

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF SEPTEMBER 23, 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, The City Attorney, Crystal Hodgson and City Manager, Catrina Olson are requesting a closed session item to discuss and confer on the pending litigation involving the City in the case of LORRAINE REICH, in Propria Persona, and for SAVE NEVADA COUNTY TREES, an unincorporated association of Citizens of Nevada City and Nevada County, State of California, Petitioners vs. CITY OF NEVADA CITY, PACIFIC GAS and ELECTRIC COMPANY, MOUNTAIN ENTERPRISES, INC., AND DOES 1 through 25, inclusive, Respondents, Case No.CU20-084893.

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:

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

BUSINESS FROM THE FLOOR:

Mayor Minett requested that the Council add item titled 2021 Western Wildland Urban Interface Grant Program under New Business to discuss supporting to approve the Sierra Fund writing a grant application and submitting on behalf of the City for fire mitigation/vegetation management funds for City property.

Action: Motion by Strawser, seconded by Fleming to add item 2021 Western Wildland Urban Interface Grant Program under New Business.

1. PUBLIC COMMENT (Per Government Code Section 54954.3)

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

Action: This item was moved to the end of the meeting after New Business.

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

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

- A. Subject:** League of California Cities 2020 Annual Conference Resolution Packet
Recommendation: Review and provide the League of California Cities voting delegate, Vice Mayor Strawser, direction on whether to approve a Resolution of the General Assembly of the League of California Cities calling for an amendment of Section 230 of the Communications Decency Act of 1996 to require social media companies to remove materials which promote criminal activities.

Action: Recommendation provided by Council to voting delegate, Vice Mayor Strawser to abstain from voting on this item.

3. CONSENT ITEMS:

- A. Subject:** Fire Activity Report – August 2020

Recommendation: Receive and file.

- B. Subject:** Second Reading - 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 Second Reading- 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 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.
2. Adopt 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.

- C. Subject:** A Resolution of the City of Nevada City Awarding a Professional Services Contract Amendment to 4LEAF, Inc. for Building Inspection and Plan Review Services

Recommendation: Pass Resolution 2020-66, a Resolution of the City of Nevada City awarding a professional services contract amendment to 4Leaf, Inc. for building inspection and plan review services for the City of Nevada City and authorize the Mayor to sign.

- D. Subject:** Award of Contract for Church Street Water Service Replacement
Recommendation: Pass Resolution 2020-67, a Resolution of the City Council of the City of Nevada City to award a contract to PSCE in the amount of \$21,774 plus \$3,000 in contingencies for Church Street Water Service Replacement in Nevada City and authorize the Mayor to sign.
- E. Subject:** Notice of Completion for Commercial Street Phase 1 Water, Sewer and Storm Drain in Nevada City
Recommendation: Pass Resolution 2020-68, a Resolution for the City of Nevada City authorizing the Mayor to sign a Notice of Completion for Commercial Street Phase 1 Water, Sewer and Storm Drain in Nevada City and authorize the City Clerk to file said Notice of Completion with the Nevada County Recorder's Office.
- F. Subject:** Agreement for Public Safety Dispatch Services Between the City of Grass Valley, the Town of Truckee, the City of Nevada City and the County of Nevada (July 1, 2020 through June 30, 2021)
Recommendation: Review and approve the agreement for public safety dispatch services between the City of Grass Valley, the Town of Truckee, the City of Nevada City and the County of Nevada for the period of July 1, 2020 through June 30, 2021 and authorize the Mayor and City Manager to sign.
- G. Subject:** A Resolution of the City Council of the City of Nevada City to Award a Contract to Koch & Koch, Inc. in the Amount of \$60,500 for Water Reservoir Cleaning and Maintenance at the Water Treatment Plant in Nevada City
Recommendation: Pass Resolution 2020-69, a Resolution of the City Council of the City of Nevada City awarding a contract to Koch & Koch Inc. in amount of \$60,500 for water reservoir cleaning and maintenance at Water Treatment Plant in Nevada City and authorize the Mayor to sign.
- H. Subject:** Action Minutes September 9, 2020 Regular City Council Meeting
Recommendation: Review and approve regular City Council meeting action minutes of September 9, 2020.

Action: Motion by Strawser, seconded by Fernández to approve items 3A and 3C through 3H as presented. Item 3B was pulled for public comment and discussion.

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

Action: Discussion ensued regarding the process for large generators that are 20,000 watts or more. Council requested staff look at the cost for the conditional use permit and determine if the existing fee is appropriate or if for this process the fee should be modified. Motion by Strawser, seconded by Fernández to approve Item 3B-1 to adopt 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 as presented.

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

Action: Motion by Strawser, seconded by Fleming to approve items 3B-2 to adopt Ordinance 2020-17, and Ordinance of the City of Nevada City Adding Section 17.80.240 to the Nevada City Municipal Code Regulating Stationary Standby Generators 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: Tesla Energy Products Purchase Agreement and California Self Generation Incentive Program (SGIP)

Recommendation: Review, receive and file the attached Tesla Energy Products Purchase Agreement and California Self Generation Incentive Program.

Action: This item was reviewed by Council as receive and file, no action was taken.

B. Subject: A Resolution of the City Council of the City of Nevada City Renewing Goals of the 2015 Energy Action Plan and Adopting the 100% Renewables Committee's Renewable Energy Plan

Recommendation: Pass Resolution 2020-70, a Resolution of the City Council of the City of Nevada City renewing goals of the 2015 Energy Action Plan and adopting the 100% Renewables Committee's Renewable Energy Plan.

Action: Motion by Strawser, seconded by Fleming to pass Resolution 2020-70, a Resolution of the City Council of the City of Nevada City renewing goals of the 2015 Energy Action Plan and adopting the 100% Renewables Committee's Renewable Energy Plan with the following change:

NOW, THEREFORE, the City Council of Nevada City does hereby resolve as follows: from 2) Adopt the Nevada City 100% Renewable Energy Plan (REP) to further goals of reducing electricity use by 28% by 2030 and the goal of 100% Renewable Energy by 2050 as established by Resolution 2017-49 and pursuant to the 100% Renewables Committee Charter, Exhibit B to 2) Adopt the Nevada City 100% Renewable Energy Plan (REP) to further goals of 100% Renewable Electricity by 2030 and the goal of 100% Renewable Energy by 2050 as established by Resolution 2017-49 and pursuant to the 100% Renewables Committee Charter, Exhibit B

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

5. PUBLIC HEARINGS:

6. OLD BUSINESS:

A. Subject: : Cashin's Field Affordable Housing Development Request for Financial Assistance

Recommendation: Pass Resolution 2020-71, a Resolution of the City Council of the City of Nevada City committing to an agreement with the Regional Housing Authority and Central California Housing Corporation to provide a loan to the Cashin's Field Affordable Housing Project in the amount of \$200,000 (effectively deferring that portion of development impact fees), and authorize the Mayor and City Manager to sign a letter of commitment for the loan.

Action: Motion by Fleming, seconded by Fernández to Pass Resolution 2020-71, a Resolution of the City Council of the City of Nevada City committing to an agreement with the Regional Housing Authority and Central California Housing Corporation to provide a loan to the Cashin's Field Affordable Housing Project in the amount of \$200,000 (effectively deferring that portion of development impact fees), and authorize the Mayor and City Manager to sign a letter of commitment for the loan.

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

7. NEW BUSINESS:

A. Subject: A Resolution of the City Council of the City of Nevada City Pledging Support to the Nisenan Tribal Community of the Nevada City Rancheria to Preserve and Protect their Native Culture and Acknowledging the Ancestral Nisenan Lands
Recommendation: Pass Resolution 2020-72, a Resolution of the City Council of the City of Nevada City pledging support to the Nisenan Tribal Community of the Nevada City Rancheria to preserve and protect their Native Culture and acknowledging the Ancestral Nisenan Lands and that a statement of that acknowledgment be read prior to each City Council meeting.

Action: This item was moved up on the agenda to be heard prior to the consent calendar. Motion by Fernández, seconded by Strawser to pass Resolution 2020-72, a Resolution of the City Council of the City of Nevada City pledging support to the Nisenan Tribal Community of the Nevada City Rancheria to preserve and protect their Native Culture and acknowledging the Ancestral Nisenan Lands. The Council also provided direction to the Mayor to provide a letter to the Nevada County Board of Supervisors asking them to also adopt a Resolution supporting the Nisenan, and for Shelly Covert to work with the Mayor Minett to create a statement to be read prior to each City Council meeting acknowledging the Ancestral Nisenan Lands.

8. CORRESPONDENCE:

9. ANNOUNCEMENTS:

10. CITY MANAGER'S REPORT: Verbal report provided.

11. ADJOURNMENT: - 10:09 PM


AYES: MINETT, STRAWSER, FLEMING, FERNÁNDEZ

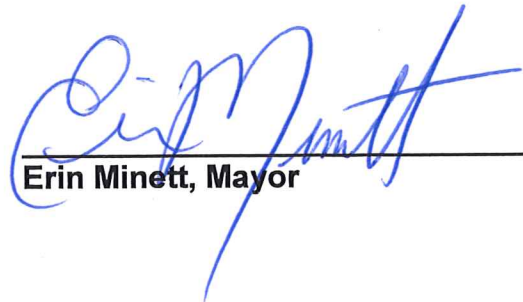
NOES:

ABSTAIN:

ABSENT:

ATTEST:


~~Niel Locke, City Clerk~~
GABRIELLE CHRISTAKES
DEPUTY CITY CLERK


Erin Minett, Mayor