



**SPECIAL CITY COUNCIL MEETING
TUESDAY, DECEMBER 1, 2020**

**Special Meeting - 5:00 PM
Via Zoom Teleconference
Live Streamed on Channel 17, nevadacityca.gov, and
On YouTube at "Nevada City Public Meetings"**

MISSION STATEMENT

The City of Nevada City is dedicated to preserving and enhancing its small town character and historical architecture while providing quality public services for our current and future residents, businesses and visitors.

Erin Minett, Mayor

**Douglass Fleming, Council Member
Daniela Fernández, Council Member**

**Duane Strawser, Vice Mayor
Vacant, Council Member**

The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2nd and 4th Wednesdays of each month. Your interest is encouraged and appreciated. This meeting is recorded on DVD and is televised on local public television Channel 17. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Please turn off all cell phones or similar devices. Action may be taken on any agenda item. Agenda notices are available at City Hall. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Hall at 317 Broad Street, Nevada City, CA during normal business hours.

In order to minimize the spread of the COVID 19 virus Governor Newsom has issued Executive Orders that temporarily suspend requirements of the Brown Act. Please be advised that the Council Chambers are closed to the public and that some, or all, of the City of Nevada City, City Council Members may attend this meeting telephonically.

1. You are strongly encouraged to observe the City Council meetings live on PUBLIC TELEVISION CHANNEL 17, ONLINE AT THE CITY'S WEBSITE WWW.NEVADACITYCA.GOV or [Nevada City Public Meetings-YouTube Channel](http://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7) or at [HTTP://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7](http://NEVCO.GRANICUS.COM/PLAYER/CAMERA/2?PUBLISH_ID=7) (If you are unable to view the meeting live on YouTube please use one of the other 3 methods).

2. If you wish to make a comment on a specific agenda item, please submit your comment via email to NEVADACITY.OLSON@GMAIL.COM. Comments will be accepted at the email provided through the live meeting. PLEASE INCLUDE YOUR NAME AND ADDRESS IN YOUR COMMENT, AS WELL AS, INCLUDING THE AGENDA ITEM LETTER AND NUMBER IN YOUR SUBJECT LINE. Please keep your written comments to 3 minutes or less. Every effort will be made to read your comment into the record, but some comments may not be read due to time constraints.

3. In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in this meeting, please contact the Deputy City Clerk at (530) 265-2496 x133. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

The City of Nevada City thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

REGULAR MEETING – 5:00 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

1. PUBLIC COMMENT

As long as this is a special meeting, under Government Code section 54954.3(a) members of the public are entitled to address the City Council only on items on the agenda for this special meeting before or during consideration of that item and NOT ON MATTERS NOT ON THE AGENDA for this special meeting. Comments are limited to three (3) minutes.

2. NEW BUSINESS:

- A. Subject:** Resolution Declaring Results of November 3, 2020 Municipal Election
Recommendation: Pass Resolution 2020-XX declaring results of municipal election held November 3, 2020.

PRESENTATIONS: Installation of one new Council Member.

CLOSED SESSION: 5:15 PM

Under Government Code Section 54950 members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.

- A.** Pursuant to Government Code Section 54956.9(d)(4) City Attorney, Crystal Hodgson, City Manager, Catrina Olson, Administrative Services Director, Loree' McCay 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.
- B.** Pursuant to Government Code Section 54956.9(d)(1) City Attorney, Crystal Hodgson, City Manager, Catrina Olson, Administrative Services Director, Loree' McCay and Police Chief, Chad Ellis are requesting a closed session to discuss the pending litigation in the case of County of Nevada and City of Nevada City vs. Darren Engstrom in Nevada County Superior Court Case No. CU20-084887.

3. ADJOURNMENT

Certification of Posting of Agenda

I, Catrina Olson, City Manager for the City of Nevada City, declares that the foregoing agenda for the December 1st, 2020 Special Meeting of the Nevada City City Council was posted November 30th, 2020 at the entrance of City Hall. The agenda is also posted on the City's website www.nevadacityca.gov.

Signed November 30th, 2020, at Nevada City, California

Catrina Olson, City Manager

NOTICE: *As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council and to enforce the rules of the Council.*

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City, CA 95959
www.nevadacityca.gov

December 1, 2020

TITLE: Resolution Declaring Results of November 3, 2020 Municipal Election

RECOMMENDATION: Pass Resolution 2020-XX declaring results of municipal election held November 3, 2020.

CONTACT: Catrina Olson, City Manager

BACKGROUND / DISCUSSION:

Pursuant to California Election Code, the City Council by resolution must declare the results of the Municipal Election held

November 3, 2020. The declaration must show:

- The whole number of votes cast in the City
- The names of persons voted for
- The measures voted upon
- What office each person was voted for
- The number of votes for each person and for and against each measure.

The Municipal Election included the following candidates and measures:

City Council Candidates

- Catalina Llanos
- Amy Cobden
- Gary E. Petersen

City Ballot Measures

- Measure L
- Measure M

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

- ✓ Resolution 2020-XX
- ✓ Certified Election Results

RESOLUTION 2020-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY
RECITING THE FACT OF ELECTION AND ENTERING THE
STATEMENT OF NOVEMBER 3, 2020 GENERAL ELECTION RESULTS**

RECITALS:

1. A General municipal election was duly held in the City of Nevada City, State of California on November 3, 2020 for the purpose of electing one City Council vacancy replacement to serve the remainder of a full-term (four-year) members of the City Council and two ballot measures (L) and (M); and
2. The returns of said election have been duly canvassed; and
3. The Elections Code of the State of California, pursuant to Sections 10264, 15372, and 15374 requires the City Council to pass a Resolution reciting the fact of the election and the matters enumerated in Section 10264.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL of the City of Nevada City, pursuant to Sections 10264, 15372, and 15374 of the California Elections Code as per the Election Results as Exhibit A, attached hereto.

BE IT FURTHER RESOLVED that the following persons have been duly elected and are hereby declared elected to the following office:

TO THE OFFICE OF CITY COUNCIL MEMBER (REMAINDER OF A FOUR-YEAR TERM)
Gary Petersen

MEASURES VOTED UPON

Measure L
Measure M

BE IT FURTHER RESOLVED that pursuant to Section 15374 of the Elections Code, Exhibit A is attached and hereby made a part of this resolution.

PASSED AND ADOPTED at a special meeting of the City Council of Nevada City held on the 1st day of December, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Erin Minett, Mayor

Niel Locke, City Clerk

EXHIBIT A
County of Nevada

November 3, 2020 General Election

11/3/2020

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Cumulative Results Report

Official Results

Run Time 10:44 AM
Run Date 11/25/2020

Official Results

Registered Voters
65800 of 75123 = 87.59%

Precincts Reporting
111 of 111 = 100.00%

Member, Nevada City City Council - (Vote for ONE)

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	2,208	2,488	88.75%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
CATALINA LLANOS		291	15.60%	9	14.29%	9	20.45%	1	9.09%	310	15.63%
GARY E. PETERSEN		909	48.74%	32	50.79%	14	31.82%	1	9.09%	956	48.21%
AMY COBDEN		665	35.66%	22	34.92%	21	47.73%	9	81.82%	717	36.16%
Cast Votes:		1,865	100.00%	63	100.00%	44	100.00%	11	100.00%	1,983	100.00%
Undervotes:		183		13		16		4		216	
Overvotes:		9		0		0		0		9	

Member, City of Grass Valley City Council - (Vote for no more than THREE)

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
9	9	100.00%	7,079	8,406	84.21%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
BOB BRANSTROM		2,786	25.05%	99	19.57%	68	16.27%	25	21.19%	2,978	24.48%
JANET ARBUCKLE		3,225	29.00%	153	30.24%	124	29.67%	35	29.66%	3,537	29.08%
EDWARD W. PEEVEY		1,533	13.78%	88	17.39%	78	18.66%	23	19.49%	1,722	14.16%
THOMAS J. IVY		2,738	24.62%	115	22.73%	105	25.12%	27	22.88%	2,985	24.54%
STEVEN CONRAD		839	7.54%	51	10.08%	43	10.29%	8	6.78%	941	7.74%
Cast Votes:		11,121	100.00%	506	100.00%	418	100.00%	118	100.00%	12,163	100.00%
Undervotes:		7,887		493		494		188		9,062	
Overvotes:		4		0		0		0		4	

EXHIBIT A

Cumulative Results Report

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County of Nevada

November 3, 2020 General Election

11/3/2020

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Official Results

Registered Voters
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Precincts Reporting
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Measure K

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
6	6	100.00%	10,033	11,520	87.09%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
YES		7,315	85.37%	384	74.71%	332	78.49%	168	84.85%	8,199	84.49%
NO		1,254	14.63%	130	25.29%	91	21.51%	30	15.15%	1,505	15.51%
Cast Votes:		8,569	100.00%	514	100.00%	423	100.00%	198	100.00%	9,704	100.00%
Undervotes:		270		17		19		20		326	
Overvotes:		2		1		0		0		3	

Measure L

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	2,208	2,488	88.75%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
YES		1,208	64.67%	40	65.57%	23	48.94%	8	72.73%	1,279	64.37%
NO		660	35.33%	21	34.43%	24	51.06%	3	27.27%	708	35.63%
Cast Votes:		1,868	100.00%	61	100.00%	47	100.00%	11	100.00%	1,987	100.00%
Undervotes:		188		15		12		4		219	
Overvotes:		1		0		1		0		2	

EXHIBIT A

Cumulative Results Report

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County of Nevada

November 3, 2020 General Election

11/3/2020
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Official Results

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Precincts Reporting
111 of 111 = 100.00%

Measure M

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
2	2	100.00%	2,208	2,488	88.75%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
YES		1,725	88.28%	60	85.71%	44	83.02%	8	61.54%	1,837	87.89%
NO		229	11.72%	10	14.29%	9	16.98%	5	38.46%	253	12.11%
Cast Votes:		1,954	100.00%	70	100.00%	53	100.00%	13	100.00%	2,090	100.00%
Undervotes:		103		6		6		2		117	
Overvotes:		0		0		1		0		1	

Measure N

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
9	9	100.00%	7,079	8,406	84.21%

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Provisional		Total	
YES		3,578	61.69%	146	47.25%	122	44.85%	33	40.74%	3,879	60.03%
NO		2,222	38.31%	163	52.75%	150	55.15%	48	59.26%	2,583	39.97%
Cast Votes:		5,800	100.00%	309	100.00%	272	100.00%	81	100.00%	6,462	100.00%
Undervotes:		539		23		31		21		614	
Overvotes:		1		0		1		0		2	