff was directed to deny the memorandum of understanding (MOU) and go back to the County to discuss further uses of the available funding.

- B. **Subject:** Update Regarding the Strategic Planning Retreat Set for August 24, 2020
Recommendation: Provide staff direction, to bring back to Council at the September 23, 2020 meeting, an item to discuss setting a new Strategic Planning Retreat date for October 2020.

Action: Staff was directed to bring back to the Council a new date for the Strategic Planning Retreat after the new Council member is seated in December 2020.

- C. **Subject:** LAFCo Nevada City Sphere of Influence (SOI) Update
Recommendation: Provide staff direction for any formal comments City Council would like to provide to LAFCo regarding the draft EIR prepared for the Nevada City Sphere Of Influence (SOI) Update to be provided in a letter from the Mayor.

Action: No action was taken. The Council did not have any formal comments on the draft EIR to provide back to LAFCo.

5. PUBLIC HEARINGS:

- A. **Subject:** LAFCo Nevada City Sphere of Influence (SOI) Update
Recommendation:

1. Approve Resolution 2020-60 (attachment 4) authorizing staff to file a Notice of Exemption for the pre-zoning and annexation of the 35.2 acres being considered for annexation.
2. Authorize the first reading of Ordinance 2020-15 (attachment 5) relating to the General Plan Amendment and pre-zoning of the 35.2 acres of Nevada County territory to be annexed into the City of Nevada City.
3. Approve Resolution 2020-61, initiating an annexation application with LAFCo for all that territory delineated in the map known as Annexation #56 (Exhibit B of Resolution).

Action: Motion by Strawser, seconded by Fernández to approve Resolution 2020-60 (attachment 4) authorizing staff to file a Notice of Exemption for the pre-zoning and annexation of the 35.2 acres being considered for annexation.
(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

Action: Motion by Strawser, seconded by Fernández waive the first reading and read title only to authorize the first reading of Ordinance 2020-15 (attachment 5) relating to the General Plan Amendment and pre-zoning of the 35.2 acres of Nevada County territory to be annexed into the City of Nevada City. **(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)**

Action: Motion by Strawser, seconded by Fleming to approve Resolution 2020-61, initiating an annexation application with LAFCo for all that territory delineated in the map known as Annexation #56 (Exhibit B of Resolution).
(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

6. OLD BUSINESS:

7. NEW BUSINESS:

A. Subject: Appointment of Voting Delegate and Alternates(s) for the 2020 League of California Cities Annual Conference October 7-9, 2020

Recommendation: Pass a motion designating a voting delegate and alternate(s) for the League of California Cities Business meeting to be held on Friday, October 9, 2020.

Action: Motion by Strawser, seconded by Fernández to designate Vice Mayor Strawser as the voting delegate, Mayor Minett as the alternate and Council member Fernández as the second alternate for the League of California Cities business meeting.

(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

B. Subject: City Council Appointments for Fiscal Year 2020-2021

Recommendation: Review and consider appointment of City Council Members and members of the public to City and external Boards, Committees and Commissions for Fiscal Year 2020-2021.

Action: Motion by Strawser, seconded by Fleming to appoint Council member Fleming as the alternate for the NCTC/Airport Commission/Nevada County Transit, Council member Fernández as the appointee for the Solid and Hazardous Waste Committee and Mayor Minett as the alternate for the Economic Resource Council. Council member Fleming expressed interest in joining the City IT/Tech Committee and Council member Fernández expressed interest in participating on the Cultural District Committee.

(Approved 4-0, Vacancy 1, Roll call votes ayes; Minett, Strawser, Fleming and Fernández)

8. CORRESPONDENCE:

9. ANNOUNCEMENTS:

10. CITY MANAGER'S REPORT: A verbal report was provided.

11. ADJOURNMENT: - 9:53 PM

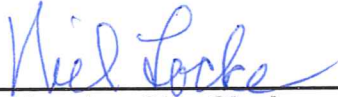
AYES: MINETT, STRAWSER, FLEMING, FERNÁNDEZ

NOES:

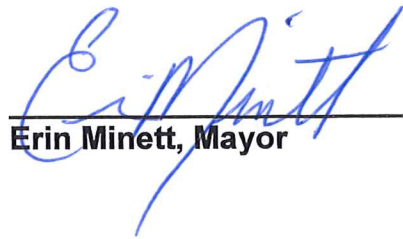
ABSTAIN:

ABSENT:

ATTEST:



Niel Locke, City Clerk



Erin Minett, Mayor