

CITY OF NEVADA CITY  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF JANUARY 27, 2016

**NOTE:** This meeting is available to view on the City's website [www.nevadacityca.gov](http://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 Corey Shaver, Deputy City Clerk at (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

**REGULAR MEETING – 6:30 PM - Call to Order**

**Roll Call:** Present: Andersen, Bergman, Strawser, Vice Mayor Phelps, & Mayor Ray

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** None

**PRESENTATION:** None

**1. BUSINESS FROM THE FLOOR-PUBLIC COMMENT (Per Government Code Section 54954.3)**

Please refer to the meeting video on the City's website at [www.nevdacityca.gov](http://www.nevdacityca.gov).

**2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

Please refer to the meeting video on the City's website at [www.nevdacityca.gov](http://www.nevdacityca.gov)

**COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

None

**3. CONSENT ITEMS:**

**A. Subject:** Agreement with The Mercer Group, Inc. for Citywide Classification and Compensation Study

**Recommendation:** Pass a Motion authorizing Mayor to sign an agreement with The Mercer Group, Inc. for an amount not to exceed \$9,850 for a citywide classification and compensation study.

**B. Subject:** Continuity of Nevada City Fire Department Operations

**Recommendation:** Pass a motion 1) authorizing the transition of three limited-term firefighter positions to full-time employees to ensure continuity of fire department operations, compliance with state and federal pension and health care requirements, operations, compliance with state and federal pension and health care requirements, employee retention purposes and to protect against a deterioration of the City's Insurance Services Office (ISO) rating; and 2) authorizing use of Measure L funds for Fire Department operations as necessary until public safety tax proceeds are received.

**C. Subject:** Amendment No. 1 to the Nevada City Management Employee Memorandum of Understanding (MOU) – Cell Phone Allowance

**Recommendation:** Review and approve Amendment No. 1 to the Nevada City Management Employee Memorandum of Understanding for the incorporation of a cellular phone allowance.

Item B was pulled from Consent Items.

**Action:** Motion by Strawser, seconded by Andersen approve Consent Items A & C as presented.  
**(Approved 5 – 0)**

Council Member Andersen welcomed the three new firefighters to the City.

**Action:** Motion by Strawser, seconded by Bergman approve Consent Item B as presented.  
**(Approved 5 – 0)**

#### 4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – January 13, 2016

**Action:** Motion by Andersen, seconded by Phelps to approve the January 13, 2016 Minutes as presented.  
**(Approved 4 – 0, ABSTAIN: Strawser)**

#### 5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

#### 6. PUBLIC HEARINGS:

#### 7. OLD BUSINESS:

**A. Subject:** An Ordinance of the City Council of Nevada City, California, Adding Chapter 17.140 to the Nevada City Municipal Code Entitled, "Marijuana Regulations" (Second Reading)

**Action:** Motion by Strawser, seconded by Phelps to adopt Ordinance 2016-01 adding Chapter 17.140 to the Nevada City Municipal Code entitled "Marijuana Regulations" related to cultivation.  
**(Approved 5 – 0)**

**Action:** Motion by Strawser, seconded by Phelps to read title only.  
**(Approved 5 – 0)**

**B. Subject:** A Resolution of the City of Nevada City approving ballot measure text to be submitted to the voters on the Initiative Measure to Enact Zoning Ordinance and General Plan Amendments to Permit and Restrict Home-Sharing Short-Term Rentals of Rooms in Single-Family Residences or Guest Houses by Owner Occupying Main Dwelling to be included with the General Municipal Election consolidated with the State-Wide Primary Election of June 7, 2016

**Action:** Motion by Bergman, seconded by Strawser to adopt the revised version of Resolution 2016-06 setting forth the exact form of the question to go on the ballot for the alternate Home-Sharing Short-Term Rentals Initiative Measure so it can go to the voters pursuant to Resolution No. 2015-53.  
**(Approved 3 – 2, AYES: Bergman, Strawser, Phelps - NOES: Ray, Andersen)**

**C. Subject:** Report Back to City Council of Planning Commission Recommendation on Draft Ordinance Restricting Formula Businesses throughout the City

**Action:** Motion by Strawser, seconded by Andersen have the Planning Commission identify possible amendments at a future date.  
**(Approved 4 – 1, NOES: Phelps)**

**D. Subject:** Determination of Whether Additional Review of Commercial Street Boardwalk is Desired

**Action:** Motion by Bergman, seconded by Phelps to approve there is no further action required.  
(Approved 3 – 2, AYES: Bergman, Strawser, Phelps, NOES: Ray, Andersen)

6. NEW BUSINESS:
7. CORRESPONDENCE:
8. ANNOUNCEMENTS:
9. CITY MANAGER'S REPORT:
10. ADJOURNMENT – 8:39 pm

  
Jennifer Ray Mayor

**ATTEST:**

  
Niel Locke, City Clerk