

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF SEPTEMBER 9, 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, and Police Chief, Chad Ellis are requesting a closed session to discuss the potential for litigation being initiated by the City in two matters.

Action: Staff to proceed as directed.

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: Dr. Johnson, Nevada County Public Health Officer and Jill Blake, Director, Nevada County Public Health Department

Action: This item was pulled from the agenda.

PRESENTATIONS:

BUSINESS FROM THE FLOOR:

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: Accounts Payable Activity Report – June, July and August 2020
Recommendation: Receive and file.

B. Subject: Action Minutes August 21, 2020 Special City Council Meeting
Recommendation: Review and approve special City Council meeting action minutes of August 21, 2020.

- C. Subject:** Action Minutes August 26, 2020 Regular City Council Meeting
Recommendation: Review and approve regular City Council meeting action minutes of August 26, 2020.

Action: Motion by Strawser, seconded by Fernández to approve items 3A through 3C 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:** Update on State Law Evictions Protections (AB 3088)

Recommendation: Receive and file.

Action: No action taken, receive and file.

5. PUBLIC HEARINGS:

6. OLD BUSINESS:

- A. Subject:** : Letter Addressing PG&E Tree Removal

Recommendation:

1. Finalize list of trees to be reviewed by an arborist; and
2. Review the draft letter, approve content and authorize the Mayor to sign; and
3. Direct staff to sign the PG&E encroachment permit request, dated 8/24/20

Action: Motion by Strawser, seconded by Fernández to add \$2,000 to the previously approved \$5,000 not to exceed for contracting with an arborist to review the finalized list of trees.

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

Action: Motion by Strawser, seconded by Fernández to approve the draft letter to PG&E and authorize the Mayor to sign.

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

Action: Recommendation 3 was pulled from the agenda.

7. NEW BUSINESS:

- A. Subject:** Presentation by Nevada County Transportation Commission's Consultant Fehr and Peers Regarding Senate Bill 743 Vehicle Miles Traveled Study Recommendations

Recommendation: Receive and file.

Action: No action taken, receive and file.

- B. Subject:** Ordinance 2020-16, an Ordinance of the City of Nevada City Adding Section 17.80.240 to the Nevada City Municipal Code Regulating Stationary Standby Generators and Ordinance 2020-17 an Ordinance of the City of Nevada City Amending Section 8.20.90 of the Nevada City Municipal Code in Order to Update the City's Ordinance Pertaining to Emergency Use of Generators

Recommendation:

1. Adopt Resolution 2020-65, Approving a Notice of Exemption Related to Adoption of Ordinance 2020-16 and Ordinance 2020-17 Updating the City's Municipal Code Pertaining to Emergency Generator Use.
2. Waive Reading of Ordinance, Read Title Only and Introduce for First Reading: Ordinance 2020-16, an Ordinance of the City of Nevada City Amending Section 8.20.90 of the Nevada City Municipal Code to Add an Exception to the City's Noise Regulations for the Use of Emergency Generators.

3. Waive Reading of Ordinance, Read Title Only and Introduce for First Reading: Ordinance 2020-17, an Ordinance of the City of Nevada City Adding Section 17.80.240 to the Nevada City Municipal Code Regulating Stationary Standby Generators.

Action: Motion by Fleming, seconded by Strawser to adopt Resolution 2020-65 approving a Notice of Exemption related to the adoption of Ordinance 2020-16 and Ordinance 2020-17 updating the City's Municipal Code pertaining to Emergency Generator Use.

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

Action: Motion by Fleming, seconded by Strawser to waive reading of Ordinance, read by title only and introduce for a first reading: Ordinance 2020-16, an Ordinance of the City of Nevada City amending Section 8.20.90 of the Nevada City Municipal Code to add an exception to the City's noise regulations for the use of emergency generators.

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

Action: Motion by Fernández, seconded by Fleming to waive reading of Ordinance, read by title only and introduce for a first reading: Ordinance 2020-17, an Ordinance of the City of Nevada City adding Section 17.80.240 to the Nevada City Municipal Code regulating stationary standby generators with the following change: "An Architectural Review application for all stationary standby generators between 10,000 watts to 18,000 watts" changed to 20,000 watts.

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

8. CORRESPONDENCE:

9. ANNOUNCEMENTS:

10. CITY MANAGER'S REPORT: No report.

11. ADJOURNMENT: - 9:20 PM

AYES: MINETT, STRAWSER, FLEMING, FERNÁNDEZ

NOES:

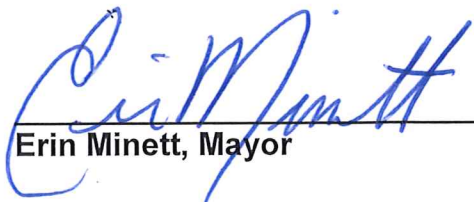
ABSTAIN:

ABSENT:

ATTEST:



Niel Locke, City Clerk



Erin Minett, Mayor