

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF FEBRUARY 10, 2016**

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 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.

CLOSED SESSION – 6:00 PM

Consulting City Attorney DeGraw reported out of Closed Session for P. Scott Browne, Attorney to proceed with the appeal litigation involving the City in the case of Friends of Spring Street vs. Nevada City, et al, Nevada County Superior Court Case No. CU15-080911.

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.

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

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

COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

None

3. CONSENT ITEMS:

A. Subject: Accounts Payable Activity Report – January 2016

Recommendation: Receive and file.

B. Subject: Sales Tax Report – 3rd Quarter 2015

Recommendation: Receive and file.

C. Subject: Award Contract for new Gas/Water Lines at the Nevada City Sewer Plant
Recommendation: Pass Resolution 2016-08 to Award a Contract in the Amount of \$133,767 plus \$15,000 contingencies to CME Services, Grass Valley, CA for New Gas Line and Water Line at the Nevada City Sewer Plant and Authorize Mayor to Sign.

D. Subject: Award of CABY Contract for the Clear and Grub of the Waterline along Maybert Road within the Washington Water District.
Recommendation: Pass Resolution 2016-XX to Award a CABY Contract in the Amount of \$12,789 plus 5% contingencies to Robinson Enterprises, Inc., Nevada City to Clear & Grub along the Maybert Road Waterline in the Washington District and Authorize Mayor to sign.

Consent Item D was removed from the agenda as it is not necessary for this item to be presented to the Council for approval as the Assistant City Manager has the authority to approve and sign the contract.

Action: Motion by Bergman, seconded by Phelps to approve Consent Items A, B and C as presented.
(Approved 5 - 0)

4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – City Council Meeting – January 27, 2016
- B. Special City Council Meeting – February 2, 2016

Action: Motion by Strawser, seconded by Phelps to approve the January 27, 2016 Minutes and February 2, 2016 Minutes as presented.
(Approved 5 - 0)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** Presentation of Fiscal Year 2014/15 Financial Audit by the Independent Audit Firm of Smith & Newell – Norm Newell, CPA

Accepted & Filed.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** An Ordinance of the City Council of Nevada City, California, Adding Chapter 17.70 to the Nevada City Municipal Code Entitled "Formula Businesses Restrictions and Regulations"

Action: Motion by Andersen, seconded by Strawser to Adopt Ordinance 2016 Adding Chapter 17.70 to the Nevada City Municipal Code Restricting and Regulating Formula Businesses.
(Approved 5 - 0)

B. Subject: Sugarloaf Mountain Master Plan

Action: Motion by Strawser, seconded by Andersen to direct staff to file a Notice of Exemption with the Nevada County Clerk's Office.

(Approved 5 – 0)

Action: Motion by Strawser, seconded by Phelps to adopt the Final Draft of the Sugarloaf Master Plan as written and to include addressing parking within trail proposals.

(Approved 5 – 0)

Action: Motion by Strawser, seconded by Andersen to pass Resolution 2016-09 adopting the Sugarloaf Master Plan.

(Approved 5 – 0)

C. Subject: Historic District Designated Smoking Area Receptacles and Signage Recommendations, no-smoking receptacles and associated signage for the City's no-smoking ordinance.

Action: Motion by Phelps, seconded by Strawser to approve implementation of staff compliance recommendations, receptacles and signage as presented with the following changes: 1) Relocate the Nevada Street smoking area to Spring Street area, 2) Relocate the Commercial Street parking lot water wheel smoking area to the bench.

(Approved 5 – 0)

8. NEW BUSINESS:

A. Subject: Sierra Roots Inclement Weather Shelter Request

Council is satisfied with the current cold weather agreement in place but to give City Manager Prestwich the discretion to open the shelter upon extreme weather conditions.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER'S REPORT:

12. ADJOURNMENT – 9:03 pm

ATTEST:



Niel Locke, City Clerk



Jennifer Ray, Mayor