

CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF NOVEMBER 13, 2019

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 – 6:10 PM

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.

Action: Consulting Attorney, P. Scott Browne to proceed as directed.

REGULAR MEETING – 6:45 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

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

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:

- A. Subject:** Vice Mayor Minett requested that the majority of the Council direct inclusion of an item on the next agenda for consideration, discussion and possible action for removal or sanctioning of the current Mayor.

Action: Motion by Minett, seconded by Moberg to add an agenda item to the December 10, 2019 City Council Meeting to consider, discuss and possibly act on the removal or sanctioning of the current Mayor.

(Approved 4 – 0, Abstention 1)

3. CONSENT ITEMS:

- 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 2019-63, 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.

Action: Motion by Parker, seconded by Moberg to approve consent items 3A through 3E as presented.

(Approved 5 – 0)

4. APPROVAL OF ACTION MINUTES:

- A. **Subject:** City Council Meeting – November 6, 2019

Action: Motion by Strawser, seconded by Parker to approve the Special City Council meeting minutes of November 6, 2019 with the start time change from 6:30 PM to 6:00 PM.

(Approved 5 – 0)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** 4th Quarter Financial Update, Fiscal Year (FY) 18/19 - UNAUDITED
Recommendation: Receive and file.

Action: No action, 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.

Action: Motion by Strawser, seconded by Parker to authorize the City Manager to sign the PG&E Energy Efficient Retrofit Project and On-Bill Finance Loan Agreement.

(Approved 5 – 0)

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.

Action: Motion by Strawser, seconded by Parker directing staff to proceed with processing the application by the Nevada County Historical Society to install a plaque honoring Ellen Sargent at Calanan Park and work with interested parties to identify a plaque location.

(Approved 5 – 0)

D. Subject: Award of Contract for Firms to Provide On-Call Planning Services

Recommendation: Pass Resolution 2019-64, a Resolution of the City of Nevada City awarding three professional service contracts for on-call Planning Services.

Action: Motion by Strawser, seconded by Moberg to pass Resolution 2019-64, a Resolution of the City of Nevada City awarding three professional service contracts for on-call Planning Services.

(Approved 5 – 0)

E. Subject: Acceptance of Gift Deed for Deer Creek Park II

Recommendation: Pass Resolution 2019-65, a Resolution of the City Council of the City of Nevada City authorizing the acceptance of a Gift Deed from Terra Alta Development Company.

Action: Motion by Moberg, seconded by Parker to pass Resolution 2019-65, a Resolution of the City Council of the City of Nevada City authorizing the acceptance of a Gift Deed from Terra Alta Development Company.

(Approved 5 – 0)

F. Subject: A Resolution Approving a Senate Bill 2 Grant Application

Recommendation: Pass Resolution 2019-66, 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).

Action: Motion by Strawser, seconded by Parker to pass Resolution 2019-66, 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).

(Approved 5 – 0)

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.

Action: Staff direction to proceed working with the Measure “S” Committee on the development of a campaign to place a Measure on the ballot for 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.

Action: Prior to hearing subject 7A, Vice Mayor Minett requested that due to hearing comments on the Telecom Ordinance before at great length that comments during tonight's meeting be directed whether to spend extra time and money to consider amending the adopted Telecom Ordinance. Further moved, was that for effective use of time, a Motion was made by Minett, seconded by Parker to limit public comments on this agenda item to those not made before and to conclude all public comment at 9:15 PM.

(Approved 4 – 0, Abstention 1)

Action: Staff was directed to move forward with amending sections of the adopted Ordinance as suggested by Mayor Senum and the public with input from Consulting Attorney Baron Bettenhausen, Bob Ross and/or Rusty Monroe of CMS. Limiting further expenditure to 2 hours of meeting time, 2 hours of time for redrafting, 2 hours of CMS's time and Consulting Attorney travel time.

8. NEW BUSINESS:

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. **CITY MANAGER'S REPORT:** The City Manager provided a written report that was attached to the agenda packet.

12. **ADJOURNMENT:** - 9:47 PM

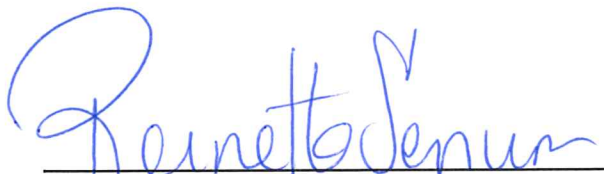
AYES: MINNETT, PARKER, SENUM, STRAWSER, MOBERG

NOES:

ABSTAIN:

ABSENT:

ATTEST:


Reinette Senum, Mayor


Niel Locke, City Clerk