



**REGULAR CITY COUNCIL MEETING
MEETING AGENDA
WEDNESDAY, NOVEMBER 18, 2015**

Regular Meeting - 6:30 PM

**City Hall – Beryl P. Robinson, Jr. Conference Room
317 Broad Street, Nevada City, CA 95959**

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.

Jennifer Ray, Mayor

Robert Bergman, Council Member

Evans Phelps, Vice Mayor

Terri Andersen, Council Member

Duane Strawser, 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.

ANY MEMBER OF THE PUBLIC DESIRING TO ADDRESS THE COUNCIL ON ANY ITEM ON THIS AGENDA: After receiving recognition from the Mayor, give your name and address, and then your comments or questions. Please direct your remarks to the Councilmembers. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. All citizens will be afforded an opportunity to speak, consistent with their Constitutional rights. Time limits shall be at the Mayor's discretion. **IF YOU CHALLENGE** the Council's decision on any matter in court, you will be limited to raising only those issues you or someone else raised at the meeting or Public Hearing described on this agenda, or in written correspondence delivered to the City Council at, or prior to, the meeting or Public Hearing.

REGULAR MEETING – 6:30 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

PROCLAMATION: Proclaiming November 16-22, 2015 Global Entrepreneurship Week

PRESENTATION: 2016 Wild and Scenic Film Festival Update

BUSINESS FROM THE FLOOR

1. PUBLIC COMMENT

Under Government Code Section 54954.3, members of the public are entitled to address the City Council concerning any item within the Nevada City Council’s subject matter jurisdiction. Comments on items NOT ON THE AGENDA are welcome at this time. Normally, public comments are limited to no more than three minutes each. **Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.**

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

3. CONSENT ITEMS:

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, City staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

- A. Subject:** Accounts Payable Reports – September and October 2015
Recommendation: Receive and File

4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – October 28, 2015

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** County of Nevada AB1600 Recreation Mitigation Funding Request for Proposal
Recommendation: Authorize submittal of an application for County of Nevada Recreation Mitigation Funding for upgrades to the picnic area in Pioneer Park for individuals with disabilities.

- B. Subject:** Environmental Protection Agency (EPA) Brownfields Cleanup Grant Application
Recommendation: Pass Resolution 2015-XX authorizing: 1) the Mayor to sign, and 2) the City Manager to submit the EPA Brownfields grant application and execute all necessary documents to facilitate implementation of the grant.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** An Ordinance of the City of Nevada City amending Chapter 3.52 to Title 3 of the Nevada City Municipal Code Extending the 3/8 of 1% Transactions and Use Tax for General Purposes (First Reading/Requires 4/5th Vote)

Recommendation: Pass draft Ordinance modifying Chapter 3.52 of the Nevada City Municipal Code to extend Transaction and Use Tax for General Purposes effective upon voter approval.

8. NEW BUSINESS:

A. Subject: Wild and Scenic Film Festival Street Closure Request

Recommendation: Review and authorize Wild and Scenic Film Festival street closure request per application.

B. Subject: Wild and Scenic Film Festival Economic Development Fund Request

Recommendation: Review request and Pass a motion authorizing funding in an amount to be determined by the City Council from the City of Nevada City Economic Development Fund.

C. Subject: Presentation of Petition Signature Verification Certificate on Initiative Measure to Enact Zoning Ordinance and General Plan Amendments to allow Short-Term Rentals in Nevada City and Council Action Thereon (Submitted by “Nevada City Hosts”)

Recommendation: Review NC Hosts Initiative measure and take action to adopt without change, submit to voters at next election, or order a report.

D. Subject: Update on Initiative Measure Submitted by Committee to Support Measure to Protect Neighborhoods from Vacation Rental Impacts

Recommendation: Receive and file.

E. Subject: Summary of the State’s Medical Marijuana Regulation & Safety Act and Its Applicability to City’s Authority to Regulate Marijuana Cultivation and Distribution within the City.

Recommendation: Consider options for regulating medical marijuana cultivation within the City and refer to the Planning Commission for their review and recommendation of draft ordinance.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT

Certification of Posting of Agenda

I, Corey Shaver, Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the November 18, 2015 Regular Meeting of the Nevada City City Council was posted November 13, 2015 at the office of the City of Nevada City (City Hall). The agenda is also posted on the City's website www.nevadacityca.gov.

Signed this November 13, 2015 at Nevada City, California

_____, Corey Shaver, Deputy City Clerk

**CITY OF NEVADA CITY
City Council
Long Range Calendar**

| | |
|------------------------|------------------------------|
| November 11, 2015 | Veterans Day |
| November 18, 2015 | Regular City Council Meeting |
| November 26 & 27, 2015 | Thanksgiving |
| December 9, 2015 | Regular City Council Meeting |
| December 25, 2015 | Christmas |
| January 1, 2016 | New Year's Day |

NOTE: This list is for planning purposes; items may shift depending on timing and capacity of a meeting.

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.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 001
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|-------------------------------------|-----------------------|--------------|----------|-------------|--------------|---------------------------------------|
| 09-15 | ADV01 (ADVANTAGE: PRINT, MARKETING) | JULAUG15 | 09/08/15 | / / | | 930.14 | UTILITY MAILING JUL&AUG'15 |
| 09-15 | ADV11 (ADVANTAGE GEAR, INC.) | 112124 | 08/21/15 | / / | | 282.67 | R.RADICAN UNIFORM ALLOWANCE FY15/16 |
| | | 112396 | 09/16/15 | / / | | 191.63 | FD UNIFORM ALLOW T.PISTOCHINI FY15/16 |
| | | Vendor's Total -----> | | | | 474.30 | |
| 09-15 | AIR05 (AIRGAS) | 043510736 | 09/16/15 | / / | | 30.28 | FD OPER MAT. |
| 09-15 | ALH02 (ALHAMBRA & SIERRA SPRINGS) | 14082715 | 08/27/15 | / / | | 71.80 | DPW DRIKING WATER |
| 09-15 | ALL20 (ALLIANT INSURANCE SERVICES, | 380802 | 09/04/15 | / / | | 765.00 | CONSTITUTION DAY 2015 INSURANCE |
| 09-15 | AME12 (AMERICAN RIVER COLLEGE) | 09/18/15P | 09/21/15 | / / | | 246.00 | TUITION FOR EWING, MASON, CLENDENEN |
| 09-15 | AME19 (AMERICAN FIDELITY) | B362094 | 09/23/15 | / / | | 941.28 | DISABILITY INSURANCE OCT'15 |
| 09-15 | AME24 (AMERICAN UNITED LIFE INSURA | OCT2015EE | 09/23/15 | / / | | 162.16 | EE LIFE INSURANCE OCT'15 |
| | | OCT2015ER | 09/23/15 | / / | | 267.75 | ER LIFE INSURANCE OCT'15 |
| | | Vendor's Total -----> | | | | 429.91 | |
| 09-15 | AT&15 (AT&T CALNET 3) | 7030607 | 09/09/15 | / / | | 954.18 | AT&T CALNET3 8/10-9/9/15 |
| 09-15 | ATO01 (A TO Z SUPPLY) | 295476 | 08/11/15 | 09/10/15 | A | 17.18 | IRRIGATION |
| | | 296158 | 08/25/15 | 09/24/15 | A | 79.61 | FLOW METERS |
| | | Vendor's Total -----> | | | | 96.79 | |
| 09-15 | AUT01 (AUTOMATIONDIRECT.COM, INC.) | 6373155 | 08/31/15 | / / | | 588.00 | SCADA PANELS |
| | | 6379784 | 09/02/15 | / / | | 249.50 | ELECTRICAL TOOLS |
| | | Vendor's Total -----> | | | | 837.50 | |
| 09-15 | B&C01 (B & C TRUE VALUE HOME CTR) | 175602 | 07/27/15 | 08/26/15 | A | 29.17 | CHIEF KELLY |
| | | 175973 | 07/29/15 | 08/28/15 | A | 29.73 | MAINT. ROOM |
| | | 175992 | 07/29/15 | 08/28/15 | A | 15.55 | WATERLINE |
| | | 176165 | 07/30/15 | 08/29/15 | A | 76.39 | GRAFITTI |
| | | 178316 | 08/13/15 | 09/12/15 | A | 54.47 | STREET CLEANING |
| | | 178919 | 08/17/15 | 09/16/15 | A | 30.38 | PARKING METERS |
| | | 179231C | 08/19/15 | 09/18/15 | A | 5.03 | -PARKING METERS |
| | | 179265 | 08/19/15 | 09/18/15 | A | 15.36 | PROBATION DEPART. |
| | | 179428 | 08/20/15 | 09/19/15 | A | 24.31 | BATHROOMS |
| | | 179669 | 08/21/15 | 09/20/15 | A | 10.89 | STREET PLATES |
| | | 180009 | 08/24/15 | 09/23/15 | A | 14.59 | PARK SUPPLIES |
| | | 180045 | 08/24/15 | 09/23/15 | A | 12.82 | WATER PLANT METER |
| | | 180132 | 08/25/15 | 09/24/15 | A | 22.51 | BENCH FOR PARK |
| | | 180177 | 08/25/15 | 09/24/15 | A | 22.19 | STREET PARKING |
| | | 180496 | 08/27/15 | 09/26/15 | A | 48.48 | GARBAGE CAN & TENNIS BACKBOARD |
| | | 180665 | 08/28/15 | 09/27/15 | A | 2.23 | PARK SUPPLIES |
| | | 180730 | 08/28/15 | 09/27/15 | A | 8.91 | HOSE REPAIR |
| | | 180938 | 08/30/15 | 09/29/15 | A | 7.28 | PARK SUPPLIES |
| | | 181018 | 08/31/15 | 09/30/15 | A | 5.82 | PIONEER PARK |
| | | 181623 | 09/03/15 | 10/03/15 | A | 23.34 | TENNIS BOARD SUPPLIES |
| | | 181805 | 09/04/15 | 10/04/15 | A | 23.36 | FD BLDG. REPAIR |
| | | 183856 | 09/19/15 | 10/19/15 | A | 12.64 | FD BLDG. REPAIR |
| | | Vendor's Total -----> | | | | 485.39 | |
| 09-15 | BAR17 (BARSOTTI CONTRACTING) | 9/18/15 | 09/18/15 | / / | | 565.00 | WATER SYSTEM REPAIR @CLAY ST |
| 09-15 | BLU04 (BLUMENTHAL UNIFORMS & EQUIP | 153024 | 08/29/15 | / / | | 316.71 | PD UNIFOR ALLOW B.MULLENAX |
| 09-15 | BLU05 (BLUE SHIELD OF CALIFORNIA) | OCT2015 | 09/23/15 | / / | | 37080.00 | HEALTH INSURANCE OCT'15 |
| 09-15 | BUS02 (BUSINESS CARD/B OF A VISA) | AUG/SEP15 | 09/06/15 | / / | | 4961.27 | -4542 OLSON/TAYLOR 8/8-9/6/15 |
| 09-15 | C&D01 (C & D CONTRACTORS, INC.) | 15002-5 | 09/17/15 | 10/17/15 | A | 3197.61 | RELIEF HILL IMPROV. WA W10 |
| | | 15002-6 | 09/17/15 | 10/17/15 | A | 3297.50 | DOWNTOWN LEAK REPAIR W13 |
| | | 15005-2 | 09/08/15 | 10/08/15 | A | 610.33 | COYOTE ST PERMIT FOR CALTRANS |
| | | Vendor's Total -----> | | | | 7105.44 | |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 002
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|--------------------|-----------------------|----------------------|-------------|-------------------|---|
| 09-15 | CAM16 (AJEET CAMPBELL) | 9/28/15 | 09/28/15 | / / | | 1600.00 | GRANT PAYMENT-LORE ROSS-REWRITE THE BODY |
| 09-15 | CAN03 (SYLVIA J. CANO) | AUG2015 | 08/31/15 | / / | | 1200.00 | CITY HALL & VETS JANITORIAL AUG'15 |
| 09-15 | CAN05 (CANON FINANCIAL SERVICES, I | 15297914 | 09/12/15 | / / | | 660.54 | AUG'15 USAGE & SEP'15 CONTRACT |
| 09-15 | CHA11 (COLIN CHAMBERS) | 9/8/15 | 09/08/15 | / / | | 8.97 | FUEL REIMB. 7/20&7/29/15 |
| 09-15 | CLE05 (SCOTT CLENDENEN) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | COA01 (COASTLAND) | 37976 | 09/04/15 | / / | | 3598.01 | INFRASTRUCTURE STUDY WWTP |
| 09-15 | COM08 (COMCAST CABLE) | 100499/15 | 08/24/15 | / / | | 81.31 | 8155600120010049 DPW INTERNET 9/4-10/3/15 |
| 09-15 | COR01 (CORBIN WILLITS SYSTEMS) | B50831 B509151 | 08/31/15 09/15/15 | 09/30/15 10/15/15 | A A | 1300.00 423.54 | SEWER/WATER UPDATE CONTRACT SERVICES OCT'15 |
| | | | Vendor's Total -----> | | | 1723.54 | |
| 09-15 | COU06 (COUNTY OF NEVADA) | AUG2015 | 09/03/15 | 10/03/15 | A | 8370.53 | AUG'15 SHERIFF DISPATCH FEE |
| 09-15 | COU12 (COUNTRY COPY PRINT SHOP) | 10810 | 08/31/15 | 09/30/15 | A | 110.29 | A.WOLFSON BUSINESS CARDS |
| 09-15 | COU23 (NEVADA COUNTY COLLECTIONS) | AUG2015 | 09/01/15 | 10/01/15 | A | 2761.00 | AUG'15 TICKETS & JUL'15 CC TICKETS |
| 09-15 | CRA01 (CRANMER ENGINEERING, INC.) | 156541 | 08/31/15 | 09/30/15 | A | 31.50 | CABY PARK AVE TESTING |
| 09-15 | CWS00 (CWS ELECTRICAL) | 15-054 | 08/31/15 | / / | | 1902.13 | SCADA WATERPLANT AUG'15 |
| 09-15 | DEL05 (DELL MARKETING L.P.) | XJRP995M1 | 09/11/15 | / / | | 2710.79 | FD COMPUTERS |
| 09-15 | DEL08 (DELTA INDUSTRIAL SOLUTIONS) | 14756 14834 | 08/17/15 08/25/15 | / / / / | | 84.63 586.88 | SAFETY BATHROOMS |
| | | | Vendor's Total -----> | | | 671.51 | |
| 09-15 | DEP13 (DEPARTMENT OF JUSTICE) | 119526 | 09/03/15 | / / | | 51.00 | PD FORMS |
| 09-15 | DIA03 (DIAMOND WELL DRILLING COMPA | 10501 | 08/25/15 | / / | | 4800.00 | BIO ASSAYS |
| 09-15 | ECO01 (ECONOMY PEST CONTROL INC) | 82715028 | 08/27/15 | 09/26/15 | A | 205.00 | ANT/TERMITE SPRAYING |
| 09-15 | ELL03 (CHAD ELLIS) | 9/25/15 | 09/25/15 | / / | | 500.00 | TRAINING LEADERSHIP CLASS |
| 09-15 | EME08 (PAUL EMERY) | CONSDAY15 | 09/08/15 | / / | | 300.00 | CONSTITUTION 2015 SOUND |
| 09-15 | EWI00 (TIMOTHY EWING) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | FER05 (FERGUSON WW #1423) | 1111854 | 08/20/15 | / / | | 3072.74 | FITTING FLOW METERS |
| 09-15 | FIR11 (FIRST BAPTIST CHURCH) | 8/23/15 | 08/23/15 | 09/22/15 | A | 100.00 | PICNIC CLEANING REFUND 8/23/15 |
| 09-15 | FIR21 (FIRST SECURITY FINANCE) | 10/1/15 | 10/01/15 | / / | | 49843.07 | #NC-CA-2005-01 FY15/16 |
| 09-15 | FIS05 (MICHAEL FISH) | 8/28/15 9/11/15 | 08/28/15 09/11/15 | / / / / | | 120.00 180.00 | FD INTERN FISH 8/15-8/28/15 FD INTERN FISH 8/29-9/11/15 |
| | | | Vendor's Total -----> | | | 300.00 | |
| 09-15 | GEM00 (GINGER GEMIGNANI) | 8/31/15 9/14/15 | 08/31/15 09/14/15 | / / / / | | 76.67 25.98 | FUEL & KEY REIMBURSEMENT PHONE CASES FOR PARKING TICKET MACHINES |
| | | | Vendor's Total -----> | | | 102.65 | |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 003
 ID #: FY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|--------------------------------------|--------------|----------|-----------------------|--------------------------------------|--|
| 09-15 | GLO06 (GLOBAL MACHINERY CABLE PLAC | 6019105 | 06/16/15 | / / | | 874.32 | STREET SWEEPER |
| 09-15 | GOL02 (GOLD & GREEN EQUIPMENT) | 130834 | 09/01/15 | 10/01/15 | A | 92.98 | TRENCHER FOR ALTITUDE METERS |
| 09-15 | GOL15 (GOLD FLAT EXPRESS LUBE) | 17372 | 09/01/15 | / / | | 87.45 | 2008 CROWN VIC OIL CHANGE |
| 09-15 | GOL33 (GOLD COUNTRY DISTRIBUTORS) | 105147 | 09/10/15 | / / | | 377.14 | CONST DAY 2015 |
| 09-15 | GOL37 (GOLD STANDARD PLUMBING & DR | 5331 | 08/31/15 | / / | | 141.00 | CEMENT HILL RENTAL DRAIN CLOG |
| 09-15 | G0002 (SAM GOODSPEED) | 9/15/15 SEP2015 | 09/15/15 | 10/15/15 | A A | 87.60 50.00 | FD GATORADE GOODPSPEED FUEL SEP'15 |
| | | | | | Vendor's Total -----> | 137.60 | |
| 09-15 | GRA01 (GRAY ELECTRIC COMPANY) | 44220 44221 | 08/31/15 | 09/30/15 | A A | 28.00 26.00 | SEAMANS LODGE ALARM SEP'15 CITY HALL ALARM SEP'15 |
| | | | | | Vendor's Total -----> | 54.00 | |
| 09-15 | GRA19 (GRASS VALLEY SIGN COMPANY) | 8282015-3 9092015-9 | 08/28/15 | 09/27/15 | A A | 362.61 166.08 | PIONEER PARK SIGNS CONST DAY 2015 |
| | | | | | Vendor's Total -----> | 528.69 | |
| 09-15 | GRA38 (KEN GRADY COMPANY, INC.) | 1652 | 08/26/15 | / / | | 481.21 | ANALYZER MOTOR |
| 09-15 | HIE00 (LAWRENCE HIERMAN) | 9/24/15 | 09/24/15 | / / | | 5224.00 | GRANT AWARD 9/24/15 |
| 09-15 | HIL02 (HILLS FLAT LUMBER CO.) | 264735 547484 555166 577903 | 08/31/15 | 09/30/15 | A A A A | 380.30 44.72 916.93 1050.03 | YARD TOOLS SEWER DISINFECT STREET SIGN YARD TOOLS |
| | | | | | Vendor's Total -----> | 2391.98 | |
| 09-15 | HOU03 (HOUSE OF PRINT & COPY) | 79047 | 08/10/15 | 09/09/15 | A | 486.56 | CONST PARADE BROCHURES 2015 |
| 09-15 | JHP00 (JH PETROLEUM) | 754726 | 08/31/15 | / / | | 134.63 | K9 UNIT FUEL 8/9-8/18/15 |
| 09-15 | JON00 (JONES & MAYER) | AUG2015 | 09/23/15 | / / | | 3495.00 | ATTORNEY SERVICES AUG'15 |
| 09-15 | KES00 (KESLER-WOLFSON, AMY) | P/R091815P | 09/18/15 | / / | | 1746.20 | DIFFERENCE OF PAY CHECK |
| 09-15 | LEX01 (LEXIS NEXIS) | 090300499 | 08/31/15 | / / | | 76.50 | ATTY ONLINE AUG'15 |
| 09-15 | LIF01 (LIFE ASSIST) | 724815 | 09/10/15 | 10/10/15 | A | 48.27 | FD OPER. MAT |
| 09-15 | LOC00 (NANCY LOCKWOOD) | 8/29/15 | 08/29/15 | / / | | 100.00 | PICNIC AREA CLEANING REFUND 8/29/15 |
| 09-15 | LOC02 (SARAH LOCATELLI) | 8/28/15 | 08/28/15 | / / | | 36.00 | RENTAL REFUND |
| 09-15 | LOU00 (LOU'S GLOVES INC.) | 10335 | 08/21/15 | / / | | 88.00 | GLOVES |
| 09-15 | LYM01 (LYMAN GILMORE MIDDLE SCHOOL | CONSDAY15 CONSDAY15u | 09/08/15 | 10/08/15 | A A | 100.00 100.00 | CONSTITUTION DAY 2015 -Ck# 028258 Reversed |
| | | | | | Vendor's Total -----> | .00 | |
| 09-15 | MAS04 (SEAN MASON) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | MAT02 (RONDA MATHEW) | 9/28/15 | 09/28/15 | / / | | 793.86 | GRANT PAYMENT-LORE ROSS-REWRITE THE BODY |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 004
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|---|----------------|-----------------------|----------|-------------|--------------|--|
| 09-15 | MCC00 (MCCROMETER, INC.) | 464350 | 08/28/15 | / / | | 7528.04 | SCADA FLOW METER |
| 09-15 | MCD00 (DAVID MCDUGALL) | 110 | 09/01/15 | / / | | 900.00 | CDBG CLASSROOM TRAINING AUG'15 |
| 09-15 | MCK01 (MAGGIE MCKAIG) | CONSDAY15 | 09/08/15 | / / | | 500.00 | CONSTITUTION DAY 2015 CONCERT |
| 09-15 | MCM03 (MCMMASTER-CARR SUPPLY CO.) | 38309385 | 09/03/15 | / / | | 126.98 | ROBINSON PLAZA |
| 09-15 | MIN01 (MINERS FOUNDRY CULTURAL) | 8/1/15 | 08/01/15 | 08/31/15 | A | 200.00 | BANDSHELL CLEANING REFUND 8/1/15 |
| 09-15 | NAT04 (NATIONAL ASSOCIATION OF) | NNO2844 | 08/10/15 | / / | | 125.68 | NATIONAL NIGHT OUT 2015 |
| 09-15 | NCC02 (NCCSIF) | 2016069 | 10/01/15 | / / | | 29810.75 | WORKERS COMP PYMT#2 7/1/15-6/30/16 |
| 09-15 | NCT00 (NEVADA CO. DIGITAL MEDIA CEJUL-SEP15 | | 09/15/15 | / / | | 750.00 | OPERATIONAL PEG FEES JUL-SEP'15 |
| 09-15 | NEV02 (NEVADA IRRIGATION DISTRCT) | 17033AUG | 08/31/15 | 09/30/15 | A | 14116.85 | DS CANAL SUAGRLOAF #17033 7/31-8/31/15 |
| | | 372569/15 | 09/01/15 | 10/01/15 | A | 176.13 | FD WATER ACCT#37256 7/7-9/1/15 |
| | | 373989/15 | 09/01/15 | 10/01/15 | A | 34.00 | FD WATER ACCT#37398 7/7-9/1/15 |
| | | 384939/15 | 09/01/15 | 10/01/15 | A | 58.89 | TRAIN MUSEUM WATER ACCT#38493 7/7-9/1/15 |
| | | 386269/15 | 09/01/15 | 10/01/15 | A | 36.20 | TRAIN MUSEUM WATER ACCT#38626 7/7-9/1/15 |
| | | | Vendor's Total -----> | | | 14422.07 | |
| 09-15 | NEV03 (NEVADA CITY CHAMBER) | 8/29/15 | 08/29/15 | 09/28/15 | A | 100.00 | VETS HALL REFUND 8/29/15 |
| 09-15 | NEV06 (NEVADA CITY ENGINEERING) | 26314 | 09/02/15 | 10/02/15 | A | 193.20 | CMAQ E.BROAD AUG'15 |
| | | 26315 | 09/02/15 | 10/02/15 | A | 54.00 | WA W11 TASK 2 AUG'15 |
| | | | Vendor's Total -----> | | | 247.20 | |
| 09-15 | NEV12 (NEVADA COUNTY FIRE CHIEFS) | 15/16-103 | 08/31/15 | 09/30/15 | A | 100.00 | FD DUES FY15/16 |
| 09-15 | NEV37 (NEVADA CO. CONCERT BAND) | CONSDAY15 | 09/08/15 | 10/08/15 | A | 600.00 | CONSTITUTION DAY 2015 |
| 09-15 | NEV40 (NEVADA COUNTY) | 15-16-026 | 09/10/15 | 10/10/15 | A | 921.03 | PAULUIS SHIFT COVERAGE 9/7/15 |
| | | 15-16-029 | 09/16/15 | 10/16/15 | A | 83.32 | FD PHONE AUG&SEP'15 |
| | | | Vendor's Total -----> | | | 1004.35 | |
| 09-15 | NEV59 (N.U.H.S. BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| | | CONSDAY15u | 09/15/15 | / / | | 100.00 | Ck# 028265 Reversed |
| | | | Vendor's Total -----> | | | .00 | |
| 09-15 | NEV67 (NEVADA UNION CHOIR) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| 09-15 | NEV70 (NEVADA CO COMM. LEADERSHIP | 9/24/15 | 09/24/15 | / / | | 200.00 | C.ELLIS TRAINING |
| 09-15 | NOR30 (NORTH STATE CONSULTING) | 15-8 NC | 09/01/15 | / / | | 5088.00 | NC4, NC5, WWTP, MEASURE S AUG'15 |
| 09-15 | NOR33 (NORTH STATE CONSULTING) | 15-8 WA | 09/01/15 | / / | | 1920.00 | WA W10, W11, W12 AUG'15 |
| 09-15 | P.S00 (P. SCOTT BROWNE, ATTORNEY) | AUG2015 | 08/15/15 | / / | | 142.50 | CLIENT CODE:NC B&B-LIT 8/1-/15/15 |
| 09-15 | PAC02 (PACIFIC GAS & ELECTRIC) | AUG2015 | 08/31/15 | 09/30/15 | A | 1094.32 | AUG'15 8071-9,5674-4,1982-6 |
| | | AUG/SEP15 | 09/04/15 | 10/04/15 | A | 15695.88 | 4970536494-8 8/7-9/4/15 |
| | | | Vendor's Total -----> | | | 16790.20 | |
| 09-15 | PAG08 (LINDI PAGAN) | 8/30/15 | 08/30/15 | / / | | 100.00 | VETS HALL CLEANING REFUND 8/30/15 |
| 09-15 | PER01 (PERS FISCAL SERVICES DIVISI | 9/15/15 | 09/15/15 | 10/15/15 | A | 13441.34 | CALIF PERS PAYABLE |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 005
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|--------------------------------------|-----------------------|--------------|----------|-------------|--------------|--|
| 09-15 | PIT01 (PITNEY BOWES RESERVE ACCOUN | 9/3/15 | 09/03/15 | / / | | 675.00 | UTILITY BILLS |
| 09-15 | PIT02 (PITNEY BOWES METER RENTAL) | SP15 | 09/13/15 | / / | | 122.61 | EQUIP RENTAL JUL-SEP'15 |
| 09-15 | PLA01 (PLAZA TIRE CO., INC.) | 3193317 | 07/28/15 | 08/27/15 | A | 15.00 | SKID STEER TIRE REPAIR |
| | | 3194256 | 09/04/15 | 10/04/15 | A | 2561.69 | FD STRIKE TEAM TIRES |
| | | 3194877 | 09/09/15 | 10/09/15 | A | 182.00 | FD VEHICLE REPAIR |
| | | Vendor's Total -----> | | | | 2758.69 | |
| 09-15 | PRE05 (PREMIER ACCESS INSURANCE CO | OCT2015 | 09/24/15 | / / | | 2872.05 | DENTAL INSURANCE OCT'15 |
| 09-15 | QUI03 (QUICK RESPONSE SEPTIC) | 31566 | 09/14/15 | / / | | 161.53 | CONST DAY 2015 |
| 09-15 | RAY01 (RAY MORGAN CO) | 1004957 | 09/01/15 | / / | | 74.09 | CONTRACT USAGE AUG'15 |
| 09-15 | REA00 (REAL GRAPHIC) | 41682 | 08/31/15 | / / | | 60.55 | RECYCLE WATER & GAS LINE PLANS |
| | | 41742 | 09/15/15 | / / | | 27.03 | CONST DAY 2015 |
| | | Vendor's Total -----> | | | | 87.58 | |
| 09-15 | RIB02 (RIEBE'S NAPA AUTO PARTS) | 670836 | 08/04/15 | 09/03/15 | A | 19.57 | PD VEHICLE SUPPLIES |
| | | 671179 | 08/06/15 | 09/05/15 | A | 8.22 | DPW VEHICLE OIL |
| | | 671676 | 08/11/15 | 09/10/15 | A | 57.72 | DPW TOOLS |
| | | 672453 | 08/17/15 | 09/16/15 | A | 3.80 | DPW PUMP |
| | | 672724 | 08/19/15 | 09/18/15 | A | 7.37 | PD VEHICLE MAINT. |
| | | 672758 | 08/19/15 | 09/18/15 | A | 6.68 | FD VEHICLE MAINT. |
| | | 672766 | 08/19/15 | 09/18/15 | A | 70.50 | DPW #32 LIFT PUMP |
| | | 673552 | 08/25/15 | 09/24/15 | A | 11.34 | FD VEHICLE MAINT. |
| | | 673598 | 08/25/15 | 09/24/15 | A | 34.71 | FD VEHICLE MAINT. |
| | | 673906 | 08/27/15 | 09/26/15 | A | 25.50 | SWEEPER MAINT. |
| | | 673996 | 08/28/15 | 09/27/15 | A | 29.57 | DPW VEHICLE MAINT. |
| | | Vendor's Total -----> | | | | 274.98 | |
| 09-15 | ROB04 (ROBINSON ENTERPRISES INVESTFI | FI5082403 | 08/31/15 | 09/30/15 | A | 395.87 | DPW FUEL 8/16-8/31/15 CUST#141100 |
| | | FI5082404 | 08/31/15 | 09/30/15 | A | 967.55 | PD FUEL 8/15-8/31/15 CUST#141120 |
| | | FI5082407 | 08/31/15 | 09/30/15 | A | 338.28 | FD FUEL 8/16-8/31/15 CUST#141217 |
| | | FI5091422 | 09/15/15 | 10/15/15 | A | 294.02 | FD FUEL 9/1-9/15/15 CUST#141217 |
| | | IN0116786 | 08/27/15 | 09/26/15 | A | 148.10 | YARD OIL CUST#141100 |
| | | Vendor's Total -----> | | | | 2143.82 | |
| 09-15 | ROS08 (ROSE WATER SYSTEM MANAGEMEN | 471 | 09/21/15 | / / | | 1705.00 | CABY WA W9,W10,W11,W13 AUG'15 |
| 09-15 | ROS09 (LORI ROSS-GLENN) | 9/28/15 | 09/28/15 | / / | | 7606.14 | GRANT AWARD REIMBURSEMENT |
| 09-15 | SAC10 (SACRAMENTO UNIFORMS - ASR) | 9078691 | 08/24/15 | 09/23/15 | A | 398.11 | S.GOIN UNIFORM ALLOW. FY15/16 |
| 09-15 | SAC12 (SACRAMENTO YOUTH BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| 09-15 | SAU00 (SAUERS ENGINEERING, INC.) | 11009 | 09/04/15 | / / | | 5111.25 | W11 SEP'15 |
| 09-15 | SEN01 (REINETTE SENUM) | 9/7/15 | 08/07/15 | / / | | 70.00 | VETS HALL CLEANING REFUND 8/7/15 |
| 09-15 | SIE42 (SIERRA BUSINESS COUNCIL) | 8/25/15 | 08/25/15 | / / | | 2520.00 | CDBG TRAINING 7/8-8/19/15 |
| 09-15 | SIE76 (SIERRA COMMONS) | 1410 | 04/01/15 | / / | | 600.00 | CDBG ROOM RENTAL MAR'15 |
| | | 1422 | 05/01/15 | / / | | 780.00 | CDBG ROOM RENTAL APR'15 |
| | | 1423 | 05/01/15 | / / | | 660.00 | CDBG ROOM RENTAL MAY'15 |
| | | 1462 | 07/01/15 | / / | | 3200.00 | CDBG MENTORING JUN'15 |
| | | 1503 | 08/01/15 | / / | | 2540.00 | CDBG MENTORING JUL'15 |
| | | 1529 | 09/01/15 | / / | | 1960.00 | CDBG MENTORING AUG'15 |
| | | 1530 | 09/29/15 | / / | | 2720.00 | CDBG MENTORING SEP'15 |
| | | Vendor's Total -----> | | | | 12460.00 | |
| 09-15 | SIE79 (SIERRA LAND SOLUTIONS, INC.) | 305 | 09/04/15 | / / | | 4200.00 | WA W9,W10,W11,NC6, CIP, MEASURE S AUG'15 |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 006
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|-----------------------|--------------|----------|-------------|--------------|--------------------------------------|
| 09-15 | SMA02 (SMARTERBROADBAND, INC.) | I95546 | 10/01/15 | / / | | 100.00 | FD BROADBAND OCT'15 |
| 09-15 | SPD01 (SPD MARKETS) | AUG2015 | 08/31/15 | 09/30/15 | A | 38.46 | FD SUPPLIES AUG'15 |
| 09-15 | SPD02 (SPD SAW SHOP) | 100602 | 08/24/15 | 09/23/15 | A | 32.53 | FLOW METER BLADES |
| | | 100635 | 09/15/15 | 10/15/15 | A | 86.08 | FD EQUIP REPAIR |
| | | Vendor's Total -----> | | | | 118.61 | |
| 09-15 | SPI03 (SPIRAL) | 33640 | 09/02/15 | / / | | 411.95 | CITY HALL SERVER & HOSTING |
| 09-15 | STA03 (STANDARD PLUMBING SUPPLY CO | EVDB83 | 08/07/15 | / / | | 4.65 | BATHROOMS |
| | | EVHC49 | 08/11/15 | / / | | 37.01 | SEWER COYOTE |
| | | EVRJ71 | 08/20/15 | / / | | 116.29 | PARKING METERS |
| | | EVWK84 | 08/24/15 | / / | | 3.56 | MAINT. COMM PARK |
| | | EVYF27 | 08/25/15 | / / | | 87.57 | WTP FLOW METER |
| | | EVZ941 | 08/26/15 | / / | | 125.08 | PIPING FOR YARD RECLAIMING WATER |
| | | Vendor's Total -----> | | | | 374.16 | |
| 09-15 | SUN01 (SUNRISE ENVIRONMENTAL) | 53688 | 08/21/15 | 09/20/15 | A | 614.38 | SEWER MAINT. |
| | | 54203 | 09/03/15 | 10/03/15 | A | 284.70 | BATHROOMS |
| | | Vendor's Total -----> | | | | 899.08 | |
| 09-15 | THE10 (THE AUTO SHOP) | 12804 | 08/26/15 | / / | | 206.57 | 2009 CHEVY OIL CHANGE |
| | | 12808 | 08/20/15 | / / | | 33.71 | 2015 FORD EXP. OIL CHANGE |
| | | 12937 | 09/03/15 | / / | | 53.53 | 2015 FORD FUSION OIL CHANGE |
| | | 13039 | 09/15/15 | / / | | 29.95 | 2013 FORD EXP. OIL CHANGE |
| | | Vendor's Total -----> | | | | 323.76 | |
| 09-15 | THO17 (THOMSON REUTERS) | 2016 | 09/24/15 | / / | | 129.12 | PD 2016 CODES |
| 09-15 | TON00 (TONON & ASSOCIATES) | 19849 | 09/09/15 | / / | | 162.08 | NC022 FILE#9905 |
| 09-15 | TOO01 (THE TOOL SHED) | 67167 | 07/08/15 | 08/07/15 | A | 16.67 | DPW MAINT. |
| 09-15 | TRO04 (TROPHIES ANYONE?) | 959705 | 09/01/15 | / / | | 75.86 | AMY WOLFSON NAME PLATES |
| | | 959708 | 09/09/15 | / / | | 388.90 | CONST DAY 2015 |
| | | Vendor's Total -----> | | | | 464.76 | |
| 09-15 | TWI05 (TWIN CITIES CHURCH) | 8/30/15 | 08/30/15 | / / | | 150.00 | BANDSHELL CLEANING REFUND 8/30/15 |
| 09-15 | UNI01 (THE UNION) | 4193558 | 09/02/15 | 10/02/15 | A | 29.46 | POOL PROGRAM AD |
| | | 4301382 | 09/17/15 | 10/17/15 | A | 140.79 | DEV. AGREEMENT BUSINESS PARK |
| | | 4193558A | 09/02/15 | 10/02/15 | A | 75.54 | POOL PROGRAM AD |
| | | Vendor's Total -----> | | | | 245.79 | |
| 09-15 | UNI15 (UNITED ROTARY BRUSH CORP) | CI174575 | 08/21/15 | / / | | 1197.41 | STREET SWEEPER |
| | | CI174888 | 08/27/15 | / / | | 771.20 | STREET SWEEPER |
| | | Vendor's Total -----> | | | | 1968.61 | |
| 09-15 | UNI19 (UNION HILL SCHOOL BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| | | CONSDAY15u | 09/15/15 | / / | | 100.00 | -Ck# 028283 Reversed |
| | | Vendor's Total -----> | | | | .00 | |
| 09-15 | VAN07 (MATT VANDERPOL) | 9/24/15 | 09/24/15 | / / | | 10000.00 | GRANT AWARD PAYMENT-DEBRA LITTLE-AJO |
| 09-15 | VER01 (VERIZON WIRELESS) | 751252135 | 08/23/15 | / / | | 1055.96 | PD PHONES & UPGRADES TO VEHICLES |
| 09-15 | VSP00 (VISION SERVICE PLAN-(CA)) | OCT2015 | 09/24/15 | / / | | 297.99 | VISION INSURANCE OCT'15 |
| 09-15 | WAL01 (WALKER'S OFFICE SUPPLY) | 280004 | 08/19/15 | 09/18/15 | A | 9.49 | DRAFTING SUPPLIES |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 007
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|-----------------------|------------------------------------|-----------------------|--------------|----------|-------------|--------------|---|
| 09-15 | WES23 (WEST COAST FRAME & COLLISIO | 43885 | 09/23/15 | / / | | 237.50 | FD VECHILE REAPIR |
| 09-15 | WIL02 (WILLIAMS STATIONERY) | 120340 | 09/01/15 | 10/01/15 | A | 120.38 | PD OFFICE SUPPLIES |
| | | 120409 | 06/04/15 | 07/04/15 | A | 19.50 | WATER CONSERV. INSERT PAPER |
| | | 120429 | 09/08/15 | 10/08/15 | A | 198.06 | ADMI OFFICE SUPPLIES |
| | | Vendor's Total -----> | | | | 337.94 | |
| 09-15 | WOL02 (GREGORY WOLTERS) | 9/9/15 | 09/09/15 | 10/09/15 | A | 498.00 | MEASURE L PARK IMPROVEMENTS |
| 09-15 | WOL06 (MARIE WOLFE) | 9/28/15 | 09/28/15 | / / | | 10000.00 | GRANT AWARD-MARIE WOLFE-HARVEST MOON BOT. |
| | | 9/28/15u | 09/30/15 | / / | | 10000.00 | -Ck# 028354 Reversed |
| | | 9/28/15y | 09/30/15 | / / | | 10000.00 | Ck# 028357->028354 Replacement |
| | | Vendor's Total -----> | | | | 10000.00 | |
| 09-15 | YOU05 (YOUNG ACTORS THEATRE CAMP) | 9/1/15 | 09/01/15 | / / | | 250.00 | CAMPERSHIP |
| Total of Purchases -> | | | | | | 324333.85 | |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 001
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|-------------------------------------|----------------|-----------------------|----------|-------------|--------------|---------------------------------------|
| 09-15 | ADV01 (ADVANTAGE: PRINT, MARKETING) | JULAUG15 | 09/08/15 | / / | | 930.14 | UTILITY MAILING JUL&AUG'15 |
| 09-15 | ADV11 (ADVANTAGE GEAR, INC.) | 112124 | 08/21/15 | / / | | 282.67 | R.RADICAN UNIFORM ALLOWANCE FY15/16 |
| | | 112396 | 09/16/15 | / / | | 191.63 | FD UNIFORM ALLOW T.PISTOCHINI FY15/16 |
| | | | Vendor's Total -----> | | | 474.30 | |
| 09-15 | AIR05 (AIRGAS) | 043510736 | 09/16/15 | / / | | 30.28 | FD OPER MAT. |
| 09-15 | ALH02 (ALHAMBRA & SIERRA SPRINGS) | 14082715 | 08/27/15 | / / | | 71.80 | DPW DRIKING WATER |
| 09-15 | ALL20 (ALLIANT INSURANCE SERVICES, | 380802 | 09/04/15 | / / | | 765.00 | CONSTITUTION DAY 2015 INSURANCE |
| 09-15 | AME12 (AMERICAN RIVER COLLEGE) | 09/18/15P | 09/21/15 | / / | | 246.00 | TUITION FOR EWING, MASON, CLENDENEN |
| 09-15 | AME19 (AMERICAN FIDELITY) | B362094 | 09/23/15 | / / | | 941.28 | DISABILITY INSURANCE OCT'15 |
| 09-15 | AME24 (AMERICAN UNITED LIFE INSURA | OCT2015EE | 09/23/15 | / / | | 162.16 | EE LIFE INSURANCE OCT'15 |
| | | OCT2015ER | 09/23/15 | / / | | 267.75 | ER LIFE INSURANCE OCT'15 |
| | | | Vendor's Total -----> | | | 429.91 | |
| 09-15 | AT&15 (AT&T CALNET 3) | 7030607 | 09/09/15 | / / | | 954.18 | AT&T CALNET3 8/10-9/9/15 |
| 09-15 | ATO01 (A TO Z SUPPLY) | 295476 | 08/11/15 | 09/10/15 | A | 17.18 | IRRIGATION |
| | | 296158 | 08/25/15 | 09/24/15 | A | 79.61 | FLOW METERS |
| | | | Vendor's Total -----> | | | 96.79 | |
| 09-15 | AUT01 (AUTOMATIONDIRECT.COM, INC.) | 6373155 | 08/31/15 | / / | | 588.00 | SCADA PANELS |
| | | 6379784 | 09/02/15 | / / | | 249.50 | ELECTRICAL TOOLS |
| | | | Vendor's Total -----> | | | 837.50 | |
| 09-15 | B&C01 (B & C TRUE VALUE HOME CTR) | 175602 | 07/27/15 | 08/26/15 | A | 29.17 | CHIEF KELLY |
| | | 175973 | 07/29/15 | 08/28/15 | A | 29.73 | MAINT. ROOM |
| | | 175992 | 07/29/15 | 08/28/15 | A | 15.55 | WATERLINE |
| | | 176165 | 07/30/15 | 08/29/15 | A | 76.39 | GRAFITTI |
| | | 178316 | 08/13/15 | 09/12/15 | A | 54.47 | STREET CLEANING |
| | | 178919 | 08/17/15 | 09/16/15 | A | 30.38 | PARKING METERS |
| | | 179231C | 08/19/15 | 09/18/15 | A | 5.03 | -PARKING METERS |
| | | 179265 | 08/19/15 | 09/18/15 | A | 15.36 | PROBATION DEPART. |
| | | 179428 | 08/20/15 | 09/19/15 | A | 24.31 | BATHROOMS |
| | | 179669 | 08/21/15 | 09/20/15 | A | 10.89 | STREET PLATES |
| | | 180009 | 08/24/15 | 09/23/15 | A | 14.59 | PARK SUPPLIES |
| | | 180045 | 08/24/15 | 09/23/15 | A | 12.82 | WATER PLANT METER |
| | | 180132 | 08/25/15 | 09/24/15 | A | 22.51 | BENCH FOR PARK |
| | | 180177 | 08/25/15 | 09/24/15 | A | 22.19 | STREET PARKING |
| | | 180496 | 08/27/15 | 09/26/15 | A | 48.48 | GARBAGE CAN & TENNIS BACKBOARD |
| | | 180665 | 08/28/15 | 09/27/15 | A | 2.23 | PARK SUPPLIES |
| | | 180730 | 08/28/15 | 09/27/15 | A | 8.91 | HOSE REPAIR |
| | | 180938 | 08/30/15 | 09/29/15 | A | 7.28 | PARK SUPPLIES |
| | | 181018 | 08/31/15 | 09/30/15 | A | 5.82 | PIONEER PARK |
| | | 181623 | 09/03/15 | 10/03/15 | A | 23.34 | TENNIS BOARD SUPPLIES |
| | | 181805 | 09/04/15 | 10/04/15 | A | 23.36 | FD BLDG. REPAIR |
| | | 183856 | 09/19/15 | 10/19/15 | A | 12.64 | FD BLDG. REPAIR |
| | | | Vendor's Total -----> | | | 485.39 | |
| 09-15 | BAR17 (BARSOTTI CONTRACTING) | 9/18/15 | 09/18/15 | / / | | 565.00 | WATER SYSTEM REPAIR @CLAY ST |
| 09-15 | BLU04 (BLUMENTHAL UNIFORMS & EQUIP | 153024 | 08/29/15 | / / | | 316.71 | PD UNIFOR ALLOW B.MULLENAX |
| 09-15 | BLU05 (BLUE SHIELD OF CALIFORNIA) | OCT2015 | 09/23/15 | / / | | 37080.00 | HEALTH INSURANCE OCT'15 |
| 09-15 | BUS02 (BUSINESS CARD/B OF A VISA) | AUG/SEP15 | 09/06/15 | / / | | 4961.27 | -4542 OLSON/TAYLOR 8/8-9/6/15 |
| 09-15 | C&D01 (C & D CONTRACTORS, INC.) | 15002-5 | 09/17/15 | 10/17/15 | A | 3197.61 | RELIEF HILL IMPROV. WA W10 |
| | | 15002-6 | 09/17/15 | 10/17/15 | A | 3297.50 | DOWNTOWN LEAK REPAIR W13 |
| | | 15005-2 | 09/08/15 | 10/08/15 | A | 610.33 | COYOTE ST PERMIT FOR CALTRANS |
| | | | Vendor's Total -----> | | | 7105.44 | |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 002
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|--------------------|-----------------------|----------------------|-------------|-------------------|---|
| 09-15 | CAM16 (AJEET CAMPBELL) | 9/28/15 | 09/28/15 | / / | | 1600.00 | GRANT PAYMENT-LORE ROSS-REWRITE THE BODY |
| 09-15 | CAN03 (SYLVIA J. CANO) | AUG2015 | 08/31/15 | / / | | 1200.00 | CITY HALL & VETS JANITORIAL AUG'15 |
| 09-15 | CAN05 (CANON FINANCIAL SERVICES, I | 15297914 | 09/12/15 | / / | | 660.54 | AUG'15 USAGE & SEP'15 CONTRACT |
| 09-15 | CHA11 (COLIN CHAMBERS) | 9/8/15 | 09/08/15 | / / | | 8.97 | FUEL REIMB. 7/20&7/29/15 |
| 09-15 | CLE05 (SCOTT CLENDENEN) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | COA01 (COASTLAND) | 37976 | 09/04/15 | / / | | 3598.01 | INFRASTRUCTURE STUDY WWTP |
| 09-15 | COM08 (COMCAST CABLE) | 100499/15 | 08/24/15 | / / | | 81.31 | 8155600120010049 DPW INTERNET 9/4-10/3/15 |
| 09-15 | COR01 (CORBIN WILLITS SYSTEMS) | B50831 B509151 | 08/31/15 09/15/15 | 09/30/15 10/15/15 | A A | 1300.00 423.54 | SEWER/WATER UPDATE CONTRACT SERVICES OCT'15 |
| | | | Vendor's Total -----> | | | 1723.54 | |
| 09-15 | COU06 (COUNTY OF NEVADA) | AUG2015 | 09/03/15 | 10/03/15 | A | 8370.53 | AUG'15 SHERIFF DISPATCH FEE |
| 09-15 | COU12 (COUNTRY COPY PRINT SHOP) | 10810 | 08/31/15 | 09/30/15 | A | 110.29 | A.WOLFSON BUSINESS CARDS |
| 09-15 | COU23 (NEVADA COUNTY COLLECTIONS) | AUG2015 | 09/01/15 | 10/01/15 | A | 2761.00 | AUG'15 TICKETS & JUL'15 CC TICKETS |
| 09-15 | CRA01 (CRANMER ENGINEERING, INC.) | 156541 | 08/31/15 | 09/30/15 | A | 31.50 | CABY PARK AVE TESTING |
| 09-15 | CWS00 (CWS ELECTRICAL) | 15-054 | 08/31/15 | / / | | 1902.13 | SCADA WATERPLANT AUG'15 |
| 09-15 | DEL05 (DELL MARKETING L.P.) | XJRP995M1 | 09/11/15 | / / | | 2710.79 | FD COMPUTERS |
| 09-15 | DEL08 (DELTA INDUSTRIAL SOLUTIONS) | 14756 14834 | 08/17/15 08/25/15 | / / / / | | 84.63 586.88 | SAFETY BATHROOMS |
| | | | Vendor's Total -----> | | | 671.51 | |
| 09-15 | DEP13 (DEPARTMENT OF JUSTICE) | 119526 | 09/03/15 | / / | | 51.00 | PD FORMS |
| 09-15 | DIA03 (DIAMOND WELL DRILLING COMPA | 10501 | 08/25/15 | / / | | 4800.00 | BIO ASSAYS |
| 09-15 | ECO01 (ECONOMY PEST CONTROL INC) | 82715028 | 08/27/15 | 09/26/15 | A | 205.00 | ANT/TERMITE SPRAYING |
| 09-15 | ELL03 (CHAD ELLIS) | 9/25/15 | 09/25/15 | / / | | 500.00 | TRAINING LEADERSHIP CLASS |
| 09-15 | EME08 (PAUL EMERY) | CONSDAY15 | 09/08/15 | / / | | 300.00 | CONSTITUTION 2015 SOUND |
| 09-15 | EWI00 (TIMOTHY EWING) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | FER05 (FERGUSON WW #1423) | 1111854 | 08/20/15 | / / | | 3072.74 | FITTING FLOW METERS |
| 09-15 | FIR11 (FIRST BAPTIST CHURCH) | 8/23/15 | 08/23/15 | 09/22/15 | A | 100.00 | PICNIC CLEANING REFUND 8/23/15 |
| 09-15 | FIR21 (FIRST SECURITY FINANCE) | 10/1/15 | 10/01/15 | / / | | 49843.07 | #NC-CA-2005-01 FY15/16 |
| 09-15 | FIS05 (MICHAEL FISH) | 8/28/15 9/11/15 | 08/28/15 09/11/15 | / / / / | | 120.00 180.00 | FD INTERN FISH 8/15-8/28/15 FD INTERN FISH 8/29-9/11/15 |
| | | | Vendor's Total -----> | | | 300.00 | |
| 09-15 | GEM00 (GINGER GEMIGNANI) | 8/31/15 9/14/15 | 08/31/15 09/14/15 | / / / / | | 76.67 25.98 | FUEL & KEY REIMBURSEMENT PHONE CASES FOR PARKING TICKET MACHINES |
| | | | Vendor's Total -----> | | | 102.65 | |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 003
 ID #: FY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|--------------------------------------|--------------|----------|-----------------------|--------------------------------------|--|
| 09-15 | GLO06 (GLOBAL MACHINERY CABLE PLAC | 6019105 | 06/16/15 | / / | | 874.32 | STREET SWEEPER |
| 09-15 | GOL02 (GOLD & GREEN EQUIPMENT) | 130834 | 09/01/15 | 10/01/15 | A | 92.98 | TRENCHER FOR ALTITUDE METERS |
| 09-15 | GOL15 (GOLD FLAT EXPRESS LUBE) | 17372 | 09/01/15 | / / | | 87.45 | 2008 CROWN VIC OIL CHANGE |
| 09-15 | GOL33 (GOLD COUNTRY DISTRIBUTORS) | 105147 | 09/10/15 | / / | | 377.14 | CONST DAY 2015 |
| 09-15 | GOL37 (GOLD STANDARD PLUMBING & DR | 5331 | 08/31/15 | / / | | 141.00 | CEMENT HILL RENTAL DRAIN CLOG |
| 09-15 | G0002 (SAM GOODSPEED) | 9/15/15 SEP2015 | 09/15/15 | 10/15/15 | A A | 87.60 50.00 | FD GATORADE GOODPSPEED FUEL SEP'15 |
| | | | | | Vendor's Total -----> | 137.60 | |
| 09-15 | GRA01 (GRAY ELECTRIC COMPANY) | 44220 44221 | 08/31/15 | 09/30/15 | A A | 28.00 26.00 | SEAMANS LODGE ALARM SEP'15 CITY HALL ALARM SEP'15 |
| | | | | | Vendor's Total -----> | 54.00 | |
| 09-15 | GRA19 (GRASS VALLEY SIGN COMPANY) | 8282015-3 9092015-9 | 08/28/15 | 09/27/15 | A A | 362.61 166.08 | PIONEER PARK SIGNS CONST DAY 2015 |
| | | | | | Vendor's Total -----> | 528.69 | |
| 09-15 | GRA38 (KEN GRADY COMPANY, INC.) | 1652 | 08/26/15 | / / | | 481.21 | ANALYZER MOTOR |
| 09-15 | HIE00 (LAWRENCE HIERMAN) | 9/24/15 | 09/24/15 | / / | | 5224.00 | GRANT AWARD 9/24/15 |
| 09-15 | HIL02 (HILLS FLAT LUMBER CO.) | 264735 547484 555166 577903 | 08/31/15 | 09/30/15 | A A A A | 380.30 44.72 916.93 1050.03 | YARD TOOLS SEWER DISINFECT STREET SIGN YARD TOOLS |
| | | | | | Vendor's Total -----> | 2391.98 | |
| 09-15 | HOU03 (HOUSE OF PRINT & COPY) | 79047 | 08/10/15 | 09/09/15 | A | 486.56 | CONST PARADE BROCHURES 2015 |
| 09-15 | JHP00 (JH PETROLEUM) | 754726 | 08/31/15 | / / | | 134.63 | K9 UNIT FUEL 8/9-8/18/15 |
| 09-15 | JON00 (JONES & MAYER) | AUG2015 | 09/23/15 | / / | | 3495.00 | ATTORNEY SERVICES AUG'15 |
| 09-15 | KES00 (KESLER-WOLFSON, AMY) | P/R091815P | 09/18/15 | / / | | 1746.20 | DIFFERENCE OF PAY CHECK |
| 09-15 | LEX01 (LEXIS NEXIS) | 090300499 | 08/31/15 | / / | | 76.50 | ATTY ONLINE AUG'15 |
| 09-15 | LIF01 (LIFE ASSIST) | 724815 | 09/10/15 | 10/10/15 | A | 48.27 | FD OPER. MAT |
| 09-15 | LOC00 (NANCY LOCKWOOD) | 8/29/15 | 08/29/15 | / / | | 100.00 | PICNIC AREA CLEANING REFUND 8/29/15 |
| 09-15 | LOC02 (SARAH LOCATELLI) | 8/28/15 | 08/28/15 | / / | | 36.00 | RENTAL REFUND |
| 09-15 | LOU00 (LOU'S GLOVES INC.) | 10335 | 08/21/15 | / / | | 88.00 | GLOVES |
| 09-15 | LYM01 (LYMAN GILMORE MIDDLE SCHOOL | CONSDAY15 CONSDAY15u | 09/08/15 | 10/08/15 | A A | 100.00 100.00 | CONSTITUTION DAY 2015 -Ck# 028258 Reversed |
| | | | | | Vendor's Total -----> | .00 | |
| 09-15 | MAS04 (SEAN MASON) | 091815 | 09/21/15 | / / | | 105.00 | MEALS |
| 09-15 | MAT02 (RONDA MATHEW) | 9/28/15 | 09/28/15 | / / | | 793.86 | GRANT PAYMENT-LORE ROSS-REWRITE THE BODY |

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|---|----------------|-----------------------|----------|-------------|--------------|--|
| 09-15 | MCC00 (MCCROMETER, INC.) | 464350 | 08/28/15 | / / | | 7528.04 | SCADA FLOW METER |
| 09-15 | MCD00 (DAVID MCDUGALL) | 110 | 09/01/15 | / / | | 900.00 | CDBG CLASSROOM TRAINING AUG'15 |
| 09-15 | MCK01 (MAGGIE MCKAIG) | CONSDAY15 | 09/08/15 | / / | | 500.00 | CONSTITUTION DAY 2015 CONCERT |
| 09-15 | MCM03 (MCMMASTER-CARR SUPPLY CO.) | 38309385 | 09/03/15 | / / | | 126.98 | ROBINSON PLAZA |
| 09-15 | MIN01 (MINERS FOUNDRY CULTURAL) | 8/1/15 | 08/01/15 | 08/31/15 | A | 200.00 | BANDSHELL CLEANING REFUND 8/1/15 |
| 09-15 | NAT04 (NATIONAL ASSOCIATION OF) | NNO2844 | 08/10/15 | / / | | 125.68 | NATIONAL NIGHT OUT 2015 |
| 09-15 | NCC02 (NCCSIF) | 2016069 | 10/01/15 | / / | | 29810.75 | WORKERS COMP PYMT#2 7/1/15-6/30/16 |
| 09-15 | NCT00 (NEVADA CO. DIGITAL MEDIA CEJUL-SEP15 | | 09/15/15 | / / | | 750.00 | OPERATIONAL PEG FEES JUL-SEP'15 |
| 09-15 | NEV02 (NEVADA IRRIGATION DISTRCT) | 17033AUG | 08/31/15 | 09/30/15 | A | 14116.85 | DS CANAL SUAGRLOAF #17033 7/31-8/31/15 |
| | | 372569/15 | 09/01/15 | 10/01/15 | A | 176.13 | FD WATER ACCT#37256 7/7-9/1/15 |
| | | 373989/15 | 09/01/15 | 10/01/15 | A | 34.00 | FD WATER ACCT#37398 7/7-9/1/15 |
| | | 384939/15 | 09/01/15 | 10/01/15 | A | 58.89 | TRAIN MUSEUM WATER ACCT#38493 7/7-9/1/15 |
| | | 386269/15 | 09/01/15 | 10/01/15 | A | 36.20 | TRAIN MUSEUM WATER ACCT#38626 7/7-9/1/15 |
| | | | Vendor's Total -----> | | | 14422.07 | |
| 09-15 | NEV03 (NEVADA CITY CHAMBER) | 8/29/15 | 08/29/15 | 09/28/15 | A | 100.00 | VETS HALL REFUND 8/29/15 |
| 09-15 | NEV06 (NEVADA CITY ENGINEERING) | 26314 | 09/02/15 | 10/02/15 | A | 193.20 | CMAQ E.BROAD AUG'15 |
| | | 26315 | 09/02/15 | 10/02/15 | A | 54.00 | WA W11 TASK 2 AUG'15 |
| | | | Vendor's Total -----> | | | 247.20 | |
| 09-15 | NEV12 (NEVADA COUNTY FIRE CHIEFS) | 15/16-103 | 08/31/15 | 09/30/15 | A | 100.00 | FD DUES FY15/16 |
| 09-15 | NEV37 (NEVADA CO. CONCERT BAND) | CONSDAY15 | 09/08/15 | 10/08/15 | A | 600.00 | CONSTITUTION DAY 2015 |
| 09-15 | NEV40 (NEVADA COUNTY) | 15-16-026 | 09/10/15 | 10/10/15 | A | 921.03 | PAULUIS SHIFT COVERAGE 9/7/15 |
| | | 15-16-029 | 09/16/15 | 10/16/15 | A | 83.32 | FD PHONE AUG&SEP'15 |
| | | | Vendor's Total -----> | | | 1004.35 | |
| 09-15 | NEV59 (N.U.H.S. BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| | | CONSDAY15u | 09/15/15 | / / | | 100.00 | Ck# 028265 Reversed |
| | | | Vendor's Total -----> | | | .00 | |
| 09-15 | NEV67 (NEVADA UNION CHOIR) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| 09-15 | NEV70 (NEVADA CO COMM. LEADERSHIP | 9/24/15 | 09/24/15 | / / | | 200.00 | C.ELLIS TRAINING |
| 09-15 | NOR30 (NORTH STATE CONSULTING) | 15-8 NC | 09/01/15 | / / | | 5088.00 | NC4, NC5, WWTP, MEASURE S AUG'15 |
| 09-15 | NOR33 (NORTH STATE CONSULTING) | 15-8 WA | 09/01/15 | / / | | 1920.00 | WA W10, W11, W12 AUG'15 |
| 09-15 | P.S00 (P. SCOTT BROWNE, ATTORNEY) | AUG2015 | 08/15/15 | / / | | 142.50 | CLIENT CODE:NC B&B-LIT 8/1-/15/15 |
| 09-15 | PAC02 (PACIFIC GAS & ELECTRIC) | AUG2015 | 08/31/15 | 09/30/15 | A | 1094.32 | AUG'15 8071-9,5674-4,1982-6 |
| | | AUG/SEP15 | 09/04/15 | 10/04/15 | A | 15695.88 | 4970536494-8 8/7-9/4/15 |
| | | | Vendor's Total -----> | | | 16790.20 | |
| 09-15 | PAG08 (LINDI PAGAN) | 8/30/15 | 08/30/15 | / / | | 100.00 | VETS HALL CLEANING REFUND 8/30/15 |
| 09-15 | PER01 (PERS FISCAL SERVICES DIVISI | 9/15/15 | 09/15/15 | 10/15/15 | A | 13441.34 | CALIF PERS PAYABLE |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 005
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|--------------------------------------|-----------------------|--------------|----------|-------------|--------------|--|
| 09-15 | PIT01 (PITNEY BOWES RESERVE ACCOUN | 9/3/15 | 09/03/15 | / / | | 675.00 | UTILITY BILLS |
| 09-15 | PIT02 (PITNEY BOWES METER RENTAL) | SP15 | 09/13/15 | / / | | 122.61 | EQUIP RENTAL JUL-SEP'15 |
| 09-15 | PLA01 (PLAZA TIRE CO., INC.) | 3193317 | 07/28/15 | 08/27/15 | A | 15.00 | SKID STEER TIRE REPAIR |
| | | 3194256 | 09/04/15 | 10/04/15 | A | 2561.69 | FD STRIKE TEAM TIRES |
| | | 3194877 | 09/09/15 | 10/09/15 | A | 182.00 | FD VEHICLE REPAIR |
| | | Vendor's Total -----> | | | | 2758.69 | |
| 09-15 | PRE05 (PREMIER ACCESS INSURANCE CO | OCT2015 | 09/24/15 | / / | | 2872.05 | DENTAL INSURANCE OCT'15 |
| 09-15 | QUI03 (QUICK RESPONSE SEPTIC) | 31566 | 09/14/15 | / / | | 161.53 | CONST DAY 2015 |
| 09-15 | RAY01 (RAY MORGAN CO) | 1004957 | 09/01/15 | / / | | 74.09 | CONTRACT USAGE AUG'15 |
| 09-15 | REA00 (REAL GRAPHIC) | 41682 | 08/31/15 | / / | | 60.55 | RECYCLE WATER & GAS LINE PLANS |
| | | 41742 | 09/15/15 | / / | | 27.03 | CONST DAY 2015 |
| | | Vendor's Total -----> | | | | 87.58 | |
| 09-15 | RIB02 (RIEBE'S NAPA AUTO PARTS) | 670836 | 08/04/15 | 09/03/15 | A | 19.57 | PD VEHICLE SUPPLIES |
| | | 671179 | 08/06/15 | 09/05/15 | A | 8.22 | DPW VEHICLE OIL |
| | | 671676 | 08/11/15 | 09/10/15 | A | 57.72 | DPW TOOLS |
| | | 672453 | 08/17/15 | 09/16/15 | A | 3.80 | DPW PUMP |
| | | 672724 | 08/19/15 | 09/18/15 | A | 7.37 | PD VEHICLE MAINT. |
| | | 672758 | 08/19/15 | 09/18/15 | A | 6.68 | FD VEHICLE MAINT. |
| | | 672766 | 08/19/15 | 09/18/15 | A | 70.50 | DPW #32 LIFT PUMP |
| | | 673552 | 08/25/15 | 09/24/15 | A | 11.34 | FD VEHICLE MAINT. |
| | | 673598 | 08/25/15 | 09/24/15 | A | 34.71 | FD VEHICLE MAINT. |
| | | 673906 | 08/27/15 | 09/26/15 | A | 25.50 | SWEEPER MAINT. |
| | | 673996 | 08/28/15 | 09/27/15 | A | 29.57 | DPW VEHICLE MAINT. |
| | | Vendor's Total -----> | | | | 274.98 | |
| 09-15 | ROB04 (ROBINSON ENTERPRISES INVESTFI | FI5082403 | 08/31/15 | 09/30/15 | A | 395.87 | DPW FUEL 8/16-8/31/15 CUST#141100 |
| | | FI5082404 | 08/31/15 | 09/30/15 | A | 967.55 | PD FUEL 8/15-8/31/15 CUST#141120 |
| | | FI5082407 | 08/31/15 | 09/30/15 | A | 338.28 | FD FUEL 8/16-8/31/15 CUST#141217 |
| | | FI5091422 | 09/15/15 | 10/15/15 | A | 294.02 | FD FUEL 9/1-9/15/15 CUST#141217 |
| | | IN0116786 | 08/27/15 | 09/26/15 | A | 148.10 | YARD OIL CUST#141100 |
| | | Vendor's Total -----> | | | | 2143.82 | |
| 09-15 | ROS08 (ROSE WATER SYSTEM MANAGEMEN | 471 | 09/21/15 | / / | | 1705.00 | CABY WA W9,W10,W11,W13 AUG'15 |
| 09-15 | ROS09 (LORI ROSS-GLENN) | 9/28/15 | 09/28/15 | / / | | 7606.14 | GRANT AWARD REIMBURSEMENT |
| 09-15 | SAC10 (SACRAMENTO UNIFORMS - ASR) | 9078691 | 08/24/15 | 09/23/15 | A | 398.11 | S.GOIN UNIFORM ALLOW. FY15/16 |
| 09-15 | SAC12 (SACRAMENTO YOUTH BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| 09-15 | SAU00 (SAUERS ENGINEERING, INC.) | 11009 | 09/04/15 | / / | | 5111.25 | W11 SEP'15 |
| 09-15 | SEN01 (REINETTE SENUM) | 9/7/15 | 08/07/15 | / / | | 70.00 | VETS HALL CLEANING REFUND 8/7/15 |
| 09-15 | SIE42 (SIERRA BUSINESS COUNCIL) | 8/25/15 | 08/25/15 | / / | | 2520.00 | CDBG TRAINING 7/8-8/19/15 |
| 09-15 | SIE76 (SIERRA COMMONS) | 1410 | 04/01/15 | / / | | 600.00 | CDBG ROOM RENTAL MAR'15 |
| | | 1422 | 05/01/15 | / / | | 780.00 | CDBG ROOM RENTAL APR'15 |
| | | 1423 | 05/01/15 | / / | | 660.00 | CDBG ROOM RENTAL MAY'15 |
| | | 1462 | 07/01/15 | / / | | 3200.00 | CDBG MENTORING JUN'15 |
| | | 1503 | 08/01/15 | / / | | 2540.00 | CDBG MENTORING JUL'15 |
| | | 1529 | 09/01/15 | / / | | 1960.00 | CDBG MENTORING AUG'15 |
| | | 1530 | 09/29/15 | / / | | 2720.00 | CDBG MENTORING SEP'15 |
| | | Vendor's Total -----> | | | | 12460.00 | |
| 09-15 | SIE79 (SIERRA LAND SOLUTIONS, INC.) | 305 | 09/04/15 | / / | | 4200.00 | WA W9,W10,W11,NC6, CIP, MEASURE S AUG'15 |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 006
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|-----------------------|--------------|----------|-------------|--------------|--------------------------------------|
| 09-15 | SMA02 (SMARTERBROADBAND, INC.) | I95546 | 10/01/15 | / / | | 100.00 | FD BROADBAND OCT'15 |
| 09-15 | SPD01 (SPD MARKETS) | AUG2015 | 08/31/15 | 09/30/15 | A | 38.46 | FD SUPPLIES AUG'15 |
| 09-15 | SPD02 (SPD SAW SHOP) | 100602 | 08/24/15 | 09/23/15 | A | 32.53 | FLOW METER BLADES |
| | | 100635 | 09/15/15 | 10/15/15 | A | 86.08 | FD EQUIP REPAIR |
| | | Vendor's Total -----> | | | | 118.61 | |
| 09-15 | SPI03 (SPIRAL) | 33640 | 09/02/15 | / / | | 411.95 | CITY HALL SERVER & HOSTING |
| 09-15 | STA03 (STANDARD PLUMBING SUPPLY CO | EVDB83 | 08/07/15 | / / | | 4.65 | BATHROOMS |
| | | EVHC49 | 08/11/15 | / / | | 37.01 | SEWER COYOTE |
| | | EVRJ71 | 08/20/15 | / / | | 116.29 | PARKING METERS |
| | | EVWK84 | 08/24/15 | / / | | 3.56 | MAINT. COMM PARK |
| | | EVYF27 | 08/25/15 | / / | | 87.57 | WTP FLOW METER |
| | | EVZ941 | 08/26/15 | / / | | 125.08 | PIPING FOR YARD RECLAIMING WATER |
| | | Vendor's Total -----> | | | | 374.16 | |
| 09-15 | SUN01 (SUNRISE ENVIRONMENTAL) | 53688 | 08/21/15 | 09/20/15 | A | 614.38 | SEWER MAINT. |
| | | 54203 | 09/03/15 | 10/03/15 | A | 284.70 | BATHROOMS |
| | | Vendor's Total -----> | | | | 899.08 | |
| 09-15 | THE10 (THE AUTO SHOP) | 12804 | 08/26/15 | / / | | 206.57 | 2009 CHEVY OIL CHANGE |
| | | 12808 | 08/20/15 | / / | | 33.71 | 2015 FORD EXP. OIL CHANGE |
| | | 12937 | 09/03/15 | / / | | 53.53 | 2015 FORD FUSION OIL CHANGE |
| | | 13039 | 09/15/15 | / / | | 29.95 | 2013 FORD EXP. OIL CHANGE |
| | | Vendor's Total -----> | | | | 323.76 | |
| 09-15 | THO17 (THOMSON REUTERS) | 2016 | 09/24/15 | / / | | 129.12 | PD 2016 CODES |
| 09-15 | TON00 (TONON & ASSOCIATES) | 19849 | 09/09/15 | / / | | 162.08 | NC022 FILE#9905 |
| 09-15 | TOO01 (THE TOOL SHED) | 67167 | 07/08/15 | 08/07/15 | A | 16.67 | DPW MAINT. |
| 09-15 | TRO04 (TROPHIES ANYONE?) | 959705 | 09/01/15 | / / | | 75.86 | AMY WOLFSON NAME PLATES |
| | | 959708 | 09/09/15 | / / | | 388.90 | CONST DAY 2015 |
| | | Vendor's Total -----> | | | | 464.76 | |
| 09-15 | TWI05 (TWIN CITIES CHURCH) | 8/30/15 | 08/30/15 | / / | | 150.00 | BANDSHELL CLEANING REFUND 8/30/15 |
| 09-15 | UNI01 (THE UNION) | 4193558 | 09/02/15 | 10/02/15 | A | 29.46 | POOL PROGRAM AD |
| | | 4301382 | 09/17/15 | 10/17/15 | A | 140.79 | DEV. AGREEMENT BUSINESS PARK |
| | | 4193558A | 09/02/15 | 10/02/15 | A | 75.54 | POOL PROGRAM AD |
| | | Vendor's Total -----> | | | | 245.79 | |
| 09-15 | UNI15 (UNITED ROTARY BRUSH CORP) | CI174575 | 08/21/15 | / / | | 1197.41 | STREET SWEEPER |
| | | CI174888 | 08/27/15 | / / | | 771.20 | STREET SWEEPER |
| | | Vendor's Total -----> | | | | 1968.61 | |
| 09-15 | UNI19 (UNION HILL SCHOOL BAND) | CONSDAY15 | 09/08/15 | / / | | 100.00 | CONSTITUTION DAY 2015 |
| | | CONSDAY15u | 09/15/15 | / / | | 100.00 | -Ck# 028283 Reversed |
| | | Vendor's Total -----> | | | | .00 | |
| 09-15 | VAN07 (MATT VANDERPOL) | 9/24/15 | 09/24/15 | / / | | 10000.00 | GRANT AWARD PAYMENT-DEBRA LITTLE-AJO |
| 09-15 | VER01 (VERIZON WIRELESS) | 751252135 | 08/23/15 | / / | | 1055.96 | PD PHONES & UPGRADES TO VEHICLES |
| 09-15 | VSP00 (VISION SERVICE PLAN-(CA)) | OCT2015 | 09/24/15 | / / | | 297.99 | VISION INSURANCE OCT'15 |
| 09-15 | WAL01 (WALKER'S OFFICE SUPPLY) | 280004 | 08/19/15 | 09/18/15 | A | 9.49 | DRAFTING SUPPLIES |

REPORT.: Sep 30 15 Wednesday
 RUN...: Sep 30 15 Time: 14:53
 Run By.: Rebecca Schaeffer

City of Nevada City
 Month End Payable Activity Report
 Report for 09-15

PAGE: 007
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|-----------------------|------------------------------------|-----------------------|--------------|----------|-------------|--------------|---|
| 09-15 | WES23 (WEST COAST FRAME & COLLISIO | 43885 | 09/23/15 | / / | | 237.50 | FD VECHILE REAPIR |
| 09-15 | WIL02 (WILLIAMS STATIONERY) | 120340 | 09/01/15 | 10/01/15 | A | 120.38 | PD OFFICE SUPPLIES |
| | | 120409 | 06/04/15 | 07/04/15 | A | 19.50 | WATER CONSERV. INSERT PAPER |
| | | 120429 | 09/08/15 | 10/08/15 | A | 198.06 | ADMI OFFICE SUPPLIES |
| | | Vendor's Total -----> | | | | 337.94 | |
| 09-15 | WOL02 (GREGORY WOLTERS) | 9/9/15 | 09/09/15 | 10/09/15 | A | 498.00 | MEASURE L PARK IMPROVEMENTS |
| 09-15 | WOL06 (MARIE WOLFE) | 9/28/15 | 09/28/15 | / / | | 10000.00 | GRANT AWARD-MARIE WOLFE-HARVEST MOON BOT. |
| | | 9/28/15u | 09/30/15 | / / | | 10000.00 | -Ck# 028354 Reversed |
| | | 9/28/15y | 09/30/15 | / / | | 10000.00 | Ck# 028357->028354 Replacement |
| | | Vendor's Total -----> | | | | 10000.00 | |
| 09-15 | YOU05 (YOUNG ACTORS THEATRE CAMP) | 9/1/15 | 09/01/15 | / / | | 250.00 | CAMPERSHIP |
| Total of Purchases -> | | | | | | 324333.85 | |

**CITY OF NEVADA CITY
DRAFT ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF OCTOBER 28, 2015**

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 – 5:30 PM

Pursuant to Government Code Section 54957, a closed session will be held concerning public employee performance evaluation for the position of City Manager.

No reportable action taken.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call:

Council Members Andersen, Bergman, Strawser, Vice Mayor Phelps, & Mayor Ray

PLEDGE OF ALLEGIANCE

PROCLAMATION:

Nisenan Heritage Days – November 6 and 7, 2015

PRESENTATION:

Sierra Harvest about their Fresh Food Education and Access Programming

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.

3. CONSENT ITEMS:

A. Subject: Sugarloaf Mountain Hazardous Fuels Reduction Plan and Memorandum of Understanding (MOU) to Affirm Rights of Access and Responsibilities for the Sugarloaf Mountain Fuel Reduction Project

Recommendation: Adopt the Sugarloaf Mountain Hazardous Fuels Reduction Plan and authorize the Mayor to sign the MOU to Affirm Rights of Access and Responsibilities for the Sugarloaf Mountain Fuel Reduction Project.

B. Subject: Amendment No. 2 to the Multi-Jurisdictional Memorandum of Understanding (MOU) for Cable Television Programming

Recommendation: Pass a motion authorizing the Mayor to sign Amendment No. 2 to the Multi-Jurisdictional MOU for Cable Television Programming.

C. Subject: Cold Winter Shelter Working Agreement Extension

Recommendation: Pass a Motion authorizing extension of the Cold Weather Shelter working agreement to May 1, 2017.

Items B and C were pulled for discussion.

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

Action: Motion by Strawser, seconded by Andersen to approve Consent Item B after discussion.
(Approved 5 – 0)

Action: Motion by Strawser, seconded by Bergman to approve Consent Item C after discussion.
(Approved 5 – 0)

4. APPROVAL OF ACTION MINUTES:

Regular City Council Meeting October 7, 2015

Action: Motion by Strawser, seconded by Bergman to approve the October 7, 2015 minutes as amended with corrections relating to Consent Items A & D were pulled for discussion and approved; and B, C and E approved as presented.
(Approved 5 – 0)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: 4th Quarter Financial Update, Fiscal Year 14/15

Received and Filed

6. PUBLIC HEARINGS:

None

7. OLD BUSINESS:

A. Subject: A Resolution of the City Council Designating Checklist Items to be Eligible for Expedited Review of Small Residential Rooftop Solar Energy Systems

Action: Motion by Strawser, seconded by Andersen to adopt Resolution No. 2015-47 Designating Checklist Items to be Eligible for Expedited Review of Small Residential Rooftop Solar Systems in Nevada City.
(Approved 5 – 0)

B. Subject: An Ordinance of the City of Nevada City adding Chapter 15.06 to Title 15 of the Nevada City Municipal Code Relating to Expedited and Streamlined Permitting Procedures for Small Residential Rooftop Solar Energy Systems (Second Reading)

Action: Motion by Strawser, seconded by Andersen to adopt Ordinance No. 2015-10 Adding Chapter 15.06 to Title 15 of the Nevada City Municipal Code Relating to Expedited and Streamlined Permitting Procedures for Small Residential Rooftop Solar Energy Systems.
(Approved 5 – 0)

C. Subject: An Ordinance of the City of Nevada City Repealing and Reenacting Chapter 5.04 to Title 5 of the Nevada City Municipal Code Relating to Business Licenses Subject to Voter Approval (Second Reading); Resolution Approving Ballot Measure Text

Action: Motion by Strawser, seconded by Phelps to adopt Ordinance No. 2015-11 Repealing and Re-enacting Chapter 5.04 to Title 5 of the Nevada City Municipal Code Relating to Business Licenses; and adopt Resolution No. 2015-48 Approving Ballot Measure Text to be Submitted to the Voters in a Question Relating to Simplification and Modernization of the City Business License Tax to be Included with the Presidential Primary Election of June 7, 2016
(Approved 5 – 0)

D. Subject: Review of Seating and Tables in Robinson Plaza

Direction to Staff to limit the size of the tables to 36" diameter with a maximum of three total and send to Planning Commission for their review.

8. NEW BUSINESS:

A. Subject: Customer Account Sewer Rate Adjustment Procedures

Action: Motion by Strawser, seconded by Phelps to adopt Resolution No. 2015-49 Approving a Customer Account Sewer Rate **Adjustment Procedure.**
(Approved 5 – 0)

B. Subject: Transaction and Use Tax Options for June 7, 2016 Ballot

Direct staff to draft an ordinance removing the sunset clause from the existing 3/8 cent Measure L General Sales Tax for review at the November 18, 2015 City Council meeting.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER'S REPORT:

12. ADJOURNMENT

Jennifer Ray, Mayor

Attest:

Niel Locke, City Clerk

REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: County of Nevada AB1600 Recreation Mitigation Funding Request for Proposals

RECOMMENDATION: Authorize submittal of an application for County of Nevada Recreation Mitigation Funding for upgrades to the picnic area in Pioneer Park for individuals with disabilities.

CONTACT: Dawn Zydonis, Parks & Recreation Supervisor

BACKGROUND / DISCUSSION: The Nevada County Planning Department is soliciting proposals for capital improvement projects at new or existing recreation facilities located in the Nevada City Subzone Area. There is \$29,000 available in the Nevada City Subzone Area. Applications are due December 18, 2015.

California Government Code Section 66000 through 66025, more commonly referred to as AB1600 or the Mitigation Fee Act, provide specific enabling legislation for the establishment and collection of development impact fees by a local agency for the purpose of defraying all or a portion of the cost of public facilities related to new development projects. Effectively, all new housing must pay their proportionate share for the expansion of infrastructure needed to offset the demand for services that they create.

Nevada County began collecting recreation mitigation fees pursuant to AB1600 in January 1998. There are five benefit zones in Nevada County: Bear River, Grass Valley/Nevada City, Truckee-Donner, Twin Ridges, and Western Gateway. The Nevada County Board of Supervisors is responsible for administering recreation mitigation fees collected within the Grass Valley/Nevada City and Twin Ridges Benefit Zones.

The following types of projects are eligible for recreation mitigation funding:

1. Acquisition of new parklands
2. Creation of a new recreation facility primarily open for full and public use
3. Significant expansion of the capacity or availability of an existing recreation facility primarily open for full and public use.

City staff recommend applying for funding to make improvements and upgrades to the picnic area at Pioneer Park for individuals who have disabilities. These improvements would include the following:

1. Re-surfacing the path to the picnic area (it is not smooth, so therefore not easily accessible). Estimated cost: \$8,000

2. Adding a shade structure. The area is unusable on summer days due to sun exposure. A shade structure would make it a more comfortable environment any time of day. Estimated cost: \$5,000
3. Adding “counters” to either side of the BBQ to allow for easier food preparation. Estimated cost: \$1,000
4. Adding additional seating. Estimated cost: \$500

The City has received \$500 from the Gold Country Lions Club, which have been designated for a Pioneer Park project benefitting individuals who have disabilities.

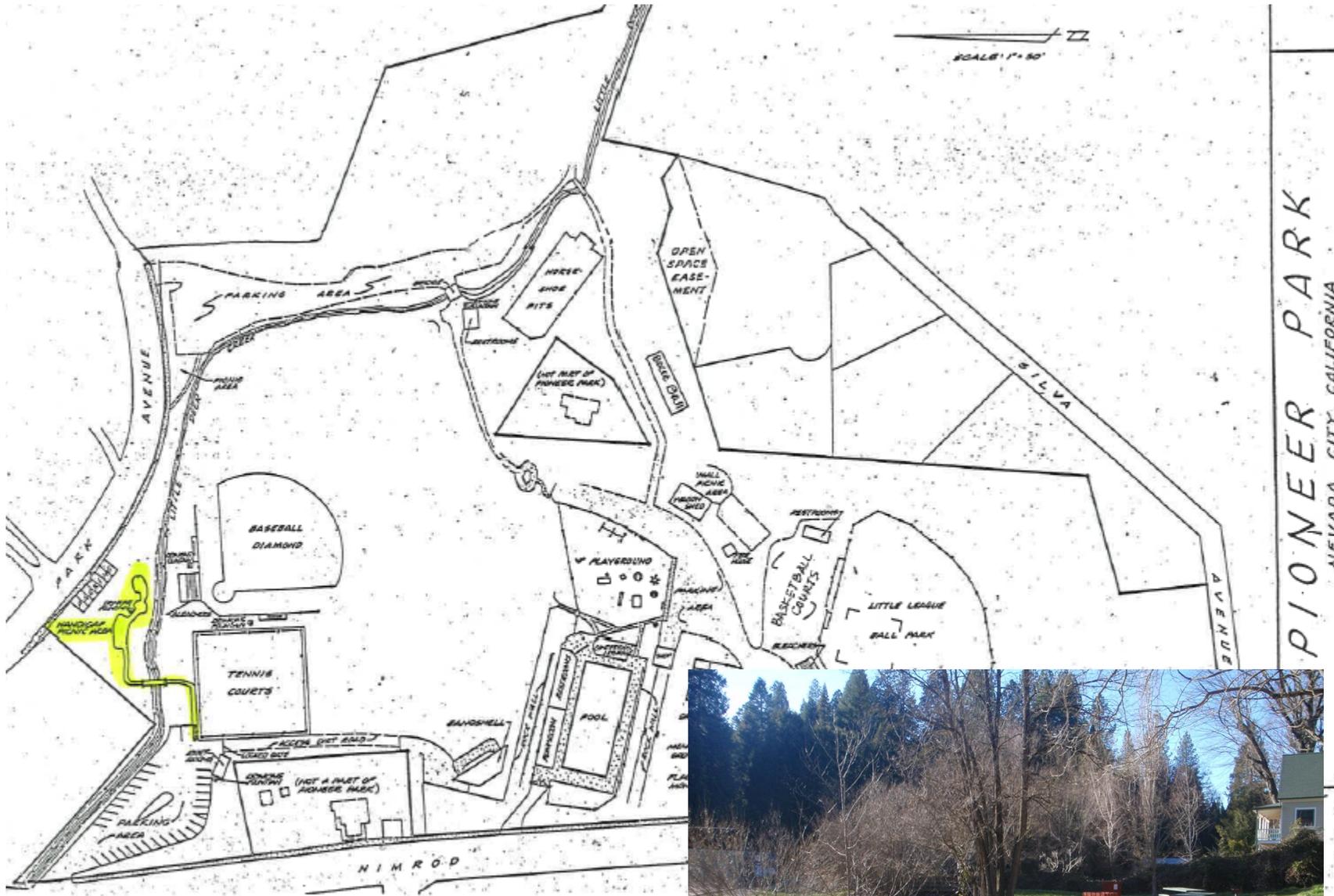
| | |
|---|-----------|
| Total estimated project costs: | \$14,500. |
| Lions Club Donation: | \$500 |
| County AB1600 Picnic Area Improvements allotment: | \$14,000 |

ENVIRONMENTAL CONSIDERATIONS: There are no environmental impacts for the Picnic Area project.

FISCAL IMPACT: This project would be completely funded by AB1600 funds and donations, however staff time to complete the project would be the City’s contribution to the project.

ATTACHMENT:

- ✓ Map of Pioneer Park – highlighting picnic area for individuals who have disabilities



proposed project area



REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: Environmental Protection Agency (EPA) Brownfields Cleanup Grant Application

RECOMMENDATION: Pass Resolution 2015-XX authorizing: 1) the Mayor to sign, and 2) the City Manager to submit the EPA Brownfields grant application and execute all necessary documents to facilitate implementation of the grant.

CONTACT: Dawn Zydonis, Parks & Recreation Supervisor

BACKGROUND / DISCUSSION: The City is currently working with SSI to complete three Brownfield's Cleanup Projects. One project has been completed at the Stiles Mill site under the Pine Street Bridge. The other two projects are located at the old Providence Mine site on the City's Environ's Property. These projects are completed on the ground; final reporting for the grant will be completed to finish the grant by the November 30th deadline. (See the attached map for project locations.)

City staff recommends that the City partner with SSI to apply for a new Brownfields Cleanup Grant offered by the EPA. This grant would provide funding to clean up the last piece of City property that has contaminated soils that remain from the historical activities of the Providence Mine. The location where contaminated soils still exists is the location where the Stamp Mill sat. This clean-up project would allow for the potential extension of the Environs Trail and parking for the public to have easy access to the trail. Those suggestions are not part of the grant application, but the clean-up project would allow for those types of development to take place in the future.

The City has ownership of almost 300 acres of open space. One responsibility of the City is to ensure that these lands are safe for public use. This clean-up project will make a space where trails can be developed without concern of creating any health hazards.

ENVIRONMENTAL CONSIDERATIONS: This project is designed to clean-up the environment and ensure that mine waste material does not move downhill into Deer Creek. All appropriate environmental processes will be completed, including California Environmental Quality Act requirements.

FISCAL IMPACT: The grant maximum request is \$200,000. SSI intends to apply for the full grant request. The City would be the lead fiscal agent on the project. 6% of the grant would be budgeted for staff time on the project. \$40,000 will also be included as a match through funding from Sierra Streams Institute.

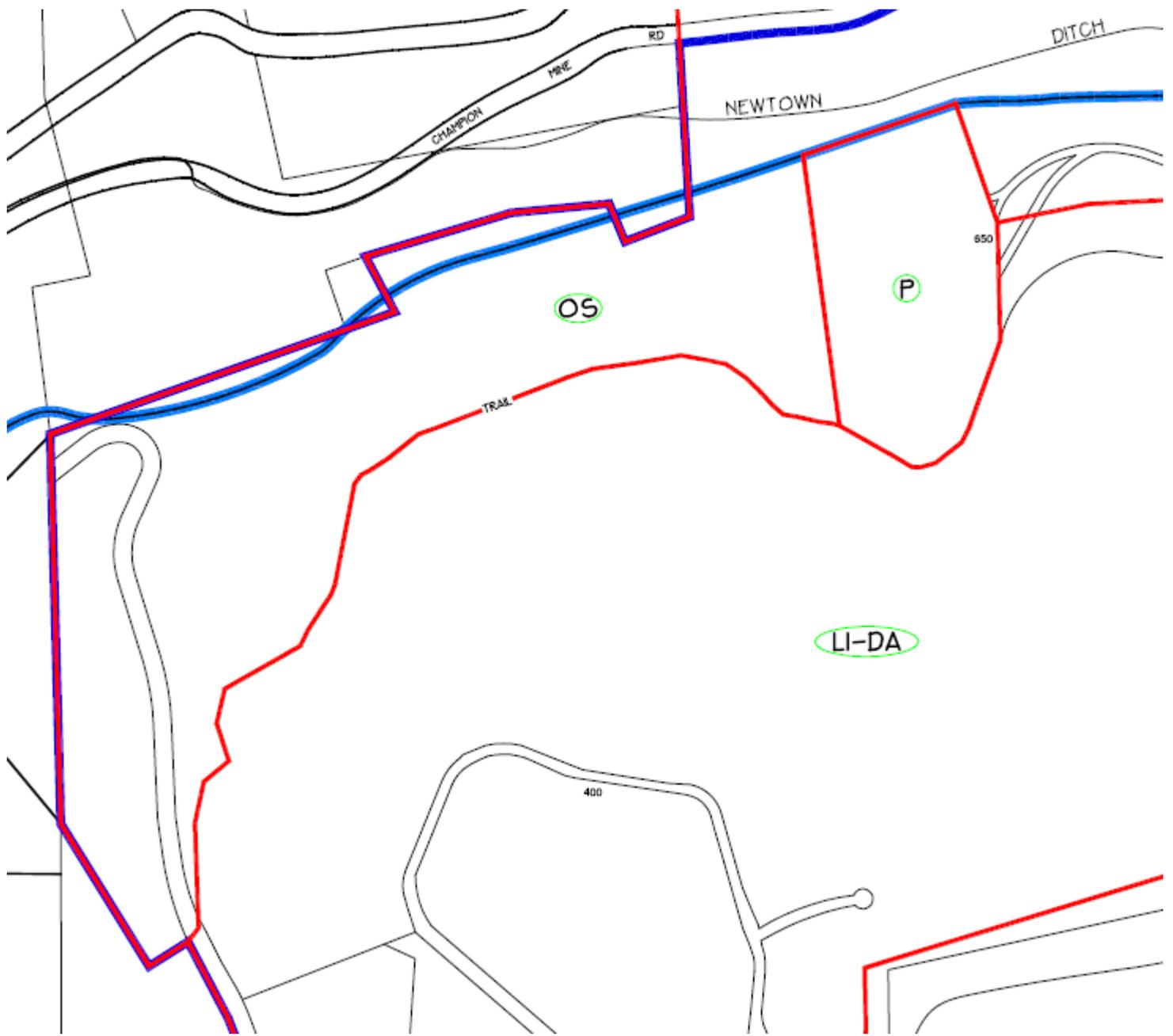
ATTACHMENTS:

- ✓ Project Description
- ✓ Map of Brownfields Projects – past and proposed
- ✓ Resolution 2015-XX

Providence Quartz Mill

Project Description

The City, along with non-profit partner Sierra Streams Institute has completed two phases of cleanup of mine waste at the Providence Mine site located on the 38-acre City owned Environs open space property. The cleanups were funded by grants from USEPA Brownfields program and from the Sierra Nevada Conservancy (SNC). A second SNC grant was awarded to SSI to complete an assessment of mine waste remaining on the Environs property. High levels of lead and mercury, in some areas well over hazardous waste levels, were found at the Providence Quartz Mill site across Providence Mine Road from the Mine cleanup site. At City Staff's request, Sierra Streams Institute is preparing a proposal for a new Brownfields Cleanup Grant for \$200,000 to clean up the Providence Quartz Mill site. This would complete the cleanup of the Environs property making the entire property safe for public use.



The Environs Property: Providence Mine Site



Stiles Mill; under the Pine St. Bridge

RESOLUTION 2015-XX

**RESOLUTION OF THE CITY OF NEVADA CITY
AUTHORIZING THE CITY TO APPLY FOR AN ENVIRONMENTAL PROTECTION
AGENCY (EPA) BROWNFIELDS CLEANUP GRANT APPLICATION**

WHEREAS, the EPA’s Brownfields Program is designed to empower communities and stakeholders to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields; and

WHEREAS, Brownfields Cleanup grants providing funding for a cleanup activities at specific sites; and

WHEREAS, the City of Nevada City is currently working with Sierra Streams Institute (SSI) to complete three Brownfield’s Clean-up projects; and

WHEREAS, the Quartz Mill cleanup is the last remaining parcel of a string of successes in cleaning up mining toxins on Nevada City’s 39 acre Environs open space property; and

WHEREAS, this cleanup project will ensure the City’s open space property is safe for public use and access.

BE IT RESOLVED, the City Council of the City of Nevada City to:

1. Authorize the Mayor to sign the Resolution.
2. Authorize the City Manager or designee to submit the EPA Brownfields grant application and execute all necessary documents to facilitate implementation of the grant.

PASSED AND ADOPTED at a regularly scheduled meeting of the Nevada City City Council held on this 18th day of November, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jennifer M. Ray, Mayor

Niel Locke, City Clerk

REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: An Ordinance of the City of Nevada City amending Chapter 3.52 to Title 3 of the Nevada City Municipal Code Extending the 3/8 of 1% Transactions and Use Tax for General Purposes (First Reading / Requires 4/5^{ths} Vote)

RECOMMENDATION: Pass draft Ordinance modifying Chapter 3.52 of the Nevada City Municipal Code to extend Transaction and Use Tax for General Purposes effective upon voter approval.

CONTACT: Mark Prestwich, City Manager

BACKGROUND: On January 22, 2015, the City Council unanimously adopted a long-term funding strategy to place a transactions and use tax (sales tax) measure on the June 7, 2016 ballot. This decision was made after the City received notice from the Nevada County Consolidated Fire District that they were ending an 11-year co-staffing relationship of providing three firefighters to Nevada City's Fire Station 54 on Providence Mine Road after April 19, 2015, resulting in a new annual operational cost of \$275,000 to the City's General Fund.

DISCUSSION: On October 28, 2015, the City Council provided direction to Staff to prepare an Ordinance, subject to voter approval, extending the 3/8 of 1% Transactions and Use Tax for general purposes indefinitely. The annual projected revenue of \$432,000 would allow the City to adequately address its citywide operational, capital and maintenance needs, and prevent a deterioration in service levels. The proposed ordinance requires a 4/5 vote in order to be placed on the June 7, 2016 ballot.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FINANCIAL CONSIDERATIONS: California state law authorizes cities to seek voter approval of transaction and use taxes in multiples of 0.125 percent so long as the combined transaction and use taxes do not exceed two percent. General Purpose sales tax revenues may be used for any General Fund purpose including Fire, Police, Parks and general maintenance requirements. An extension of the City's existing 3/8 cent General Purpose sales tax would provide approximately \$432,000 annually. It is estimated that non-City residents generate more than 60% of Nevada City sales tax revenues.

ATTACHMENT:

- ✓ Draft Ordinance Modifying Chapter 3.52 of the Nevada City Municipal Code

ORDINANCE NO. 2015-XX

AN ORDINANCE OF THE CITY OF NEVADA CITY EXTENDING THE 3/8 OF 1% TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES TO CONTINUE TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, pursuant to California Revenue and Taxation Code Sections 7285.9, the City of Nevada City (the "City") has the authority to levy a Transactions and Use Tax for general purposes;

WHEREAS, a majority of the voters of the City approved a three-eighths cent per one dollar (0.375%) Transactions and Use Tax at an election held on November 6, 2012;

WHEREAS, the City's Transactions and Use Tax Ordinance is found in Chapter 3.52 of Title 3 of the City's Municipal Code;

WHEREAS, Section 3.52.160 of Chapter 3.52 sets forth a "Termination Date" of five (5) years after its operative date, at which time Chapter 3.52 will be repealed unless an amendment is approved by the voters of the City at an election called for that purpose; and

WHEREAS, an amendment of the City's Transactions and Use Tax will be submitted to the voters to delete the sunset provision of Section 3.52.160 and thus extend the "Termination Date" of Chapter 3.52 indefinitely.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEVADA CITY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 3.52.160 of Chapter 3.52 of Title 3 of the City's Municipal Code providing that the tax shall expire five (5) years after its operative date is hereby repealed.

Section 2. Approval by the Voters. This Ordinance shall be submitted to the voters at the general municipal election to be held on June 7, 2016. Upon approval by a majority of the voters of the City voting on this Ordinance, the Transactions and Use Tax set forth in Chapter 3.26 of the City's Municipal Code shall be re-authorized and extended indefinitely.

PASSED AND ADOPTED at a regularly scheduled meeting by the City Council of the City of Nevada City this _____ day of _____, 2015, by a two-thirds vote of the City Council, by the following vote:

AYES:

NOES:

ABSTAIN/ABSENT:

Jennifer Ray, Mayor

Attest: _____
Niel Locke, City Clerk

REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: Wild and Scenic Film Festival Street Closure Request

RECOMMENDATION: Review and authorize Wild and Scenic Film Festival street closure request per application.

CONTACT: Mark Prestwich, City Manager

BACKGROUND / DISCUSSION: The City received a Street Closure request to close Commercial Street between Main Street and N. Pine Street for January 16 and January 17, 2016 to facilitate the Wild and Scenic Film Festival. The proposed event hours are from 9:00 a.m. to 10:00 p.m.

A summary of the specific event characteristics and recommended staff conditions are included in the application packet along with a calendar of existing planned street closures.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

- ✓ Street Closure/Special Event Application
- ✓ City of Nevada City Special Event Street Closures



CITY OF NEVADA CITY

SPECIAL EVENT APPLICATION / CONTRACT

OVERVIEW

Thank you for choosing the City of Nevada City as the location for your event. The City requires the submittal of a Special Event Application as a pre-condition of considering whether to enter into an agreement to grant temporary use of all or any portion of a public street, sidewalk or alley.

Application materials must be completed in full and submitted to the City at least 90 days prior to your event date, and no more than one year in advance of the event date. Applications are accepted on a first-come, first-served basis. A non-refundable application fee must be paid upon submission of your completed application. Fees are described in the "Fees" section below. Use "NA" for "not applicable" to questions or sections that do not apply to your event. Incomplete applications will not be accepted and will delay processing which could affect the availability of your preferred event date or location. Please note the information you provide becomes public information.

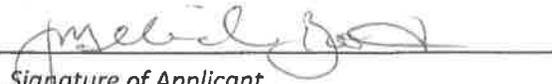
City staff review application materials and prepare a Draft Special Event Contract (which may include additional requirements to ensure a safe event) for consideration by the City Council at a formal noticed public meeting. Applicants are strongly encouraged to attend the designated City Council meeting in order to discuss their proposed event and answer related questions. Please ensure you have City Council approval before marketing or advertising your event.

APPLICANT AUTHORIZATION AND INDEMNITY

To the extent allowed by law, Applicant agrees to defend, indemnify, and hold harmless the City of Nevada City, its agents, officials, and employees from and against all claims, damages, losses, injuries, illness, accidents relating to, arising out of, or resulting from, the use of this Special Event Application and the information contained therein, and any resulting Contract.

Applicant acknowledges that the information provided in this Application is true and accurate to the best of Applicant's knowledge and belief.

I have read, understand and agree to comply with all the information provided in the Special Event Application (attached) and any resulting permits and Special Event Contract if approved by the City Council.



Signature of Applicant

3/31/15

Date

Melinda Booth Film Festival Director

Printed Name and Title of Applicant

(Person signing must be the same person who is listed as the Applicant on page 2.)

APPLICANT INFORMATION

Name of Requested Event Wild & Scenic Film Festival

Name of Applicant/Responsible Party Melinda Booth

(Must match name on Page 1)

Sponsoring Organization/Company South Yuba River Citizens League

Street Address 313 Railroad Ave. Apt/Unit/Suite #101

City Nevada City State CA Zip Code 95959

Email melinda@syrcal.org

Daytime Phone 530-265-5961 x202 Cell Phone _____

Does the sponsoring organization/party have experience producing similar events?

Yes / No (Circle One)

Event Contact for Public Information

Name Melinda Booth Contact Phone 530-265-5961

Email melinda@syrcal.org

Website www.wildandscenicfilmfestival.org

Day of Event Contact Information

On-site Contact Name Melinda Booth

On-site Contact Cell Number 650 207 0495

Day of Event ALTERNATE Contact Information

On-site Contact Name Stephanie Ramarella

On-site Contact Cell Number 908-217-1149

EVENT DETAILS

Event Description. Please attach a detailed description of your event to this application (e.g. Overall summary, Is it open to the public? How will it be publicized? Is it kid/family friendly? Can it go forward rain or shine? Etc.)

Type of Event (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Parade/Procession | <input type="checkbox"/> Concert |
| <input checked="" type="checkbox"/> Street Festival/Block Party | <input type="checkbox"/> Run/Walk/Bicycle |
| <input checked="" type="checkbox"/> Fundraiser | <input checked="" type="checkbox"/> Other: <u>Film Festival</u> |

Has this event been produced before? Yes No
 Is this an annual event? Yes No
 Will there be an admission or entry fee? Yes No to films, but not to street closure events
 If yes, fee per adult: \$ 8-125 Fee per child: \$ 8-65

[For Parades Only]

Number of units and floats for parade: n/a

Event Date(s) Jan. 14-17 2016 → Street closure on 1/16/16 & 1/17/16

Expected number of:

Attendees 4500 Participants _____ Volunteers 600

Event Hours Start 9 am End 10 pm

Set-up Date 1/16/16 Time 8-9 am

Break Down Date 1/17/16 Time 5-6 pm

Names of street(s), sidewalk(s), alley(s) proposed to be closed (attach additional pages or complete attached map if necessary). Note that it may be necessary to consult with a Police Sergeant (265-2626) and/or the Director of Public Works (265-2496) to accurately identify requested street closures.

Commercial St. between Main St. & N Pine St.
 _____ between _____ & _____
 _____ between _____ & _____
 _____ between _____ & _____

City of Nevada City Street Closure/Special Event Application

Please note whether your event includes any of the following*:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Amplified sound | <input type="checkbox"/> Concessions |
| <input type="checkbox"/> Food Vendors | <input checked="" type="checkbox"/> Stages/Platforms |
| <input type="checkbox"/> Food Cooking | <input checked="" type="checkbox"/> Tents/Temporary Structures |
| <input type="checkbox"/> Alcohol sales | <input type="checkbox"/> Animals will be present |
| <input type="checkbox"/> Temporary Lighting | |

*If any of the above are checked, please include additional details below.

One stage with music, amplified using a pedal-powered sound system.

Environmental organizations will have tables and/or pop-up tents for distributing info.

FEES

The City requires the payment of a non-refundable application fee upon submission of your completed application. Late fees apply to applications filed less than 90 days in advance of an event. The City does not guarantee any application submitted less than 45 days in advance will be able to be submitted to the City Council for consideration prior to the planned event. Please select from the following table the fee(s) that apply to your application:

- \$100 Timely application for single new event OR old event with new sponsor
- \$50 Timely application for repeat of event with same sponsor
- \$25 For each additional application for new event by the same sponsor
- \$10 For each additional application for repeat of event with same sponsor
- \$75 Additional fee for applications filed less than 90 days but more than 45 days in advance

\$ 50 Total Fees *Pa 7/6/15 @ ch # 17900*

EVENT REQUIREMENTS

Alcohol. If alcohol is sold at your event, an Alcohol Permit from California Alcohol Beverage Control (ABC) is required. Please contact ABC at (916) 419-1319.

Amplified Sound. If the event will have amplified sound, applicant is required to have an event staff member responsible for monitoring sound levels to assure compliance with City noise standards when sound/music/noise may be audible beyond the event venue. ✓

Business License. All vendors participating in an event held in Nevada City must obtain a current business license. For information about business license requirements, call City Hall at (530) 265-2496.

Event Notification. An event can change the normal flow of residential and business activity potentially causing a negative impact on the community. As the event organizer, you are responsible for notifying those residents and businesses that are adjacent to the planned closure prior to submission of your Application. Applicants must meet the Event Notification requirements unless the event is sponsored by the Nevada City Chamber of Commerce or has been approved and held annually in the same manner for three or more years. The preferred method of notification is the Requested Special Event Notification Form (Addendum A). Unless ✓

otherwise exempt, your application materials must include a signed Notification Certification (Addendum B) confirming adjacent residents and businesses were notified of the planned event.

Form of Payment. The City accepts payment in the form of cash, personal/business check, money order or cashier's check. Please note there will be a \$25 service charge for all returned checks.

Insurance. The applicant and/or the sponsoring organization is required to provide proof of insurance. A current or valid Certificate of General Liability Insurance in the amount of \$1,000,000 and an endorsement (CG2026 or equivalent) naming the City of Nevada City as additional insured will be required at least 30 days prior to the event.

Parking. Applicants will be required to work with the Nevada City Police Department to facilitate ingress/egress requirements for event participants.

Restrooms. Public restrooms are limited to two, one at Robinson Plaza and one in the Commercial Street parking lot. If your event is planned for more than 50 people or in an area away from either public restroom, you may be required to provide restroom accommodations and hand washing facilities for event attendees in the quantity prescribed by the City.

Waste Management/Recycling. You are responsible for properly disposing of all waste and garbage throughout the term of your event, and immediately upon conclusion of the event the area must be returned to a clean condition. Therefore, the City may require the applicant to provide trash and recycling containers if the event involves food or drink vendors. Should cleanup be inadequate or damage to City property occurs, you will be billed at full recovery rates, plus overhead for cleanup and repair.

CHECKLIST

Thank you for completing the Special Event Application. Before you submit your application to the City of Nevada City, please make sure you have completed the following steps:

- Sign AND date your application.
- Attach a detailed event description to the application.
- Secure required insurance for the event.
- Include a Notification Certification confirming businesses and residents have been notified of the planned event.
- Calculate and include the applicable fee.

Submit your completed application to:

City of Nevada City
Attn. Special Event Applications
317 Broad Street
Nevada City, CA 95959

[Internal Use Only]

Police Comments:

No additional staffing needed.
1, OFFICER, ON DUTY for STREET CLOSURE and
TOWING. EVENT VOLUNTEERS TO BE PRIMARY
ON STREET CLOSURES & OPENINGS; (ONE OFFICER/RESERVE
ADDITIONAL DURING EVENT STREET CLOSURE IS RECOMMENDED)
COST: \$650 - \$900



Fire Comments:

Must maintain 14 ft. FIRE LANE.
No parking in RED ZONES.
No blocking of FIRE HYDRANTS.



Public Works Comments:

IF CITY STAGE USED - \$ 100⁰⁰
BARRICADES FOR CLOSURE 100⁰⁰
\$ 200⁰⁰

Addendum A – Requested Street Closure/Special Event Notification Form

PLEASE NOTE. You have received this notification because your property/business is located adjacent to a requested temporary street, sidewalk or alley closure that is subject to City Council approval at a future City Council meeting. Please monitor future City Council agendas for consideration of the following request.

STREET CLOSURE/SPECIAL EVENT INFORMATION

Type of Event (Check all that apply)

- Parade/Procession
- Street Festival/Block Party
- Fundraiser
- Concert
- Other: Film Fest

Event Name/Description Wild & Scenic Film Festival. 4 days of films, music, celebration, workshops and inspiration.

Event Date(s) 1/14-17/2016 Expected Attendance 4,500

Event Hours Start 9am End 10pm

Set-up Date 1/16/16 Time 8-9am

Break Down Date 1/17/16 Time 5-6pm

Names of street(s), sidewalk(s), alley(s) proposed to be closed:

Commercial between Main & N. Pine
____ between _____ & _____
____ between _____ & _____
____ between _____ & _____
____ between _____ & _____

Sponsoring Organization South Yuba River Citizens League

Event Contact Melinda Booth Phone Number 530 265-5961

Event Website www.wildandscenicfilmfestival.org

Addendum B – Notification Certification

EVENT INFORMATION

Sponsoring Organization South Yuba River Citizens League

Event Name Wild & Scenic Film Festival

Event Date(s) 1/14-17/16

Event Location Nevada City & Grass Valley, CA

Signature of Sponsor or Authorized Representative

I acknowledge I am responsible for providing notice of my requested event to all adjacent residents and businesses and certify that the entities listed below have been notified of the requested event.

Name (printed) Melinda Booth

Signature Melinda Booth

| Name/Business | Address | Method of Notification |
|---------------|---------|---|
| Three Forks | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Coopers | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Cafe Mekka | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Crazy Horse | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Sushi Q | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Pete's Pizza | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |
| Clavery | | <input type="checkbox"/> Email <input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Mail |

(See all attached)

[Attach additional pages as needed]

ALL VIA Regular Mail.

Commercial Street Businesses

| | | | | |
|----------------------------------|-----------------------|-------------|----|-------|
| Inner Path | 200 Commercial Street | Nevada City | CA | 95959 |
| Sundari | 228 Commercial Street | Nevada City | CA | 95959 |
| Crazy Horse | 230 Commercial Street | Nevada City | CA | 95959 |
| Clavey Tasting Room | 232 Commercial Street | Nevada City | CA | 95959 |
| Scotch Broom | 236 Commercial Street | Nevada City | CA | 95959 |
| Sushi Q | 238 Commercial Street | Nevada City | CA | 95959 |
| American Lands Alliance | 240 Commercial Street | Nevada City | CA | 95959 |
| Carringtons | 242 Commercial Street | Nevada City | CA | 95959 |
| JJ Jacksons | 244 Commercial Street | Nevada City | CA | 95959 |
| Judi's of Nevada City | 246 Commercial Street | Nevada City | CA | 95959 |
| Remax Gold | 202 N Pine Street | Nevada City | CA | 95959 |
| (District Attorney's Office) | 201 Commercial Street | Nevada City | CA | 95959 |
| Three Forks Bakery & Brewing Co. | 211 Commercial Street | Nevada City | CA | 95959 |
| Coopers | 235 Commercial Street | Nevada City | CA | 95959 |
| Café Mekka | 237 Commercial Street | Nevada City | CA | 95959 |
| Pete's Pizza | 239 Commercial Street | Nevada City | CA | 95959 |
| Ooh La La | 241 Commercial Street | Nevada City | CA | 95959 |
| (Nevada City Crystal & Glass) | 110 N Pine Street | Nevada City | CA | 95959 |



Description of Event

SYRCL (South Yuba River Citizens League) is scheduled to host its 14th Annual Wild & Scenic® Film Festival January 14 – 17, 2016.

Considered one of the nation's premiere environmental and adventure film festivals, Wild & Scenic is organized and produced by SYRCL and is our largest annual fundraiser. The Wild & Scenic Film Festival draws more than 6,000 attendees, environmental filmmakers, activists, outdoor athletes, artists and celebrities to Nevada County. SYRCL is 32-year-old community-based grassroots organization that unites the community to protect and restore the Yuba River and greater Yuba watershed. All monies raised at the film festival go right back into protecting our local watershed. The Wild & Scenic Film Festival puts our local work into the broader environmental and social context, and serves to remind us that we're participants in a global movement for a more wild and scenic world.

There are both ticketed and public events throughout the festival weekend. Some of the public events include live music, workshops, panels, dancing, poetry readings, an environmental informational fair, receptions, coffee talks and book signings. There are an array of different activities to choose from over the festival weekend for people of all ages, families, children, locals and visitors.

The film festival will be publicized through local and regional news, radio and print publications, through several community event calendar listings, and through SYRCL and Wild & Scenic's own websites, newsletters and social media outlets.

The film screenings take place indoors in various venues located in and around downtown Nevada City and Grass Valley. Commercial Street between N Pine Street and Main Street is where many of our public events take place, including live music and our environmental fair. The film festival is a rain or shine event.



City of Nevada City Special Event Road Closures
(530)265-2496
www.nevadacityca.gov

Calendar Year: 2015

| Day/Date | Start Time | End Time | Event | Sponsor | Planned Route Street Closure |
|----------------------------|------------|----------|--|--|--|
| Saturday, January 17, 2015 | 09:00 AM | 10:30 PM | Wild & Scenic Film Festival | South Yuba River Citizens League; Melinda Booth (530)264-5961 ext202 | Commercial St. (from Alpha parking lot to Pine St.) |
| Sunday, January 18, 2015 | 05:00 PM | 10:00 PM | Wild & Scenic Film Festival | Treats/ Peggy and Bob Wright (530)470-0986 | York St. between Broad St. and Commercial St. |
| Sunday, February 15, 2015 | 09:00 AM | 05:00 PM | Mardi Gras Street Faire | Nevada City Chamber of Commerce; (530)265-2692 | Pine St. from Broad St. to Commercial St. and Commercial St. from Pine to the Three Forks Bakery parking lot. |
| Sunday, February 15, 2015 | 12:00 PM | 03:30 PM | Mardi Gras Parade | Nevada City Chamber of Commerce; (530)265-2692 | Broad St. from Orchard St. to Union St. Union St. from Spring St. to Commercial St. Pine St. from Spring St. to Commercial St. York St. from Broad St. to Commercial St. Bridge St from Broad St. to Spring St. Mill St from Broad St. to Spring St. |
| Sunday, March 8, 2015 | 10:00 AM | 3:00 PM | Nevada City Chinese Lunar New Year Festival | Community Asian Theatre of the Sierra | Commercial St. from the Chinese Monument to Robinson Plaza on Union St. |
| Friday, May 15, 2015 | 09:30 AM | 9:50 AM | BEAR (Be Excited About Reading) Parade | Nevada City Chamber of Commerce; (530)265-2692 and Nevada City School District | Broad St. between National Hotel and Methodist Church. |
| Saturday, June 13, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, June 20, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |

| Day/Date | Start Time | End Time | Event | Sponsor | Planned Route Street Closure |
|--------------------------|------------|----------|-------------------------------------|--|--|
| Sunday, June 21, 2015 | 09:00 AM | 07:00 PM | Nevada City Bicycle Classic | Nevada City Chamber of Commerce; (530)265-2692 | N. Pine from Broad St. to Commercial St. (closed 9am-7pm). 200 Block of Broad St. from Pine to Union St. (closed 10am-7pm). Broad St. from Main St. to Union St. Unions St. from broad St. to Commercial St. Commercial St. from Union St. to York St. York St. from Commercial St. to N. Pine St. Pine St. from E. Broad St. to Spring St. Cottage St. from N. pine St. to main St. Main St. from Cottage St. to Broad St. School St. Winter St. See Map. |
| Saturday, June 27, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, July 4, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, July 11, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Wednesday, July 15, 2015 | 05:00 PM | 11:00 PM | Summer Nights in Nevada City | Nevada City Chamber of Commerce; (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Broad St. to Commercial St. Commercial St. from Union St. to Broad St. York St. from Broad St. to Pine St. S. Pine St. from Spring St. to Washington St. Church St. from Pine St. to Main St. Main St. from Commercial St. to Church St. |
| Saturday, July 18, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Wednesday, July 22, 2015 | 05:00 PM | 11:00 PM | Summer Nights in Nevada City | Nevada City Chamber of Commerce; (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Broad St. to Commercial St. Commercial St. from Union St. to Broad St. York St. from Broad St. to Pine St. S. Pine St. from Spring St. to Washington St. Church St. from Pine St. to Main St. Main St. from Commercial St. to Church St. |
| Saturday, July 25, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Wednesday, July 29, 2015 | 05:00 PM | 11:00 PM | Summer Nights in Nevada City | Nevada City Chamber of Commerce; (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Broad St. to Commercial St. Commercial St. from Union St. to Broad St. York St. from Broad St. to Pine St. S. Pine St. from Spring St. to Washington St. Church St. from Pine St. to Main St. Main St. from Commercial St. to Church St. |

| Day/Date | Start Time | End Time | Event | Sponsor | Planned Route Street Closure |
|------------------------------|------------|----------|-----------------------------------|--|---|
| Saturday, August 1, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, August 8, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, August 15, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, August 22, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, August 29, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, September 5, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, September 12, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, September 12, 2015 | 03:00 PM | 08:00 PM | Constitution Day Concert | Nevada City Chamber of Commerce; (530)265-2692 and Nevada Lodge #13 | Pine St. between Broad St. and Commercial St. |
| Sunday, September 13, 2015 | 12:15 PM | 04:30 PM | Constitution Day Parade | Nevada City Chamber of Commerce; (530)265-2692 and Nevada Lodge #13 | Broad St. from the Y to Union St. Union St. from broad St. to Commercial St. Coyote St. from Commercial St. to Washington St. Commercial At. From Unions St. to Church St. Church St. from broad St. to Pine St. Bennett St. from Spring St. to Broad St. |
| Saturday, September 19, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, September 26, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, October 3, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |

| Day/Date | Start Time | End Time | Event | Sponsor | Planned Route Street Closure |
|---|------------|----------|-----------------------------------|--|---|
| Saturday, October 10, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, October 17, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, October 24, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, October 31, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| WITHDRAWN FOR 2015 Saturday, October 31, 2015 | 04:00 PM | 06:00 PM | Halloween Parade | Nevada City Chamber of Commerce; (530)265-2692 | Broad St. from Orchard St. to Union St. Union St. from Spring St. to Commercial St. Pine St. from Spring St. to Commercial St. York St. from Broad St. to Commercial St. Bridge St from Broad St. to Spring St. Mill St from Broad St. to Spring St. |
| Saturday, November 7, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, November 14, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Saturday, November 21, 2015 | 06:30 AM | 02:00 PM | Nevada City Farmers Market | Nevada City Farmers Market Association (NCFMA)/ Vanessa Wich (530)264-8995 | Union St. between Broad St. and Commercial St. and Robinson Plaza. |
| Sunday, December 6, 2015 | 12:30 PM | 07:30 PM | Victorian Christmas | Nevada City Chamber of Commerce (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Spring St. to Broad St. Pine St. from Spring St. to Washington St. York St. from Broad St. to Washington St. Bridge St from Broad St. to Spring St. Commercial St from Broad St. to Union St. Main St, from Commercial St. to Church St. Church St. from Main St. to Pine St. |
| Sunday, December 13, 2015 | 12:30 PM | 07:30 PM | Victorian Christmas | Nevada City Chamber of Commerce (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Spring St. to Broad St. Pine St. from Spring St. to Washington St. York St. from Broad St. to Washington St. Bridge St from Broad St. to Spring St. Commercial St from Broad St. to Union St. Main St, from Commercial St. to Church St. Church St. from Main St. to Pine St. |

| Day/Date | Start Time | End Time | Event | Sponsor | Planned Route Street Closure |
|------------------------------|------------|----------|--------------------------------|--|---|
| Wednesday, December 16, 2015 | 04:00 PM | 10:30 PM | Victorian Christmas | Nevada City Chamber of Commerce (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Spring St. to Broad St. Pine St. from Spring St. to Washington St. York St. from Broad St. to Washington St. Bridge St from Broad St. to Spring St. Commercial St from Broad St. to Union St. Main St, from Commercial St. to Church St. Church St. from Main St. to Pine St. |
| Sunday, December 20, 2015 | 12:30 PM | 07:30 PM | Victorian Christmas | Nevada City Chamber of Commerce (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Spring St. to Broad St. Pine St. from Spring St. to Washington St. York St. from Broad St. to Washington St. Bridge St from Broad St. to Spring St. Commercial St from Broad St. to Union St. Main St, from Commercial St. to Church St. Church St. from Main St. to Pine St. |
| Wednesday, December 23, 2015 | 04:00 PM | 10:30 PM | Victorian Christmas | Nevada City Chamber of Commerce (530)265-2692 | Broad St. from Mill St. to Union St. Union St. from Spring St. to Broad St. Pine St. from Spring St. to Washington St. York St. from Broad St. to Washington St. Bridge St from Broad St. to Spring St. Commercial St from Broad St. to Union St. Main St, from Commercial St. to Church St. Church St. from Main St. to Pine St. |
| Sunday, February 14, 2016 | 09:00 AM | 05:00 PM | Mardi Gras Street Faire | Nevada City Chamber of Commerce; (530)265-2692 | Pine St. from Broad St. to Commercial St. and Commercial St. from Pine to the Three Forks Bakery parking lot. |

REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: Wild and Scenic Film Festival Economic Development Fund Request

RECOMMENDATION: Review request and Pass a Motion authorizing funding in an amount determined by the City Council from the City of Nevada City Economic Development Fund.

CONTACT: Mark Prestwich, City Manager

BACKGROUND / DISCUSSION: On September 23, 2015, the City Council established the Nevada City Economic Development Fund to support programs and projects benefitting the City's long-term economic development goals. Proposals for use of funds must meet one or more stated goals and provide a public benefit to the City.

Five goals were identified for the Economic Development Program:

- Diversify the local economy
- Promote economic vitality in Nevada City
- Increase the tax base
- Leverage other resources to create and retain employment; and
- Meet or support NCFORWARD economic plan goals.

On November 4, the City received an application and funding request from the South Yuba River Citizens League (SYRCL) to provide support the January 14-18, 2016 Wild and Scenic Film Festival. SYRCL proposes the use of \$10,000 in Economic Development Funds to facilitate the delivery of the film festival. Funds will be used specifically to promote the Festival to tourists from outside the region, including Reno, Chico, Sacramento and the San Francisco Bay Area.

The Wild and Scenic Film Festival, founded in 1983, was purposely established in January at a time when business is usually slow. Last year, the Festival showed more than 120 films and attracted approximately 5,500 attendees, 40% of which were from outside the region. SYRCL reports that 78% of programming occurs in Nevada City.

Staff has reviewed the attached proposal and confirmed it meets eligibility requirements.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FINANCIAL CONSIDERATIONS: The City's Economic Development Fund currently has a balance of \$50,000 and can accommodate the SYRCL request.

ATTACHMENT:

- ✓ SYRCL Application for Economic Development Fund
- ✓ City of Nevada City Economic Development Fund Policy and Procedures

City of Nevada City

APPLICATION FOR ECONOMIC DEVELOPMENT FUND

Submit application to: Nevada City Hall
 Attn. City Manager
 317 Broad Street
 Nevada City, CA 95959

PROCESS

The City of Nevada City established an Economic Development Fund to promote Nevada City's commerce and increase business activity.

The fund is available for economic development-related activities/efforts located in the City of Nevada City. The proposed use of funds must meet one or more of the stated goals and are required to provide a public benefit to the City of Nevada City. Funds cannot be the sole funding source and must leverage public, private or non-profit investment. Applications will be accepted on a first-come, first-served basis, and at any time.

Note: Submission of an application is not a guarantee of funding. Incomplete applications may be disqualified from consideration. The City reserves the right to request additional information within a prescribed time frame as part of its review process.

Please refer all questions regarding this application to Mark Prestwich, City Manager, at (530) 265-2496, ext. 119 or mark.prestwich@nevadacityca.gov.

Part One – General Information

| | |
|--|---|
| Organization Name: South Yuba River Citizens League | Project Name: Wild & Scenic Film Festival |
| Address: 313 Railroad Ave. #101 Nevada City, CA 95959 | |
| Contact Person (Name/Title): | Melinda Booth, Film Festival Director |
| Contact Email: | melinda@syrcl.org |
| Contact Telephone: | (530) 205-5961 x202 |
| Website: | www.yubariver.org/wildandscenicfilmfestival.org |
| Amount of Funding Requested: | |
| \$10,000 | |

Part Two – Proposed Use of Economic Development Funds

DIRECTIONS: Please prepare and attach a narrative of your proposed use of Economic Development Funds that addresses each of the topics below:

- A. PROJECT DESCRIPTION:** Provide a brief and clear description of your proposed use of the City's Economic Development Fund, including a description of the public benefit to the City. Identify if your request is for a grant, loan or sponsorship.
- B. PROGRAM PURPOSE:** Please describe how your proposed use of funds meets one or more of the following program goals:
- Diversify the local economy
 - Promote economic vitality in Nevada City
 - Increase the tax base
 - Leverage other resources to create and retain employment
 - Meet or support NCFORWARD economic plan goals
- C. SCHEDULE:** If applicable, provide a schedule indicating when funds will be needed.

CERTIFICATION: I certify the proposed use of City funds will only be used for what has been outlined in this application.


Signature

11/4/15
Date

South Yuba River Citizens League's Wild & Scenic Film Festival Proposal

Part Two—Proposed Use of Economic Development Funds

DIRECTIONS: Please prepare and attach a narrative of your proposed use of Economic Development Funds that addresses each of the topics below:

- A. PROJECT DESCRIPTION:** Provide a brief and clear description of your proposed use of the City's Economic Development Fund, including a description of the public benefit to the City. Identify if your request is for a grant, loan or sponsorship.

The South Yuba River Citizens League (SYRCL) requests a grant of \$10,000 for the 14th annual Wild & Scenic Film Festival (January 14–18, 2016).

SYRCL is a 501c (3) founded in 1983 to protect and restore the Yuba River. Based in Nevada City since our early days, SYRCL has more than 3,500 members supporting our mission and is widely known for involving volunteers in all our activities. We have more than 1,000 active community volunteers who participate annually in activities throughout the Yuba watershed, including our nationally known event, the Wild and Scenic Film Festival.

SYRCL started the Wild and Scenic Film Festival in 2003 as a fundraiser for the organization. What started as a 1.5 day festival at the Miners Foundry, has evolved into the largest Film Festival of its type in the nation. Wild and Scenic is now a five-day Festival, based in Nevada City with more than ten venues. In 2015, the festival showed more than 120 films of which 22 were world premieres. In addition to selecting the year's best environmental and adventure films to showcase, Wild & Scenic creates an experience for attendees that includes music, art, activist workshops, celebrations and live performance.

As SYRCL is a community based organization with a mission of *uniting the community to protect and restore the Yuba River watershed*, one of the four main goals of the Wild & Scenic Film Festival is "ensure the festival benefits the local economy, engages local businesses, and demonstrates SYRCL's role as a community leader and economic driver."

SYRCL is requesting grant funds to be used specifically to promote the Festival to tourists from outside our immediate region, including Reno, Chico, Sacramento and the San Francisco Bay Area. Nevada City's sponsorship will help SYRCL continue to build the Festival and attract more attendees as well as filmmakers, celebrities, leading activists, social innovators and well-known world adventurers.

B. PROGRAM PURPOSE: Please describe how your proposed use of funds meets one or more of the following program goals:

- Diversify the local economy
- Promote economic vitality in Nevada City
- Increase the tax base
- Leverage other resources to create and retain employment
- Meet or support NCFORWARD economic plan goals

Nevada City's sponsorship of SYRCL's Wild and Scenic Film Festival promotes the economic vitality of Nevada City in multiple ways.

- **Attracting Visitors:** From the beginning, Wild & Scenic was intentionally planned to be a win-win for both SYRCL and Nevada City -- as a fundraiser for SYRCL *and* as an economic driver for Nevada City's restaurants, inns and stores. The Festival date was purposely set with a vision of filling Nevada City's streets with visitors from around the country attending the Festival while enjoying all the offerings of Nevada City at a time when business is usually slow. The Festival is now one of the Nevada City's premier annual events and one of only a handful of multi-day events. In January 2015, more than 5,500 people attended the Festival.

Since 2012, the Wild & Scenic Film Festival has increased attendance by approximately 58% necessitating growth which has been accomplished by adding the Nevada City Elks Lodge as a film venue (approx. 350 seats) and adding programming in neighboring Grass Valley. Expansion into Grass Valley over the past years was necessary to increase the capacity of the event allowing for even more visitors to attend the event and experience our community; we were selling out our Nevada City venue capacity. Our Grass Valley venues have added programming and not cannibalized a successful and still predominately Nevada City based event. Approximately 78% of our programming takes place in Nevada City. We are thrilled to have received a \$5,000 commitment grant just this year from the City of Grass Valley for our efforts.

- **Investing in the Community:** In addition to the benefits to local restaurants, inns and stores, the Festival contributes more than \$225,000 annually to the local economy through the January event and another \$189,000 producing our On Tour program (reaching more than 150 communities globally) through a wide variety of local expenditures including:
 - Venue rental (for film screenings and special events)
 - Equipment rental
 - Staff and Seasonal contractors (including festival staff, technical experts, graphic designer, caterers)
 - Event promotion including advertising and printing
 - Shuttle bus rental (to alleviate parking stresses in Nevada City)

SYRCL can effectively leverage a contribution from the City of Nevada City in the amount of \$10,000 (2% of the total program expenditures) to bring additional dollars to town from outside the area.

Many restaurant owners share with us that each year, their establishment brings in the most revenue of any weekend during the Wild & Scenic Film Festival—and that each year brings in more than the previous one. Inns and bed and breakfast lodgings are booked full almost a year in advance of the event each year, too.

Moreover, as a local Nevada City nonprofit, any Festival profits are reinvested into the local community through salaries and local contracts of the South Yuba River Citizens League.

Recently, we've been excited to be brought into discussions regarding participation with the Economic Resource Council and the Sierra Digital Media Campus project. The synergy between that project and what the Wild & Scenic Film Festival has to offer is boundless and another example of an investment in our community.

- **Promoting Nevada City:** The Festival is a major draw for visitors from outside the region. More than

40% of ticket holders at the 2015 Festival came from outside the region. The Festival celebrates and promotes more than just film. By including art shows, music events and much more throughout town, we drive home the message that Nevada City is a year-round destination and worth a repeat visit. Anecdotally we are aware of many Festival attendees who return at other times of the year after their experience at Wild and Scenic.

The Festival in Nevada City also kicks off the nationwide Wild and Scenic On Tour Program, which travels to more than 150 communities nationwide. Multiple tour hosts travel every year to Nevada City for the festival to scout films for their tour event, and return home to spread the word about the attractions of Nevada City. All tour hosts receive materials about Nevada City in their packets to distribute to the 30,000 attendees who attend the tour events around the country.

In return for \$10,000 sponsorship Nevada City will receive the following benefits:

- 6' table space at event for promo
- ½ page ad in program
- Banner at fest
- Logo on poster
- Logo in program
- Logo in mini program
- Logo in pre-fest slideshow
- Website with hyperlink on webpage
- 4 Fest passes
- 4 tickets for Friday filmmaker party
- 6 gala tickets
- Signed poster
- SYRCL membership, annual

A \$5,000 sponsorship commitment would result in the following recognition:

- ¼ page ad in program
- Banner at fest
- Logo on poster—will be too late in all likelihood
- Logo in program
- Logo in mini program
- Logo in pre-fest slideshow
- Website with hyperlink on webpage
- 2 Fest passes
- 2 tickets for Friday filmmaker party
- 4 gala tickets
- Signed poster
- SYRCL membership, annual

C. SCHEDULE: If applicable, provide a schedule indicating when funds will be needed.

This event occurs January 14-18, 2016 and funds will ideally be dispersed by mid-December.

City of Nevada City
Economic Development Fund
Policy and Procedures

The City of Nevada City's Economic Development Fund provides funding for economic development-related activities providing a public benefit to the City. The primary purpose of the Economic Development Fund is to provide grants, loans and sponsorships of at least \$5,000 promoting Nevada City's commerce and increase business activity to help achieve the following goals:

- Diversify the local economy
- Promote economic vitality in Nevada City
- Increase the tax base
- Leverage other resources to create and retain employment
- Meet or support NCFORWARD economic plan goals

Applications will be accepted on a first-come, first-served basis, and at any time. The fund will receive an annual allocation, established by City Council. Any funds not used during the fiscal year will be carried over to the next fiscal year. Periodically, this Policy will be updated to address any necessary changes.

GENERAL ELIGIBILITY REQUIREMENTS

- A. The fund is available for economic development-related activities/efforts located in the City of Nevada City.
- B. Proposed use of funds must meet one or more of the stated goals.
- C. Funds shall be used to provide a public benefit to the City of Nevada City.
- D. Funds cannot be the sole funding source and must leverage public, private or non-profit investment.

AWARD OF FUNDING

- A. Applications are subject to funding availability.
- B. City Council approval is required for disbursement of funds.
- C. Proposed use of funds must be in compliance with all applicable federal, State and local laws.

APPLICATION SUBMITTAL AND EVALUATION

- A. Applications are accepted on a first-come, first-served basis, at all times.
- B. Unless alternate application procedures are approved by the City Manager, Applicant must complete and submit the City's application which shall include a requirement to describe how the proposed funding will result in an economic benefit to the City/community.
- C. City staff shall review and evaluate each application based on the fund's eligibility requirements and funding criteria.
- D. City staff or City Council may request follow-up information from the applicant to complete evaluation of the application. Applicant shall provide the requested information by the date designated.
- E. Applications meeting eligibility requirements and funding criteria shall be reviewed for consideration by the City Council at a public meeting.
- F. The City Council will exercise full control over disbursement of funds, including any conditions it applies to use of funds.

REPORT TO CITY COUNCIL

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

November 18, 2015

TITLE: Presentation of Petition Signature Verification Certificate on Initiative Measure to Enact Zoning Ordinance and General Plan Amendments to allow Hosted Short-Term Rentals in Nevada City and Council Action Thereon

RECOMMENDATION: Review NC Hosts Initiative measure and take action to adopt without change, submit to voters at next election, or order a report.

CONTACT: Hal DeGraw, Consulting City Attorney

BACKGROUND / DISCUSSION: On August 31st, as amended on September 15th, proponents Kathy Dotson and Wendy Van Wagner on behalf of a group known as NC Hosts submitted their notice of intent to circulate a voter initiative petition to allow hosted short-term rentals in Nevada City residential zones. As provided by State law, as City Attorney I prepared a ballot Title and Summary and proponents after publishing circulated the Initiative petitions for signatures that were forwarded to the county elections official for verification. On November 15th the City received a Signature Verification Certificate dated November 3rd indicating that of the 319 signatures filed by proponents, 264 were found sufficient. This was more than the required number of 211 (10% of 2,107 registered voters within Nevada City as of the last report of registration from the county elections office). [Note: A second Initiative petition on home sharing short-term rentals is in the process of being circulated for signatures.]

REQUIRED COUNCIL ACTION: Pursuant to California Elections Code §§9214(a), (b), and 1405(a), when presented with a certification of an adequate number of sufficient signatures on an initiative petition, the Council must take one of three actions:

1. Adopt the initiative measure without change, or
2. Submit the initiative measure to the voters at the next election, or
3. Order a report to be completed within 30 days followed by either adoption or submission of the initiative measure to the voters.

I have prepared and attached draft resolutions that the Council can adopt to take either of the first two actions regarding the NC Hosts Initiative. Should the Council instead select the report option, it could approve a motion to that effect, indicating in the motion the aspects or effects of the initiative measure on which it desires more information.

FISCAL IMPACT: Nominal. The June election in 2016 is the specified date for the general municipal election.

ATTACHMENTS:

- Resolution adopting Initiative measure
- Resolution submitting Initiative measure to voters
- Ballot Title and Summary prepared by City Attorney
- Text of Initiative Measure
- Notice of Intent to Circulate Petition
- Nevada City Hosts Reasons for Filing the Petition
- Signature Verification Certificate
- Email from County Elections re: required amount of signatures for Initiative

ENVIRONMENTAL IMPACT: California courts have held that CEQA does not apply to voter-sponsored (petition) initiatives and CEQA Guidelines §15378(b)(3) now provides such initiatives are not “projects” subject to environmental review.

RESOLUTION NO. 2015-XX

A RESOLUTION OF THE CITY OF NEVADA CITY ADOPTING AN INITIATIVE MEASURE TO ENACT ZONING ORDINANCE AND GENERAL PLAN AMENDMENTS TO ALLOW HOSTED SHORT-TERM RENTALS IN NEVADA CITY RESIDENTIAL ZONES

WHEREAS, an Initiative petition to enact zoning ordinance and general plan amendments to allow hosted short-term rentals in Nevada City residential zones has been certified by the county elections official as containing verified signatures of more than ten percent (10%) of the voters of the City according to the last report of registration by the county elections official to the Secretary of State pursuant to Elections Code Section 2187; and

WHEREAS, under Elections Code Section 9214(a) the Council is authorized to adopt the initiative measure as an ordinance, without alteration, at the regular meeting at which the certification is presented to the Council; and

WHEREAS, the Council has determined it is in the best interest of the City and its citizens to adopt the Initiative measure rather than ordering a special election to submit the matter to the vote of the people:

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Nevada City as follows:

1. That the Initiative measure attached hereto as Exhibit "A", incorporated herein by such reference is hereby adopted.
2. That the reading of the entire ordinance is hereby waived and shall be adopted by title only, namely: " Initiative Measure to Enact Zoning Ordinance and General Plan Amendments to Allow Hosted Short-Term Rentals in Nevada City Residential Zones."
3. That implementing ordinances, resolutions, guidelines, rules, and regulations be prepared and submitted to the Council for approval as necessary to further the purposes of the Initiative.

PASSED AND ADOPTED at a regular scheduled meeting of the City Council held on this 18th day of November, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jennifer Ray, Mayor

Niel Locke, City Clerk

RESOLUTION NO. 2015-XX

A RESOLUTION OF THE CITY OF NEVADA CITY SUBMITTING AN INITIATIVE MEASURE TO ENACT ZONING ORDINANCE AND GENERAL PLAN AMENDMENTS TO ALLOW HOSTED SHORT-TERM RENTALS IN NEVADA CITY RESIDENTIAL ZONES TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION IN JUNE OF 2016

WHEREAS, an Initiative petition to enact zoning ordinance and general plan amendments to allow hosted short-term rentals in Nevada City residential zones has been certified by the county elections official as containing verified signatures of more than ten percent (10%) of the voters of the City according to the last report of registration by the county elections official to the Secretary of State pursuant to Elections Code Section 2187; and

WHEREAS, the signed Initiative petitions contain a request that the initiative measure be submitted to a vote of the people; and

WHEREAS, under Elections Code Sections 9214(a), (b), and 1405(a), in circumstances where the above-stated facts exist, the Council must either adopt the Initiative measure at the meeting where the regular meeting at which the certification is presented to the Council or order that the Initiative measure be submitted to the voters at the next election; and

WHEREAS, the Council has determined it is in the best interest of the City and its citizens to submit the Initiative measure to the City's voters to determine whether the Initiative measure should or should not be adopted:

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Nevada City the Initiative measure titled "Initiative Measure to Enact Zoning Ordinance and General Plan Amendments to Allow Hosted Short-Term Rentals in Nevada City Residential Zones", attached hereto as Exhibit "A" and incorporated herein by such reference, shall be submitted to the voters at the general municipal election in June of 2016 and staff shall prepare and submit for approval such resolutions and orders as are necessary to implement this Resolution.

PASSED AND ADOPTED at a regular scheduled meeting of the City Council held on this 18th day of November, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jennifer Ray, Mayor

ATTEST:

Niel Locke, City Clerk

Ballot Title and Summary Prepared by City Attorney for Hosted Short-Term Rental Initiative

TITLE: INITIATIVE MEASURE TO ENACT ZONING ORDINANCE AND GENERAL PLAN AMENDMENTS TO ALLOW HOSTED SHORT-TERM RENTALS IN NEVADA CITY RESIDENTIAL ZONES

SUMMARY: Since 1994, when voters approved initiative Measure F repealing City zoning regulations that allowed short-term rental facilities and amending General Plan provisions to prohibit the use of housing units for recreational rentals, there have been no provisions allowing Airbnb and similar website type rentals anywhere in Nevada City. This initiative measure proposes legislation to amend Nevada City Municipal Code zoning regulations and Nevada City General Plan provisions to define, regulate, and allow such uses designated as “hosted short-term rentals” as principal permitted uses in all residential zones in the City through a ministerial registration process, subject to certain stated conditions. Rentals would be limited to no more than two rooms or units, including a guest house, being rented or offered for rent at the same time for less than 30 days. To be entitled to register property for rental, the owner or manager must reside at the property or in Nevada County and not use the property solely for hosted short-term rentals. Other terms and conditions for permitted rentals include limiting vehicles to one per unit and disallowing commercial meetings such as luncheons, parties, weddings, charitable fundraising, or other gatherings for direct or indirect compensation. Units to be rented must comply with all building and similar codes, including sanitation requirements. The City would receive transient occupancy tax, currently assessed at 10% of the rent charged. The initiative provides that the City Council is authorized, after a duly noticed public hearing to adopt implementing ordinances, guidelines, rules, and regulations, as necessary to further the purposes of the initiative.



Hal DeGraw, City Attorney

To the City Clerk of the City of Nevada City:

We, the undersigned and qualified voters of the City of Nevada City, hereby propose an initiative measure to amend the City of Nevada City General Plan and the City of Nevada City Municipal Code to permit hosted short-term rentals within residential zones and uses on the terms and conditions set forth below. We petition you to submit this measure to the City Council of the City of Nevada City for submission of the measure to the voters of the City of Nevada City at the earliest general or special election for which it qualifies.

The measure provides as follows:

Initiative to Allow Hosted Short-Term Rentals in Residential Zones

The people of the City of Nevada City do ordain as follows:

Section 1. Findings and Purpose.

A. Findings. The people of the City of Nevada City find that this Initiative promotes and protects the health, safety, welfare, economic development and quality of life of City residents, based upon the following findings:

1. The development of Airbnb and similar websites have created safe, effective and efficient platforms for property owners to offer their properties as hosted short-term rentals.

2. Allowing hosted short-term rentals within the City increases the amount of housing available for hosted short-term rentals, assists the City's efforts to be a world-class tourist destination, provides revenue for the City through payments of Transient Occupancy Tax and other applicable taxes and provides income opportunities for property owners, including those on a fixed or limited income.

3. Previous voter measures prohibiting short-term rental facilities did not account for recent technological changes brought by the sharing economy that allow property owners to safely and effectively market their property without adverse impacts on neighboring properties and the City at large.

B. Purpose. The purpose of this Initiative is to revise the City of Nevada City General Plan and the City of Nevada City Municipal Code to permit hosted short-term rentals within residential zones on the terms and conditions set forth below.

Section 2. Amendment of City of Nevada City Municipal Code.

Section 17.72.080 is hereby added to the City of Nevada City Municipal Code to read in full as follows:

“Section 17.72.080 Hosted short-term rentals.

A. Definitions. The following terms shall have the following definitions in this section.

1. “Manager” shall mean the Owner or an agent of the Owner responsible for managing the Hosted short-term rental of a Unit(s) under this section.
2. “Property” shall mean a single-family residential.
3. “Owner” shall mean the record owner of the Property.
4. “Hosted short-term rental” shall mean the rental of all or a portion of a Unit for less than thirty (30) days.
5. “Unit” shall mean a room or dwelling unit on a Property used for sleeping or living quarters, including a guest house located on the Property.

B. Hosted short-term rentals. Notwithstanding anything to the contrary in this code, including Sections 17.72.038 and 17.72.120, the Hosted short-term rental of Units within a Property by the Owner is permitted within all residential zones and uses subject to the following terms and conditions:

1. The Owner shall register the Property annually with the City prior to offering any Unit for Hosted short-term rental. The Owner and Manager shall affirm in such registration that he, she or it shall comply with all requirements of this Section. The City may adopt and modify procedures for the registration of Properties consistent with the requirements of this Section. However, the issuance of a registration shall be processed ministerially upon the filing of a full and complete application by the Owner.
2. No more than two (2) Units within a Property may be rented or offered for rent at the same time.
3. The Owner or Manager shall reside at the Property or in Nevada County to ensure adequate and timely response to any police, code enforcement or other City action related to the Property. The Owner or Manager shall provide emergency contact information to the City with its annual registration.
4. Units shall comply with all applicable building and similar codes, including providing all required sanitation facilities.
5. No more than one (1) vehicle per Unit shall be allowed during each Hosted short-term rental.
6. The Owner or Manager shall comply with the requirements of Chapter 3.24 of this Code, including paying all applicable transient occupancy tax.
7. This Section does not and is not intended to permit an Owner to

use his or her Property solely for Hosted short-term rentals.

8. The Owner and Manager shall comply with all applicable provisions of this Code and other applicable law. This Section does not authorize any activity otherwise prohibited by applicable law. Without limiting the foregoing, commercial meetings such as luncheons, parties, weddings, charitable fundraising, or other gathering for direct or indirect compensation are not allowed. In addition to any other applicable remedies, any violation of this section shall constitute a public nuisance.

9. Owner or Manager, prior to the initial hosted short-term rental, will distribute a courtesy neighborhood notice of their intent to provide hosted short-term rental(s) and how short-term renters will be accessing the residence.

10. Conduct Guidelines set forth by the City of Nevada City shall be presented to hosted short-term renters prior to or upon their occupancy of the unit.

Section 3. Amendment of City of Nevada City General Plan.

Section 2, Table 2.00-5 of the Housing Element within the City of Nevada City General Plan is amended to replace the fifth column of Number (42) related to Policy 4-1-1 with the following:

“Retain but modify program to include limited hosted short-term rentals.”

Section 4. Amendment of City of Nevada City General Plan.

Section 6, Table 6.15 of the Housing Element within the City of Nevada City General Plan is amended to replace the first column of Number (28) related to Policy 4-1-1 with the following:

“Limited, partial use of housing units at a single family residence for hosted short-term rentals is permitted as allowed under voter-approved initiatives.”

Section 5. Implementation.

A. **Effective Date.** Upon the effective date of this Initiative, (1) the City of Nevada City General Plan is amended as provided in Section 3 of the Initiative, except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment of the City of Nevada City General Plan on January 1 of the next year; and (2) the provisions of Section 2 of the Initiative are hereby inserted into the City of Nevada City Municipal Code as an amendment thereof. Upon the effective date of this Initiative, any provisions of the City of Nevada City Municipal Code or of any other City of Nevada City Municipal Code ordinance or resolution that are inconsistent with the General Plan amendments and Municipal Code amendments adopted by this Initiative shall not be enforced in a manner inconsistent with this Initiative.

B. **Interim Amendments.** The date that the notice of intention to circulate this

Initiative was submitted to the elections official of the City of Nevada City is referred to in this Initiative as the "submittal date." The City of Nevada City in effect on the submittal date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the City of Nevada City. In order to ensure that nothing in this Initiative measure would prevent the City of Nevada City General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City of Nevada City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan. Likewise, any amendment to the City of Nevada City Municipal Code that is adopted between the submittal date and the date that the Municipal Code is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the Municipal Code provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the Municipal Code.

C. Other City Ordinances and Policies. The City of Nevada City is hereby authorized and directed to amend the City of Nevada City General Plan, all specific plans, the City of Nevada City Municipal Code, including the Zoning Code and other ordinances and polices affected by this Initiative as soon as possible as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan, all specific plans, and other City ordinances and policies.

D. Reorganization. The City of Nevada City General Plan and Municipal Town Code may be reorganized or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan and Municipal Code, provided that the provisions of this Initiative shall remain in the General Plan and Municipal Code unless earlier repealed or amended by vote of the people of the City of Nevada City. Similarly, no amendment of the General Plan and Municipal Code shall be inconsistent with the provisions of this Initiative unless authorized by a vote of the people of the City of Nevada City.

E. Implementing Ordinances. The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and regulations, as necessary, to further the purposes of this Initiative.

F. Enforcement and Defense of Initiative. The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.

Section 6. Effect of Alternative Measure on the Same Ballot.

If a measure that addresses Hosted short-term rentals as defined in Section 2 above or conflicts with any provision of this Initiative is placed on the same ballot as this Initiative and if both measures should pass, then the measures shall be deemed to be complementary to each

other to the maximum extent permitted by law. To that end, the provisions of this Initiative shall be fully adopted except to the extent that specific provisions contained in each measure are deemed to be in direct conflict with each other on a "provision by provision" basis (pursuant to *Yoshisato v. Superior Court* (1992) 2 Cal.4th 978), in which case the conflicting provisions from the measure which received the greater number of votes shall prevail.

Section 7. Severability and Interpretation.

This Initiative shall be interpreted so as to be consistent with all applicable Federal, State, and City laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. This Initiative shall be broadly construed in order to achieve its purpose. Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

11/2015
M

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Nevada City for the purpose of permitting transient rentals within any residential zones and uses within the City. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. The development of Airbnb and similar websites have created safe, effective and efficient platforms for property owners to offer their properties as transient rentals (i.e., rentals for less than 30 days).
2. Allowing hosted short-term rentals within the City increases the amount of housing available for short term rentals, assists the City's efforts to be a world-class tourist destination, provides revenue for the City through payments of Transient Occupancy Tax and other applicable taxes and provides income opportunities for property owners, including those on a fixed or limited income.
3. Previous voter measures prohibiting transient rentals did not account for recent technological changes brought by the sharing economy that allow property owners to safely and effectively market their property without adverse impacts on neighboring properties and the City at large.
4. The proposed initiative will permit hosted short-term rentals while ensuring that they do not have adverse impacts on neighboring properties and the City at large.

Signed:

 Dated: August 31, 2015
 Kathy Dotson

 Dated: August 31, 2015
 Wendy Van Wagner

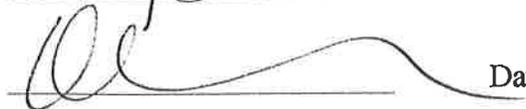
AFFIDAVIT

We, Kathy Dotson and Wendy Van Wagner, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. We certify that we will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Signed:



Dated this 31st day of August, 2015



Dated this 31st day of August, 2015

September 15, 2015

Subject: INITIATIVE MEASURE TO ENACT ZONING ORDINANCE AND GENERAL PLAN AMENDMENTS TO ALLOW HOSTED SHORT-TERM RENTALS IN NEVADA CITY RESIDENTIAL ZONES.

To:

City Clerk Niel Locke
City Attornies, Hal DeGraw and Ryan Jones
City Manager, Mark Prestwich
Deputy City Clerk, Corey Shaver

From Proponents:

Kathy Dotson 
Wendy Van Wagner

Please substitute the enclosed 'Notice of Intent to Circulate Petition' with the 'Notice' submitted on August 31, 2015 for the same measure.

Reason:

This Notice of Intent reflects the language used in the ordinance previously submitted.

Notice of Intent to Circulate Petition

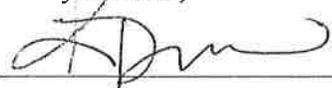
Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Nevada City for the purpose of permitting hosted short-term rentals within any residential zones and uses within the City. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

1. The development of Airbnb and similar websites have created safe, effective and efficient platforms for property owners to offer their properties as short-term rentals (i.e., rentals for less than 30 days).
2. Allowing hosted short-term rentals within the City increases the amount of housing available for hosted short-term rentals, assists the City's efforts to be a world-class tourist destination, provides revenue for the city through payments of Transient Occupancy Tax and other applicable taxes and provides income opportunities for property owners, including those on a fixed or limited income.
3. Previous voter measures prohibiting short-term rentals did not account for recent technological changes brought by the sharing economy that allow property owners to safely and effectively market their property without adverse impacts on neighboring properties and the City at large.

Information on this ordinance is available at the Nevada City City Clerk's office.

The printed names, signatures and residence addresses of the proponents of this petition are as follows:

Kathy Dotson, 128 Orchard St, Nevada City, CA 95959



Wendy Yan Wagner, 749 Lindley Ave., Nevada City, CA 95959



**Nevada City Hosts
Reasons for Filing the Petition**

To the City of Nevada City,

We, the authors of this initiative are residents of Nevada City. We enjoy the privilege of residing in this beautiful, historic town and have also enjoyed sharing our homes with visitors who love our town. We want Nevada City to be perceived as a first-class, international tourist destination and restore its economic vitality.

Our purpose in writing this initiative is to request that the city recognize and regulate 'Hosted Short-term Rentals' as described in the attached initiative. This is not a request to overturn Measure F or Measure G, but rather to define and approve a new type of rental of the model made popular by today's sharing economy and found on Web listing services such as Airbnb.

We believe the benefits of Hosted Short-Term Rentals include the following:

- **Hosted** short-term rentals are a progressive and efficient, neighborhood-friendly rental model that fill a need for additional beds that cannot be provided by already filled-to-capacity local lodging.
- **Opportunity** for significant economic growth, provided by visitors to our town, is a benefit provided to the local economy (to hosts, merchants, restaurants, house cleaners, gardeners, contractors, arts, events, and the City).
- **Safety** of guests, hosts and neighbors alike is provided by hosting websites such as Airbnb through careful screening policies.
- **TOT (Transient Occupancy Tax)** is gained by Nevada City in legalizing this model. This is a much-needed benefit to the City due to many years of declining tax revenues.

In the past few years, travelers have radically changed their approach to seeking suitable lodging on visits to their destinations and look to the sharing economy to give them the neighborhood experiences that they seek. First impressions matter. We believe that our homes provide the experience that this new generation of traveler expects.

Hosted short-term rentals benefit neighborhoods and the entire community and help keep our town's economy thriving. Simply put, more lodging equals more visitors, which equals more spending and tax revenue.

Please recognize that short-term guest rentals do not decrease availability of long-term rental units. They simply serve another need. We believe that tax collected from short-term rentals can generate significant revenue to help fund the overall rental housing shortage.

Please join the growing list of communities around the world that allow short-term rentals. Cities such as Portland, San Francisco, Sonoma, San Luis Obispo, New York City, London, Barcelona, Truckee, Auburn and many more. Nevada City should take its lead from the Queen of England who made this wise statement when London approved the Airbnb rental model earlier this year "The common sense rules in London should serve as an example that true progress needn't be feared, it should be embraced."

In conclusion we ask that you, our trusted city council members, vote 'yes' to allow Nevada City's Airbnbs to operate legally per the definitions outlined in this ordinance.

Respectfully,

Nevada City Hosts

SIGNATURE VERIFICATION CERTIFICATE

I, **Gregory J. Diaz**, County-Clerk Recorder of the **County of Nevada**, State of California, hereby certify:

That **Nevada City Initiative Related to Allowing Short Term Rentals** has been filed with this office **October 16, 2015**.

That said petition consists of **48** sections;

That each section contains signatures purporting to be signatures of qualified electors of this county;

That attached to this petition at the time it was filed, was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her own knowledge and belief, each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition, I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

- | | |
|---|-------------------|
| 1. Number of unverified signatures filed by proponent (raw count) | <u>319</u> |
| 2. Number of signatures verified | <u>319</u> |
| 3. Number of signatures found SUFFICIENT | <u>264</u> |
| 4. Number of signatures found INSUFFICIENT | <u>55</u> |
| 5. INSUFFICIENT because of DUPLICATE | <u>1</u> |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day of

November 3, 2015.



Gregory J. Diaz
County Clerk/Registrar of Voters

By: *Kristin Kopeck*
Deputy

Hal DeGraw

From: Corey Shaver
Sent: Monday, November 09, 2015 1:25 PM
To: Kristin Kopec
Cc: Hal DeGraw
Subject: RE: Required signatures

Thank you, Kristin 😊

From: Kristin Kopec
Sent: Monday, November 09, 2015 10:00 AM
To: Corey Shaver
Subject: RE: Required signatures

Hi Corey,

The required amount of signatures are based on the last report of registration, which was February 2015. The reported amount of registered voters within the city of Nevada City was 2,107. Therefore 10% of this number is 211.

Let me know if you have any other questions.

Best,

Kristin Kopec
Clerk-Recorder Assistant II
Nevada County Elections
kristin.kopec@co.nevada.ca.us
(530) 470-2783

From: Corey Shaver
Sent: Monday, November 09, 2015 9:34 AM
To: Kristin Kopec
Subject: Required signatures

Hi Kristin:

What is the required 10% of signatures required for an initiative? Particularly speaking to the Airbnb initiative filed with the City of Nevada City. (I hope I'm asking this question correctly...the City Attorney is asking).

Thanks, Corey

RECEIVED

OCT 09 2015

**Committee to Support
Measure to Protect Neighborhoods from Vacation Rental Impacts** CITY OF NEVADA CITY

October 9, 2015

Niel Locke
City Clerk
City of Nevada City
317 Broad Street
Nevada City, CA 95959

Re: Initiative measure to be submitted to the voters

Enclosed please find a copy of a proposed initiative measure for the City of Nevada City ballot to permit and regulate home sharing short-term rentals within single family zones and in single family dwellings in other zones and in their associated guest houses when the owner is in residence. This measure would also continue to prohibit short-term rentals of entire single family dwellings in residential zones as is currently required by the Nevada City General Plan.

Please transmit the initiative measure to the City Attorney for a Title and Summary pursuant to California Elections Code Section 9203. We have also with this letter a Notice of Intent to Circulate a Petition for the measure.

We are proponents of the measure and are registered voters within the City of Nevada City. Attached please find the signed proponent affidavit as required by Section 9608 of the California Elections Code.

If you have any questions, please call Gary Johnson at 277-5942.

Sincerely,



Gary Johnson
210 Drummond St.
Nevada City, CA 95959
277-5942
wideopen@jps.net



Howard Hamer
439 Washington St.
Nevada City, CA 95959
265-6388
hamer@theunion.net



Sharon Tobiassen
514 Nursery St.
Nevada City, CA 95959
265-2828

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Nevada City to enact an ordinance for the purpose of allowing and regulating home sharing short-term rentals of up to two bedrooms within single family zones and in single family residences in other zones and in their associated guest houses when the owner is in residence. This measure would also continue to prohibit short-term rentals of entire single family homes in residential zones as is currently required by the Nevada City General Plan.

A statement of the reasons of the proposed action as contemplated in the petition is as follows:

LIMITING SHORT-TERM VACATION RENTALS IS STILL A GOOD IDEA

In 1994 Nevada City voters prohibited short-term rental lodging in residences because this conserves housing for long-term owners and long-term renters in our neighborhoods. Nevada City continues to be a real community, and a great place to live and visit. We are not just a tourist town.

A NEW PROPOSAL SPONSORED BY SHORT-TERM RENTAL OWNERS GOES TOO FAR- IT WILL HARM OUR NEIGHBORHOODS

Recently, a ballot initiative has been proposed by a group called "Nevada City Hosts" which includes operators of some of these vacation rentals. Their proposal would commercialize our residential neighborhoods. It would:

- Allow partial and entire house short-term rentals with no owner or manager in residence as a host
- Allow on street neighborhood parking by the paying lodgers
- Not provide adequate regulation or enforcement

WE WILL LOSE HOMES FOR RESIDENTS: FAMILIES, OWNERS, RENTERS IF THE OTHER INITIATIVE IS PASSED

The other initiative allows short-term rentals of entire houses. Rents and home prices in Nevada City are already being driven up by investors willing to pay over the appraised value for houses to use as commercial lodging ventures. If the "Nevada City Hosts" initiative passes, long-term residents will suffer the loss of housing.

ENFORCEMENT OF REGULATIONS IS IMPORTANT

Our measure includes effective regulations on parking, owner occupancy and special events and allows a fee to fund enforcement and a system to ensure that neighborhood complaints will be followed up on.

SUMMARY- THIS INITIATIVE PROPOSES A FAIR COMPROMISE ALTERNATIVE

We think it is fine to allow our neighbors to share their homes by renting bedrooms to short-term lodgers. However, short-term rentals of whole houses are prohibited in our measure and by the Nevada City General Plan due to their impact on housing supply. In addition, under the other initiative, the owners would gain the right to turn entire houses into rental businesses, but their neighbors would lose the right to quiet enjoyment of their homes which is the main reason many of us moved to Nevada City. The right to enjoy our residential neighborhoods should not be sacrificed for commercial endeavors.

| | | |
|---|---|---|
| /s/ <i>Sharon Tobiassen</i> Sharon Tobiassen Former Nevada City Council Member | /s/ <i>Gary Johnson</i> Gary Johnson Drummond Street resident | /s/ <i>Howard Hamer</i> Howard Hamer Concerned neighbor |
|---|---|---|

RECEIVED

OCT 09 2015

AFFIDAVIT

We, Sharon Tobiassen, Gary Johnson, and Howard Hamer acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. We certify that we will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Signed:

Sharon Tobiassen Dated this 9th day of October, 2015

Howard Hamer Dated this 9th day of October, 2015

Gary Johnson Dated this 9th day of October, 2015

RECEIVED

OCT 09 2015

To the City Clerk of the City of Nevada City:

We, the undersigned and qualified voters of the City of Nevada City, hereby propose an initiative measure to amend the City of Nevada City General Plan and the City of Nevada City Municipal Code to permit and regulate home sharing short-term rentals within single family zones and in single family dwellings in other zones and in their associated guest houses when the owner is in residence. This measure would also continue to prohibit short-term rentals of entire single family dwellings in residential zones as is currently required by the Nevada City General Plan. We petition you to submit this measure to the City Council of the City of Nevada City for submission of the measure to the voters of the City of Nevada City at the earliest general or special election for which it qualifies.

The measure provides as follows:

Initiative to Protect Neighborhoods from Vacation Rental Impacts

The people of the City of Nevada City do hereby ordain as follows:

Section 1. Purpose and Findings

A. Purpose and Effect. Short-term transient rental lodging was prohibited in Nevada City's residential neighborhoods by the voters in 1994 in Measure F. The intent of that voter initiative was to preserve Nevada City's residential neighborhoods from commercialization and intrusive activities, to preserve a healthy balance of tourism and residential areas, and to maintain rental and for sale housing stock for long-term renters and homeowners.

In the past few years, new on line rental agencies such as AirBnB and VRBO have been formed which make it easier for homeowners to offer rooms and entire homes for short-term lodging even though it is not permitted.

The new on line rental agencies have facilitated two new trends: 1) Homeowners renting out bedrooms or guest houses to visitors, and two (2) entire house vacation rentals.

1. It is unclear if the new type of room rentals were envisioned or meant to be prohibited by the voters in 1994. The effect of this Initiative will be to clarify definitions and regulations to permit this type of short-term rental.
2. It is, however, very clear that entire house short-term rentals were and are prohibited by Measure F. And it is the entire house recreation rentals that are already having the most impacts- vacant houses for much of the week, loss of resident neighbors, and less housing available to residents – both renters and homeowners. In the past two years, these entire house short-term rentals have dramatically increased. In 2014 and 2015 roughly 20 entire house short-term rentals have been offered for rent in Nevada City limits. Approximately 40% of Nevada City's housing units are rentals and the families in these homes are vulnerable to this trend. This Initiative would have the effect of stopping the loss of more homes to entire house vacation rentals by continuing their prohibition.

It has been difficult for the City to enforce the prohibition of entire house vacation rentals even after many neighbor complaints. This Initiative would require an enforcement program and a fee to fund it.

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

B. Findings. Other cities have been overwhelmed by short-term transient rental lodging particularly in entire homes, experiencing a drastic loss in available housing especially long-term rentals, a change in neighborhood character, and a loss of residents and families. Cities like Santa Barbara, Ojai, Santa Monica, Huntington Beach, and Coronado have seen the need to prohibit whole house short-term vacation rentals.

Other communities closer to us like Tahoe City and Mendocino have experienced heavy loss of long-term residents due to a proliferation of entire house vacation rentals, creating a ghost town effect during certain seasons and during the week. This Initiative will avoid this type of impact.

The existing prohibition on transient rental of entire single family homes has for many years helped Nevada City hold onto a vibrant, balanced community with a high quality of life in our neighborhoods.

Another initiative has been proposed by short-term rental business owners which does not provide adequate regulations or enforcement to protect neighbors from parking impacts or special events held by the lodgers, does not require a homeowner to live in the home during short-term room rentals, and it allows entire house vacation rentals. This Initiative addresses these concerns.

Section 2. Amendment of City of Nevada City Municipal Code

Section 17.72.080 is hereby added to the City of Nevada City Municipal Code to read in full as follows:

A. Definitions. The following terms shall have the following definitions in this section.

1. "Owner" shall mean the record owner of the Property.
2. "Manager" shall mean the Owner of a Unit(s) under this section.
3. "Single family dwelling" is as defined in Nevada City Zoning Ordinance Section 17.12.110.
4. "Housing unit" means a Single family dwelling, or a dwelling unit within a "Multiple unit" as defined in Nevada City Zoning Ordinance Section 17.12.100.
5. "Unit(s)" means bedroom(s) in a Single family dwelling or a Guest house with no more than 2 bedrooms.
6. "Property" shall mean a parcel of land which includes a "Unit(s)" to be used as a "Short-term rental" or "Home sharing short-term rental".
7. "Guest houses" means living quarters within a detached building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters may have a bath and toilet facilities, but no kitchen facilities and not be rented or otherwise used as a separate dwelling. Guest houses must be less than three hundred (300)

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

square feet in area. All other detached buildings with toilet facilities on a lot with an approved guest house are considered second units and must meet the requirements of the ordinance codified in this section. (*Nevada City Zoning Ordinance Section 17.72.038.*)

8. "Owner shall reside" shall mean the Owner living and present in the main Single family dwelling on the Property during Short-term rental periods.
9. "Sleeping room" means "Bedroom" and consists of a room to sleep in and may include a bathroom.
10. "Home sharing short-term rental" or "Short-term rental" shall mean the rental of up to two (2) Sleeping rooms total in a Single family dwelling unit or its legal Guest house or within a combination of these structures on one Property for less than thirty (30) days while at least one Owner shall reside in the main Single family dwelling on the Property throughout the stay.
11. "Entire house short-term rental", "Whole house short-term rental", "Vacation rental" or "Recreational rental" shall each mean rental of an entire single family dwelling to any person for tourist, transient, visitor use or the like of less than thirty (30) days.
12. "Bed and Breakfast Inn" means existing Single family dwellings with 1-6 guest rooms rented out short-term, possessing a valid use permit issued prior to the date of enactment of this Ordinance.

B. Permitted. Home sharing short-term rentals. Notwithstanding anything to the contrary in this code, Home sharing short-term rentals are permitted in all single family residential zones and in Single family dwellings in other zones and in their associated Guest houses only, subject to the provisions in this Ordinance.

C. Not Permitted. Entire House Short-Term Rentals, Whole House Short-Term Rentals, Vacation Rentals, Recreational Rentals. Entire house short-term rentals, Whole house short-term rentals, Vacation rentals and Recreational rentals, which are interchangeable terms, are not permitted in any residential zone as is required in the Nevada City General Plan. Short-term rental of a portion of a home other than a Bedroom and associated bathroom or a Guest house is not permitted. If a Bedroom is offered for Short-term rental a Home sharing short-term rental permit is required.

D. Regulations of Home Sharing Short-Term Rentals. Home sharing short-term rental of Sleeping rooms and Guest houses are subject to the following terms and conditions:

1. **Permit and Registration Required.** A Home sharing short-term rental permit shall be required prior to offering rooms for Home sharing. The original issuance of a Home sharing short-term rental permit shall be processed ministerially upon the filing of a full and complete application by the Owner. Thereafter, the Owner shall register the Property annually with the City and receive City ministerial review of compliance with

RECEIVED

OCT 09 2015

all relevant regulations prior to continue to offer any sleeping room or Guest house for a Home sharing short-term rental. The Owner shall affirm in such permit and annual registration that he, she or it shall comply with all requirements of this Section. The City may adopt and modify procedures for the registration of Properties consistent with the requirements of this Section. The permit shall run with the Owner and shall automatically expire upon sale or transfer of the property.

2. **Review and Enforcement Fee Required.** A one-time fee shall be required to process the initial application and an annual review and compliance fee shall also be required. The City shall be responsible for developing the fee to ensure that it will provide full funding of cost of City application processing, monitoring, compliance review and enforcement of this Ordinance.
3. **Where Permitted.** Home sharing short-term rentals are permitted in all single family residential zones and in Single family dwellings and in their associated Guest houses in all other zones.
4. **Number of Units.** No more than two (2) Sleeping rooms in a Single family dwelling or its Guest house with no more than two (2) Sleeping rooms or a combination of two (2) Sleeping rooms between both of these structures may be rented or offered as a Home sharing short-term rental at the same time.
5. **Occupancy.** No more than two (2) persons per short-term rental Sleeping room will be allowed.
6. **Second units.** Second units may not be rented for Home sharing short-term rentals in order to conserve affordable long-term housing for Nevada City residents.
7. **New structures.** New structures may not be constructed for Home sharing short-term rental purposes.
8. **Owner in Residence.** An Owner shall reside in the main residence on the Property during Short-term rental stays and shall have full use of the home other than the rented Bedrooms and associated bathrooms or Guest house during these stays. It is the intent of this Ordinance that an Owner may not reside in a small portion of a house and rent the remainder of the house out Short-term. It is the intent that Home sharing short-term rentals constitute a use secondary to the main use of the home by the Owner.
9. **Code Compliance.** Units shall comply with all applicable building and similar codes, including providing all required sanitation facilities.
10. **Parking.** No more than one (1) vehicle per Home sharing short-term rental sleeping room shall be allowed. Parking shall be provided on site in a location and design consistent with Nevada City Design Guidelines or off site in a location that will ensure no net loss of on street parking in the City. On-site parking spaces should not eliminate full time Property resident parking.
11. **Length of stay.** Home sharing short-term rental maximum stays shall consist of less

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

than thirty (30) days per renter per Property.

12. **Noise.** Chapter 8.20 of the Municipal Code shall apply to Home sharing short-term rentals and shall be enforced.
13. **Taxes and Licenses.** The Owner shall comply with the requirements of Chapter 3.24 of this Code, including paying all applicable transient occupancy tax and obtaining a Nevada City Business License.
14. **Other Code Provisions and Special Events.** The Owner shall comply with all applicable provisions of this Code and other applicable law. This Section does not authorize any activity otherwise prohibited by applicable law. Without limiting the foregoing, commercial meetings or special events such as luncheons, parties, weddings, charitable fundraising, or other gathering for direct or indirect compensation hosted by Home sharing short-term renters and individuals who are not Short-term renters are not allowed. In addition, these same types of meetings or special events, including for no direct or indirect compensation, hosted personally by Home sharing short-term renters are also not allowed. In addition to any other applicable remedies, any violation of this section shall constitute a public nuisance addressed in Municipal Code Chapter 8.04.

E. Enforcement of Regulations

1. The Home sharing short-term rental permit may be revoked for failure to comply with the adopted standards, subject to the City's administrative procedures and due process.
2. Complaints on violation of this ordinance will be directed to the City Planner for an investigation of whether or not the regulations have been violated. If regulations have been violated, a Notice of Violation shall be issued, a hearing shall be held, and a penalty may be imposed in accordance with Municipal Code Chapter 17.124 or the permit may be revoked. If the permit is revoked, an Owner may reapply for a Home sharing short-term rental permit after one (1) year has elapsed.
3. The Owner, prior to the initial Home sharing short-term rental, will distribute to all properties within 300 feet of the Home sharing short-term rental Property a courtesy neighborhood notice of their intent to provide Home sharing short-term rental(s), a copy of this Ordinance and a copy of the application including a statement of how short-term renters will be accessing the Property and where they are required to park.
4. Conduct Guidelines set forth by the City of Nevada City including those in this Ordinance shall also be presented to Home sharing short-term renters prior to or upon their occupancy of the unit.
5. All advertising for permitted Home sharing short-term rentals shall include the occupancy limits, parking standards, and meeting/special event restrictions in this Ordinance.

Section 3. Amendment of City of Nevada City General Plan

The following definitions shall be added to the Nevada City General Plan Housing Element.

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

(Where **underlined and bolded**, as exemplified here, an addition to the General Plan is noted.)

1. **“Single family dwelling” is as defined in Nevada City Zoning Ordinance Section 17.12.110.**
2. **“Housing unit” means a Single family dwelling or a dwelling unit within a “Multiple unit” as defined in Nevada City Zoning Ordinance Section 17.12.100.**
3. **“Unit(s)” means bedroom(s) in a Single family dwelling or a Guest house with no more than two (2) Sleeping rooms.**
4. **“Property” shall mean a parcel of land which includes a “Unit(s)” to be used as a “Short-term rental” or “Home sharing short-term rental”.**
5. **“Guest houses” means living quarters within a detached building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters may have a bath and toilet facilities, but no kitchen facilities and not be rented or otherwise used as a separate dwelling. Guest houses must be less than three hundred (300) square feet in area. All other detached buildings with toilet facilities on a lot with an approved guest house are considered second units and must meet the requirements of the ordinance codified in this section. (Nevada City Zoning Ordinance Section 17.72.038.)**
6. **“Owner shall reside” shall mean the Owner living and present in the main Single family dwelling on the Property during Short-term rental periods.**
7. **“Home sharing short-term rental” or “Short-term rental” shall mean the rental of up to two (2) Sleeping rooms total in a Single family dwelling unit or its legal Guest house or within a combination of these structures on one Property for less than thirty (30) days while at least one Owner resides in the main Single family dwelling on the Property throughout the stay.**
8. **“Entire house short-term rental”, “Whole house short-term rental”, “Vacation rental” or “Recreational rental” shall each mean rental of an entire Single family dwelling to any person for tourist, transient, visitor use or the like of less than thirty (30) days.**
9. **“Bed and Breakfast Inn” means existing Single family dwellings with 1-6 guest rooms rented out short-term, possessing a valid use permit issued prior to the date of enactment of this Ordinance.**

Section 4. Amendment of the Nevada City General Plan

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

- A. Section 2, Table 2.00-5 of the Housing Element within the City of Nevada City General Plan is amended to replace the third column of Number (42) related to Policy 4-1-1 with the following. (Where **underlined and bolded**, as exemplified here, an addition to the General Plan is noted.)

“There have been numerous conversions of entire houses for use as Recreation rental or Vacation rentals.”

- B. Section 2, Table 2.00-5 of the Housing Element within the City of Nevada City General Plan is amended to replace the fifth column of Number (42) related to Policy 4-1-1 with the following. (Where **underlined and bolded**, as exemplified here, an addition to the General Plan is noted.)

“Retain prohibition of the use of Housing units for Short-term Recreational rentals in accordance with voter initiative regulations but modify to include allowance of Housing units which are single family dwellings or Guest houses for Home sharing short-term rental units.”

Section 5. Amendment of City of Nevada City General Plan

Section 6, Table 6.15 of the Housing Element within the City of Nevada City General Plan is amended to replace the first column of Number (28) related to Policy 4-1-1 with the following. (Where **underlined and bolded**, as exemplified here, an addition to the General Plan is noted.)

“Prohibit the use of Housing units for Short-term Recreational rentals in accordance with voter initiative regulations. Allow Home sharing short-term rental units in Housing units that are Single family dwellings or Guest houses. These differ from Entire House or Whole house short-term rentals, Recreational rentals and Vacation rentals which have been defined in the Housing Element. Measure F required that the Nevada City General Plan “...prohibit the use of housing units for recreation rentals.” Consistent with Measure F, Home sharing short-term rentals differ from Recreational rentals and the like because their use characteristics do not include the visitor use of the entire Single family dwelling. Long-term neighborhood residents generally occupy the majority of the Single family dwelling, renting out only up to two (2) Sleeping rooms, ensuring that housing supply is not lost. Consistent with Measure G, Home sharing short-term rentals also differ in the use characteristics of Bed and Breakfast Inns because they do not include the formality and commercial hotel aspects of Bed and Breakfast Inns which also must have an existing use permit to continue.”

Section 6. Implementation

- A. **Effective Date.** Upon the effective date of this Initiative, (1) the City of Nevada City General Plan is amended as provided in Section 3 of the Initiative, except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment of the City of Nevada City General Plan on January 1 of the next year;

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

and (2) the provisions of Section 2 of the Initiative are hereby inserted into the City of Nevada City Municipal Code as an amendment thereof. Upon the effective date of this Initiative, any provisions of the City of Nevada City Municipal Code or of any other City of Nevada City Municipal Code ordinance or resolution that are inconsistent with the General Plan amendments and Municipal Code amendments adopted by this Initiative shall not be enforced in a manner inconsistent with this Initiative.

- B. Interim Amendments.** The date that the notice of intention to circulate this Initiative was submitted to the elections official of the City of Nevada City is referred to in this Initiative as the "submittal date." The City of Nevada City General Plan in effect on the submittal date as amended by this Initiative comprises an integrated, internally consistent, and compatible statement of policies for the City of Nevada City. In order to ensure that nothing in this Initiative measure would prevent the City of Nevada City General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City of Nevada City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan. Likewise, any amendment to the City of Nevada City Municipal Code that is adopted between the submittal date and the date that the Municipal Code is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the Municipal Code provisions adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the Municipal Code.
- C. Other City Ordinances and Policies.** The City of Nevada City is hereby authorized and directed to amend the City of Nevada City General Plan, all specific plans, the City of Nevada City Municipal Code, including the Zoning Code and other ordinances and policies affected by this Initiative as soon as possible as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan, all specific plans, and other City ordinances and policies.
- D. Reorganization.** The City of Nevada City General Plan and Municipal Code may be reorganized or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan and Municipal Code, provided that the provisions of this Initiative shall remain in the General Plan and Municipal Code unless earlier repealed or amended by vote of the people of the City of Nevada City. Similarly, no amendment of the General Plan and Municipal Code shall be inconsistent with the provisions of this Initiative unless authorized by a vote of the people of the City of Nevada City.
- E. Implementing Ordinances.** The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and regulations, as necessary, to further the purposes of this Initiative.
- F. Enforcement and Defense of Initiative.** The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

G. Project Approvals. Upon the effective date of this Initiative, the City of Nevada City shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning or any entitlement that is inconsistent with this Initiative.

Section 7. Effect of Alternative Measure on the Same Ballot

If a measure that addresses Home sharing short-term rentals as defined in Section 2 above or conflicts with any provision of this Initiative is placed on the same ballot as this Initiative and if both measures should pass, then the measures shall be deemed to be complementary to each other to the maximum extent permitted by law. To that end, the provisions of the Initiative shall be fully adopted except to the extent that specific provisions contained in each measure are deemed to be in direct conflict with each other on a "provision by provision" basis (*pursuant to Yoshisato v. Superior Court (1992) 2 Cal.4th 978*), in which case the conflicting provisions from the measure which received the greater number of votes shall prevail.

Section 8. Severability and Interpretation

This Initiative shall be interpreted so as to be consistent with all applicable Federal, State, and City laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. This Initiative shall be broadly construed in order to achieve its purpose. Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

RECEIVED

OCT 09 2015

CITY OF NEVADA CITY

TITLE: 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

SUMMARY: Since 1994, when voters approved initiative Measure F repealing City zoning regulations that allowed short-term rental facilities and amending General Plan provisions to prohibit the use of housing units for recreational rentals, there have been no provisions allowing new on-line type rentals like Airbnbs and VRBOs in Nevada City. This is the second initiative measure proposing legislation to amend Nevada City Municipal Code zoning regulations and Nevada City General Plan provisions to define, permit, and regulate such uses. This initiative would permit short-term rentals not to exceed 30 days of up to two sleeping rooms (that may include bathrooms) in a single-family dwelling or guest house, designated “home sharing short-term rentals”, as principal permitted uses in all single-family residential zones in the City and in other zones where single-family dwellings and their associated guest houses are located through a ministerial permit and annual registration process, subject to certain stated restrictions. As contrasted with the other hosted short-term rental initiative, this initiative would prohibit short-term rental of an entire residence or second unit; limit occupancy to no more than two persons per room; and require at least one owner to reside on the property in the main part of the dwelling throughout the rental, also precluding use of the property solely for hosted short-term rentals. Both initiatives would require units to be rented to comply with all building and similar codes, including sanitation requirements; limit vehicles to one per sleeping room rented; and disallow commercial meetings or special events or gatherings for direct or indirect compensation. The City would receive transient occupancy tax, currently assessed at 10% of the rent charged. This initiative requires a review and enforcement fee to be developed by the City; authorizes adoption and modification of procedures for registration of rental properties; and provides for conduct guidelines and revocation of permits for failure to comply with adopted standards. This initiative contains more extensive General Plan amendments to the Housing element, including definitions related to the proposed home sharing short-term rentals and language allowing such rentals, distinguishing them from entire house or whole house short-term rentals, recreational and vacation rentals, and bed & breakfast inns.

REPORT TO CITY COUNCIL

City of Nevada City

317 Broad Street

Nevada City, CA 95959

www.nevadacityca.gov

November 18, 2015

TITLE: Summary of the State’s Medical Marijuana Regulation & Safety Act and Its Applicability to City’s Authority to Regulate Marijuana Cultivation and Distribution within the City.

RECOMMENDATION: Consider options for regulating medical marijuana cultivation within the City and refer to the Planning Commission for their review and recommendation of draft ordinance.

CONTACT: Crystal Hodgson, Deputy City Attorney, Associate Attorney with Jones & Mayer, cvh@jones-mayer.com; (916) 771-0635.

BACKGROUND / DISCUSSION:

The California State Legislature just enacted the Medical Marijuana Regulation and Safety Act (the “MMRSA”), effective January 1, 2016, which brings forth significant changes to the medical marijuana regulatory landscape in the State. The MMRSA establishes a state licensing system for medical marijuana cultivation and commercial activities including operation of dispensaries, manufacturing of plants into products, testing, and transporting marijuana. It also enables state agencies to develop regulations for a host of marijuana related activities including: use of pesticides in cultivation, use of state water resources and electricity in cultivation, quality standards and testing requirements for marijuana and products containing cannabis, packaging and labelling of products, track and trace program to track seed to sale transactions, and penalties for inappropriate doctor recommendations and activities profiting from marijuana transactions.

The MMRSA enacted by the State does not legalize recreational use; one must still be a “qualified patient” or “primary caregiver” as defined by Health & Safety Code section 11362.5, to receive immunity from state prosecution for specified marijuana crimes. However, the MMRSA phases out the “co-op/ collective” model for distribution of medical marijuana, and replaces it with a licensing system, whereby licensees who are not qualified patients or primary caregivers can legally engage in the production and distribution of medical marijuana to qualified patients and primary caregivers, provided that they are in compliance with the new state licensing requirements, AND local government requirements. Under the MMRSA, cooperatives and collectives may still operate until one year from the date the state begins issuing marijuana cultivation licenses.

The State-enacted MMRSA does not preempt cities and counties from continuing to (ban sales of medical marijuana or initiating a ban on marijuana cultivation or distribution of medical marijuana within their jurisdictions or regulating it in ways that are consistent with the state new licensing requirements. However, to the extent not currently banned or regulated, the MMRSA does require cities and counties to take affirmative steps to preserve their authority to regulate marijuana cultivation and commercial activities within their jurisdictions. Most notably, the MMRSA requires local jurisdictions to have some regulation of **marijuana cultivation** in place by March 1, 2016, or the state's licensing system will be the sole licensing scheme for marijuana cultivation within that jurisdiction, and the local government will lose authority to regulate marijuana cultivation within its jurisdiction.

The City Attorney's Office has prepared a memorandum containing a more thorough summary of the new state laws. It is attached for your review as "Exhibit A" hereto. Crystal Hodgson, Deputy City Attorney, has also prepared an oral presentation explaining the new law and its impacts on the City.

City's Current Marijuana Regulations

Currently, the City prohibits **marijuana dispensaries** within the City. The City Council adopted this prohibition in 2009, by Ordinance No. 2009-08, which added Chapter 9.22 to the Nevada City Municipal Code. A copy of the ordinance is attached hereto as "Exhibit B" for your reference.

The City has not enacted any law regulating or prohibiting **marijuana cultivation** within the City.

Discussion Item

Since the City does not currently have an ordinance banning or otherwise regulating marijuana cultivation within the City, the City Attorney's Office is recommending that the City Council consider adoption of an ordinance regulating marijuana cultivation within the City effective by March 1, 2016, in order to preserve its authority to continue to regulate marijuana cultivation within the City, as permitted by the new state law. Again, if it fails to do so at this time, it will lose its ability to do so in the future.

Due to the time constraints for taking action our office has drafted and included two ordinances for your consideration and direction: a model ordinance banning all marijuana cultivation, attached hereto as "Exhibit C" and a draft sample ordinance banning all outdoor grows and allowing only limited indoor cultivation for qualified patients and primary caregivers, attached hereto as "Exhibit D." These sample ordinances represent two possible approaches the City can take to regulate marijuana, although there are a variety of approaches that are allowed under state law that the City Council may consider.

It is requested that you consider the sample ordinances, discuss your preferred approach to regulating cultivation, and direct staff to initiate the ordinance adoption procedure by referral to the Planning Commission for its review and recommendation at its December 17, 2015 meeting. This will allow enough time for bringing the recommended ordinance back to the City Council for adoption in time to meet the required March 1st deadline for enacting some type of marijuana cultivation, thus preserving the City's authority to regulate marijuana cultivation in the future.

ENVIRONMENTAL CONSIDERATIONS:

None.

FINANCIAL CONSIDERATIONS:

None.

ATTACHMENTS:

Exhibit A – Memorandum: Summary of the Medical Marijuana Regulation & Safety Act

Exhibit B – Nevada City Ordinance No. 2009-08, Adding Chapter 9.22 regarding Medical Marijuana Dispensaries

Exhibit C – Draft model ordinance to ban all marijuana cultivation within the City

Exhibit D – Draft sample ordinance to allow limited indoor cultivation by qualified patients and primary caregivers

MEMORANDUM

To: Mayor and City Councilmembers
From: Hal DeGraw, City Attorney; Ryan R. Jones, Assistant City Attorney
By: G. Ross Trindle, III, Crystal V. Hodgson, and Keith F. Collins – Jones & Mayer
Date: November 18, 2015
Subject: Summary of the Medical Marijuana Regulation & Safety Act

In the two decades that have passed since California voters approved the Compassionate Use Act, cities and counties have been left without state regulations or guidance on how to regulate the way medical marijuana is cultivated, processed, or distributed for medical consumption. On October 9, 2015, Governor Brown signed the “Medical Marijuana Regulation & Safety Act” (AB 243, AB 266, and SB 643) (“MMRSA”) into law. The MMRSA creates a state licensing and regulatory framework for medical marijuana cultivation and manufacturing of medical cannabis products, and for commercial medical cannabis activities including operation of dispensaries, distributions, and transporting. The MMRSA also regulates labeling of edible medical marijuana products, environmental problems caused by cultivation, and physicians who give excessive marijuana recommendations or recommendations without prior examination.

It is important for cities and counties to note, the MMRSA explicitly permits cities and counties to prohibit medical marijuana cultivation or manufacturing, or commercial activities such as operation of dispensaries and other distribution facilities and activities under local ordinances or to continue regulating these activities in ways consistent with the new state law as long as cities and counties require state minimum regulations to be met. So the state law does not usurp local governments’ power to ban or regulate these activities consistent with their communities’ unique needs, rather it introduces a dual licensing scheme that must be satisfied at the local and state level.

The major provisions of the MMRSA are discussed in more detail below.

New Regulations and State Licensing of Medical Marijuana Cultivation

Under the MMRSA, the Department of Food and Agriculture is charged with licensing and regulating both indoor and outdoor medical marijuana cultivation sites. The law creates several types of cultivation licenses designated by grow location (indoor/outdoor), size of grow (from under 5,000 square feet up to 22,000 square feet), and type of lighting used (artificial vs. natural). The state law provides that qualified patients growing 100 square feet of marijuana or less for personal consumption and primary caregivers growing 500 square feet or less for the medical use of 5 or fewer specified qualified patients for whom he/she is the primary caregiver are exempted from the state cultivation license requirement; however, cities and counties may still chose to completely ban or regulate these activities under the MMRSA. That would have the practical effect of prohibiting those activities as the state will not grant a license without compliance with local laws

Under the MMRSA, an applicant for a state cultivation license must first obtain any required city or county license, permit, or entitlement for cultivation. Cities and counties are required to notify the state when they issue a cultivation permit, which must be conditional on the applicant also receiving a state cultivation license.

One significant provision states that if a city does not have a land use or regulatory ordinance regulating or prohibiting cultivation, commencing March 1, 2016, the state shall be the sole licensing authority for cultivation applicants within the city. While “clean up” legislation may be introduced in January to address the obvious conflict between this specific provision and the general dual licensing scheme, cities are encouraged to immediately start work on getting an ordinance in place, so as not to unnecessarily cede licensing authority to the state, if an ordinance is not already in place

Under the MMRSA, the Department of Pesticide Regulations is charged with regulating the use of pesticides in medical cannabis cultivation and maximum levels in harvested cannabis, and the Department of Public Health is tasked with developing standards for the production and labeling of all edible medical cannabis products. The MMRSA has a number of environmental provisions as well, including authorizing the Department of Fish and Game to enforce unlawful diversions and regional water resources control boards to prevent pollution from illegal waste water discharges. The MMRSA is silent as to the possible application of the California Environmental Quality Act (CEQA).

New Regulations and State Licensing of Medical Marijuana Dispensaries, Distributors & Transporters

The MMRSA establishes the Bureau of Medical Marijuana Regulation within the Department of Consumer Affairs, charged with the responsibility of licensing dispensaries, distributors, transporters, and special dispensaries. It requires that those engaging in the commercial cannabis activity must obtain a state license and a city or county license, permit, or entitlement prior to commencing such activity. Cities and counties are required to notify the state when they issue licenses for these activities, which must be conditional on the applicant also receiving a state license.

The MMRSA allows cities and counties to ban these activities, or to regulate them in ways not inconsistent with the new state regulations. It requires local jurisdictions desiring to prohibit marijuana delivery services within their jurisdictions to enact an ordinance affirmatively banning this activity, and prohibits medical marijuana licensees from also holding licenses to sell alcohol. Currently, there is no stated deadline for enacting any affirmative delivery ban. The MMRSA exempts qualified patients and primary caregivers providing cannabis to no more than 5 specified patients from the requirement to obtain a state license to distribute or transport medical marijuana; however, cities and counties may still chose to completely ban or regulate these activities under the MMRSA. That would have the practical effect of prohibiting those activities as the state will not grant a license without compliance with local laws.

The law requires a separate license for each location where the commercial cannabis activity occurs, requires cultivators and manufacturers to have products tested for quality assurance, and prohibits a licensee from holding more than 2 types of licenses in certain categories, although there is an specific exception for businesses that were required by local ordinance to cultivate and manufacture or distribute on the same site before July 1, 2015.

The MMRSA also requires uniform health and safety standards, testing standards, and security requirements at dispensaries and during the transport of marijuana products, and provides for civil penalties for unlicensed medical marijuana activities.

New Regulations and Penalties for Physicians Who Illegally Recommend Medical Cannabis

This MMRSA requires the California Medical Board to prioritize investigation and prosecution of excessive recommendations of medical marijuana by physicians, imposes a \$5,000 fine for physicians who have a financial interest in a marijuana business, imposes restrictions on advertising for physician

recommendations, and provides that a recommendation for cannabis without a physical examination constitutes unprofessional conduct.

State Licensing Timeline and Other Marijuana Issues on the Horizon

The MMRSA does not require the designated state agencies to begin issuing licenses by a stated deadline, they are expected to begin issuing licenses by January 1, 2018. The MMRSA provides that an entity or facility that is in compliance with state and local land use and safety regulations on or before January 1, 2018, may continue its operations until its application for licensure is approved or denied by the state.

Although the MMRSA goes a long way in providing a regulatory framework for medical marijuana cultivation, manufacturing, delivering and dispensing within the state, there are still unresolved, pending, and anticipated marijuana issues on the horizon. Marijuana cultivation, use, possession, and distribution are still illegal under federal law. Although, federal courts and the US Supreme Court have avoided ruling squarely on whether California's medical marijuana laws are preempted by the federal ban, it is only a matter of time before the issue is resolved by the courts or a change in federal law. There are also pending initiatives in California to legalize marijuana for recreational use under state law, which would create new challenges for local governments. Our firm will keep you apprised of legal developments as they arise.

ORDINANCE NO. 2009-08

**AN ORDINANCE OF THE CITY OF NEVADA CITY ADDING
CHAPTER 9.22 TO THE NEVADA CITY MUNICIPAL CODE PROHIBITING MEDICAL
MARIJUANA DISPENSARIES**

WHEREAS, in 1996 the voters of the State of California approved Proposition 215 (codified as Health and Safety Code section 11362.5 et seq. and entitled the "Compassionate Use Act of 1996"); and

WHEREAS, in 2004, Senate Bill 420 (the "Medical Marijuana Program Act") addressing the scope and implementation of the Compassionate Use Act went into effect; and

WHEREAS, use of medical marijuana in Nevada City is governed by State statutes and guidelines, including the Compassionate Use Act and the Medical Marijuana Program Act, as those statutes have been interpreted by the Courts, and the Guidelines for Security and Non-Diversion of Marijuana Grown for Medical Use published by the Office of the Attorney General, California Department of Justice, and by County guidelines and protocols, including the Guidelines for Nevada County Physician Approved Medical Marijuana Patients and the Nevada County Medical Marijuana Inter-Agency Protocol published by the Office of the Nevada County District Attorney; and

WHEREAS, none of these statutes, guidelines or protocols require medical marijuana dispensaries to be allowed within all jurisdictions nor do they limit or restrict the authority of cities to regulate operation of businesses within their city limits under the police power granted by the Constitution and Section 11362.83 of the Medical Marijuana Program Act provides that: "Nothing in this article shall prevent a city or other governing body from adopting and enforcing laws consistent with this article"; and

WHEREAS, regulating operation and location of medical marijuana dispensaries to protect the public health, safety, and welfare of city residents is not inconsistent with nor is it intended to impair the rights of qualified patients and primary caregivers, as those terms are defined below, found in the Compassionate Use Act or the Medical Marijuana Program Act; and

WHEREAS, there is no satisfactory location available within the municipal boundaries of Nevada City for the operation of a medical marijuana dispensary:

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada City as follows:

There is hereby added to the Nevada County Municipal Code, Chapter 9.22 which is to read as follows:

Section 9.22.01 Definitions

For the purpose of this chapter, certain terms and words are defined as set out in this chapter:

"Medical Marijuana" or "Medical Cannabis" shall include the leaf of the cannabis plant and all products derived from the cannabis plant including, but not limited to, oils, tinctures, butters, candies, lotions, powders, creams, salves and balms, baked goods and any other food products.

"Medical Marijuana Dispensary" means any fixed storefront facility or location where medical marijuana or cannabis is made available, distributed, sold, transmitted, given and/or otherwise provided to other persons on an ongoing basis, excluding dispensing by primary caregivers to qualified patients in a clinic, health care facility, residential hospice, or residential care facility otherwise permitted by the Municipal Code or by applicable State so long as any such facility complies strictly with all applicable laws, including, without limitation, California Health and Safety Code Sections 11362.5 et seq.

"Person" means any individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company or any combination thereof, in whatever form or character.

"Primary Caregiver" shall have the same definition as in California Health and Safety Code Section 11362.5 et seq., and as may be amended.

"Qualified Patient" shall have the same definition as California Health and Safety Code Section 11362.5 et seq., and as may be amended.

Section 9.22.02 Medical Marijuana Dispensaries Prohibited

Except as hereinafter otherwise provided in the Nevada City Municipal Code, it shall be unlawful for any person or collective or cooperative organization to engage in, conduct, or carry on, or to permit to be engaged in, conducted or carried on, the operation of a Medical Marijuana Dispensary in or upon any premises in the City of Nevada City.

PASSED AND ADOPTED this 9th day of December, 2009 by the following vote:

AYES: BERGMAN, HARRIS, MCKAY

NOES: SENUM, COFFMAN

ABSTAIN: NONE

ABSENT: NONE


Reinette Senum, Mayor

ATTEST:


Niel Locke, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF [INSERT CITY NAME], CALIFORNIA, ADDING CHAPTER ____ TO THE CITY OF [INSERT CITY NAME] CITY MUNICIPAL CODE PROHIBITING MARIJUANA CULTIVATION

WHEREAS, the City of [INSERT CITY NAME], pursuant to its police power, may adopt regulations to protect the health, safety and welfare of the public, Cal. Const. art. XI, § 7, Cal. Govt. Code § 37100, and thereby is authorized to declare what use or condition constitutes a public nuisance; and

WHEREAS, Section 38771 of the California Government Code 38771 authorizes the City through its legislative body to declare actions and activities that constitute a public nuisance; and

WHEREAS, in 1970, Congress enacted the Controlled Substances Act (21 U.S.C. Section 801 et seq.) which, among other things, makes it illegal to import, manufacture, distribute, possess, or use marijuana for any purpose in the United States and further provides criminal penalties for marijuana possession, cultivation and distribution; and

WHEREAS, the People of the State of California have enacted Proposition 215, the Compassionate Use Act of 1996 (codified at Health and Safety Code Section 11362.5 et seq.) (the “CUA”), which exempts qualified patients and their primary caregivers from criminal prosecution under enumerated Health and Safety Code sections for use of marijuana for medical purposes; and

WHEREAS, the California Legislature enacted Senate Bill 420 in 2003, the Medical Marijuana Program Act (codified at Health and Safety Code Section 11362.7 et seq.) (the “MMPA”), as amended, which created a state-wide identification card scheme for qualified patients and primary caregivers; and

WHEREAS, on October 11, 2015, the Governor signed into law Senate Bill 643, Assembly Bill 266, and Assembly Bill 243, collectively referred to as the Medical Marijuana Regulation and Safety Act (“MMRSA”), effective January 1, 2016, which establishes a state licensing system for medical marijuana cultivation, manufacturing, delivery, and dispensing, regulating these activities with licensing requirements and regulations that are only applicable if cities and counties also permit marijuana cultivation, manufacturing, dispensing, and delivery within their jurisdictions. Under the MMRSA, cities and counties may continue to ban medical marijuana cultivation, manufacturing, dispensing, and delivery, in which case the new law would not allow or permit these activities within the cities and counties; and

WHEREAS, notwithstanding the CUA, the MMPA, and the MMRSA, marijuana remains a schedule I substance pursuant to Cal. Health & Saf. Code § 11054 (d)(13); and

WHEREAS, marijuana also remains a schedule I substance pursuant to federal law, 21 U.S.C. § 812, Schedule 1 (c)(10), and federal law does not provide for any medical use defense or exception (Gonzales v. Raich, 545 U.S. 1 (2005); United States v. Oakland Cannabis Buyers' Coop., 532 U.S. 483 (2001)); and

WHEREAS, the California Supreme Court has established that neither the CUA nor the MMPA preempt local regulation in the case of City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc., 56 Cal. 4th 729 (2013); and

WHEREAS, the MMRSA expressly allows cities and counties to ban marijuana cultivation consistent with current state law including the City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc., 56 Cal. 4th 729 (2013);

WHEREAS, the MMRSA provides that if a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to the MMRSA, then commencing March 1, 2016, the state will be the sole licensing authority for medical marijuana cultivation applicants (Health & Safety Code section 11372.777(c)(4));

WHEREAS, the City intends by the adoption of this ordinance to prohibit marijuana cultivation within the City for the express and specific purpose of preserving the City's authority to ban and/or adopt future regulations pertaining to marijuana cultivation as is required by California Health and Safety Code section 11372.777(c)(4), effective January 1, 2016, added by the MMRSA; and

[[PERMISSIVE ZONING, ADD:] WHEREAS, the City of [INSERT CITY NAME]'s permissive Zoning Code does not list marijuana cultivation as a permitted use in any zone in the City; and]

[[FOR PRIOR POLICY AGAINST, ADD:] WHEREAS, the City Council of the City of [INSERT CITY NAME] finds that it is in the interest of the health, safety and welfare of the City to make explicit that marijuana cultivation is prohibited anywhere in the City and is a public nuisance per se; and]

[[FOR PRIOR POLICY AGAINST, ADD:] WHEREAS, the City Council finds that the cultivation of marijuana significantly impacts, or has the potential to significantly impact, the City's jurisdiction. These impacts include the following:

- A. Public safety agencies, city residents, and other public entities have reported adverse impacts from marijuana cultivation, including disagreeable odors and release of pollen that can aggravate the respiratory system; increased risk of burglary and other property crimes; and acts of violence in connection with the commission of such crimes or the occupants' attempts to prevent such crimes.
- B. The creation of persistent strong odors as marijuana plants mature and flower is offensive to many people and creates an attractive nuisance, alerting persons to the location of valuable marijuana plants and creating an increased risk of crime.

- C. The unregulated cultivation of marijuana can adversely affect the health, safety and well-being of the city and its residents. Comprehensive regulation of premises used for marijuana cultivation is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, smells and indoor electrical fire hazards that may result from unregulated marijuana cultivation, especially if the amount of marijuana cultivated on a single premises is not regulated and substantial amounts of marijuana can be cultivated in a concentrated place.
- D. The indoor cultivation of substantial amounts of marijuana also frequently requires excessive use of electricity, which often creates an unreasonable risk of fire from the electrical grow lighting systems used in indoor cultivation.
- E. Children are particularly vulnerable to the effects of marijuana use, and the presence of marijuana plants has proven to be an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children including hospitals, schools, church parks or playgrounds, childcare centers, recreation centers or youth centers. Cultivation of any amount of marijuana at, or near these sensitive uses presents unique risks that the marijuana plants may be observed by juveniles, and therefore be especially vulnerable to theft or recreational consumption by juveniles. Further, the potential for criminal activities associated with marijuana cultivation in such locations poses heightened risks that juveniles will be involved or endangered. Therefore, cultivation of any amount of marijuana in such locations or premises is especially hazardous to public safety and welfare, and to the protection of children and the person(s) cultivating the marijuana plants.
- F. The cultivation of marijuana in other cities has resulted in calls for service to the police department, including calls for robberies thefts, and physical assaults from marijuana that is grown outdoors;
- G. Marijuana growth poses significant safety risks for surrounding neighbors, including but not limited to, risks of violent confrontation in connection with attempts to steal marijuana, risk of fire from improperly wired electrical lights within structures growing marijuana, risk of guard dogs and security measures associated with structures and properties growing marijuana; and
- H. Staff and residents of the city have observed that the smell associated with marijuana cultivation is severe enough that it interferes with the use and enjoyment of property in the city.]

[[FOR PRIOR POLICY AGAINST, ADD: Whereas the City Council finds that sanctioning the cultivation of marijuana would be inconsistent with federal law; and]

WHEREAS, the City of [INSERT CITY NAME], California, pursuant to the provisions of the California Environmental Quality Act (hereinafter "CEQA") (California Public Resources Code Sections 21000 et seq.) and State CEQA

guidelines (Sections 15000 et seq.) has determined that the Ordinance is exempt pursuant to Section 15061(b)(3) of Title 14 the California Code of Regulations; and

WHEREAS, the City Council finds that the provisions of this Ordinance are consistent with the City of [INSERT CITY NAME]'s General Plan; and

WHEREAS, the City Council finds that this Ordinance will not adversely affect property values and will not be detrimental to the City; and

WHEREAS, on [INSERT DATE], 2015, following proper notice and public hearing, the City's Planning Commission adopted Resolution No. [INSERT RESO. NO.] recommending to the City Council the adoption of an Ordinance amending Title [INSERT TITLE NO.] of the [INSERT CITY NAME] Municipal Code, relating to marijuana cultivation; and

WHEREAS, the City Council has considered evidence presented by the Planning Commission and City Staff at a duly noticed public hearing held on [INSERT DATE]; and

WHEREAS, all legal prerequisites prior to the adoption of this ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF [INSERT CITY NAME] DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2: Chapter [INSERT] is hereby added to the [INSERT CITY NAME] Municipal Code to read as follows:

Chapter [INSERT NO.] Marijuana Cultivation

1. Purpose.

The City Council of the City [INSERT CITY NAME] hereby finds and determines that it is the purpose and intent of this article to prohibit marijuana cultivation, in order to promote the health, safety, morals and general welfare of the residents and the businesses within the City [FOR CITIES LOOKING TO REGULATE, ADD: by maintaining local control over the ability to authorize and regulate marijuana-related businesses, including cultivation.]

2. Applicability

- A. Nothing in this article is intended, nor shall it be construed, to burden any defense to criminal prosecution under the CUA.
- B. All the provisions of this article shall apply to all property, public and private, within the City.

- C. All the provisions of this article shall apply indoors and outdoors.

3. Definitions

The following definitions apply to this chapter:

- A. “Marijuana” shall have the same definition as that set forth in California Health & Safety Code Section 11018.
- B. “Medical marijuana” shall mean marijuana used for medical purposes in accordance with California Health and Safety Code section 11362.5.
- C. “Marijuana cultivation” shall mean the planting, growing, harvesting drying or processing of marijuana plants or any part thereof for any purpose, including medical marijuana, and shall include both indoor and outdoor cultivation.
- D. “Person” shall mean any person, firm, corporation, association, club, society, or other organization. The term person shall include any owner, manager, proprietor, employee, volunteer and/or salesperson.

4. Cultivation of marijuana prohibited

Marijuana cultivation by any person, including primary caregivers, qualified patients and dispensaries, is prohibited in all zone districts within the City of [INSERT CITY NAME].

5. Declaration of public nuisance

Any use, structure, or property that is altered, enlarged, erected, established, maintained, moved, or operated contrary to the provisions of this article, is hereby declared to be unlawful and a public nuisance and may be abated by the city through civil[, criminal, and/or administrative proceedings] by means of a restraining order, preliminary or permanent injunction, or in any other manner provided by law for the abatement of such nuisances.

5. Violations

- A. Violations of this article shall be punishable pursuant to [INSERT GENERAL VIOLATIONS CHAPTER NO.] of this Code.
- B. This article is not the exclusive means for the abatement of marijuana dispensaries within the City of [INSERT CITY NAME]. The remedies set forth pursuant to this section shall be in addition to any other existing remedies for violations of the Zoning Code, including but not limited to, any action at law or equity.

SECTION 3: Any provision of the [INSERT CITY NAME] Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4: Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable. The City Council of the City of [INSERT CITY NAME] declares that it would have adopted all the provisions of this ordinance that remain valid if any provisions of this ordinance are declared invalid.

SECTION 5: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

APPROVED FOR INTRODUCTION AT A REGULAR MEETING on the ____th day of _____, 2015, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

PASSED, APPROVED, AND ADOPTED this ____th day of _____, 2015, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

_____, Mayor

ATTEST:

APPROVED AS TO FORM:

_____, City Clerk

_____, City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____) ss.
CITY OF _____)

I, _____, City Clerk of _____, do hereby certify that the foregoing ordinance was introduced on the _____th day of _____, 2015, was regularly adopted at a meeting thereof on the _____th day of _____, 2015 and was published/posted pursuant to law.

_____, City Clerk

Chapter 17.140 MARIJUANA CULTIVATION

Sections:

- [17.140.010](#) Purpose.
- [17.140.020](#) Definitions.
- [17.140.030](#) Outdoor cultivation of marijuana.
- [17.140.040](#) Indoor cultivation of marijuana.
- [17.140.045](#) Cultivation permit.
- [17.140.050](#) Public nuisance.
- [17.140.055](#) Sale of medical marijuana prohibited.
- [17.140.060](#) Enforcement.
- [17.140.070](#) Penalty for violation.

17.140.010 Purpose.

The purpose and intent of this chapter are to require that medical marijuana be cultivated only in appropriately secured, enclosed, and ventilated structures, so as not to be visible to the general public, to provide for the health, safety and welfare of the public, to prevent negative impacts to property values, to prevent odor created by marijuana plants from impacting adjacent properties, to prevent crime associated with marijuana, and to ensure that marijuana grown for medical purposes remains secure and does not find its way to nonpatients, minors, or illicit markets. Nothing in this chapter is intended to authorize the cultivation, possession, or use of marijuana for nonmedical purposes in violation of state or federal law. It is not the intent of this chapter to create conflict or inconsistency between this chapter and (A) the Constitutions of the United States or the state of California; (B) the federal Controlled Substances Act; or (C) California law.

17.140.020 Definitions.

For purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Abatement” means the removal of marijuana plants and improvements that support marijuana cultivation which occupy an area or cubic feet in excess of the area and cubic feet that is allowed under this chapter.

“Bedroom” means a room inside a residential building being utilized by any person primarily for sleeping purposes.

“Child care center” means any licensed child care center, daycare center, or child care home, or any preschool.

“Cultivated area” means any area indoors that is the greater of either (A) the total area of a property that is densely or primarily occupied by marijuana cultivation; or (B) one square foot per juvenile or mature marijuana plant indoors on the property.

“Cultivation” or “marijuana cultivation” means the planting, growing, harvesting, drying, or processing of marijuana plants, or any part thereof.

“Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors.

“Indoors” means within a fully enclosed and secure structure.

“Marijuana” means the plant *Cannabis sativa* L. and any of its derivatives that is six inches in height or taller, grown in accordance with state law.

“Outdoors” means any location within the city of Nevada City that is not within a fully enclosed and secure structure.

“Parcel” means property assigned a separate parcel number by the Nevada County assessor.

“Premises” means a single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall constitute a single “premises” for purposes of this chapter.

“Primary caregiver” means a “primary caregiver” as defined in Section [11362.7\(d\)](#) of the Health and Safety Code, as may be amended from time to time.

“Qualified patient” means a “qualified patient” as defined in Section [11362.7\(f\)](#) of the Health and Safety Code.

“Rear yard” means the rear open space portion of any premises, whether fenced or unfenced.

“Residential structure” means any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation on a premises or legal parcel located within a zoning district that allows residential uses.

“School” means an institution of learning for persons under 21 years of age, whether public or private, offering regular course of instruction including, without limitation, a kindergarten, elementary school, middle or junior high school, or senior high school.

“Single-family dwelling” means a detached building designed for and/or occupied by one family which does not share walls with another dwelling.

“Solid fence” means a fence constructed of substantial material (such as wood or vinyl) that prevents viewing the contents from one side to the other.

17.140.030 Outdoor cultivation of marijuana.

All outdoor cultivation of marijuana within the city is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the city of Nevada City to cause or allow such parcel to be used for the outdoor cultivation of marijuana.

17.140.040 Indoor cultivation of marijuana.

A. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel in the city of Nevada City to cause or allow such parcel to be used for the cultivation of marijuana plants within a fully enclosed and secure structure on the parcel, except as provided in subsections (B) and (C) of this section.

B. Who Is Permitted to Cultivate Marijuana Indoors.

1. Only a person who is at least 18 years old and either a qualified patient or a primary caregiver may engage in indoor cultivation of medical marijuana.
2. Residency Requirement. The qualified patient or primary caregiver shall reside full-time on the premises where the indoor cultivation of medical marijuana occurs.
3. Permission of Owner. Tenants shall obtain the written permission, with notarized signature of the property owner(s) prior to cultivating marijuana. Such written permission shall be submitted to the city together with the completed cultivation permit application.

4. Permit Required. Prior to engaging in any indoor cultivation of marijuana pursuant to this chapter, a qualified patient or primary caregiver shall obtain a cultivation permit from the city's Chief of Police or his or her designee, as provided by NCMC [17.140.045](#).

C. Indoor Cultivation Standards. Marijuana cultivated indoors, within the city of Nevada City, shall be in conformance with the following standards:

1. Indoor cultivation of marijuana is permitted only on parcels with single-family residential units.
2. Marijuana cultivation is permitted only within fully enclosed and secure structures inaccessible to minors. If the fully enclosed and secure structure is a residence, it shall be a single-family dwelling. No cultivation may occur in duplexes, triplexes, or other multifamily dwellings. A fully enclosed and secure structure used for the cultivation of marijuana that is separate from the main residence on a premises must maintain a minimum 10-foot setback from any property line and the area surrounding the structure must be enclosed by a solid fence at least six feet in height.
3. Marijuana cultivation may not occur in both a detached structure and inside a residence on the same parcel. Only one cultivation area is allowed per parcel.
4. Marijuana cultivation may not occur in a residence where persons under 18 years of age reside, whether full- or part-time.
5. Marijuana cultivation areas in a structure shall not be accessible to persons under 18 years of age. Cultivation areas shall be secured by lock and key or other security device which prevents unauthorized entry.
6. Indoor cultivation of marijuana shall not exceed 25 square feet, regardless of how many qualified patients or primary caregivers are residing at the premises, unless the Chief of Police or his or her or designee has approved a request under subsection (D) of this section.
7. Marijuana cultivation shall not occur on any carpeted area.
8. Marijuana cultivation lighting shall not exceed 1,200 watts and shall comply with the California Building, Electrical and Fire Codes as adopted by the city.

9. The use of gas products (CO₂, butane, etc.) or generators for marijuana cultivation or processing is prohibited.
10. Marijuana cultivation for sale is prohibited.
11. From a public right-of-way, there shall be no exterior evidence of marijuana cultivation.
12. The residence shall be occupied and is required to maintain a functioning kitchen and bathroom(s), and the use of primary bedrooms are for their intended purpose. These rooms shall not be used for marijuana cultivation.
13. Any marijuana cultivation area located within a residence shall not create a humidity or mold problem in violation of Nevada City building and state health and safety codes.
14. Any structure used for the cultivation of medical marijuana must have proper ventilation to prevent mold damage and to prevent marijuana plant odors or particles from becoming a public nuisance to surrounding properties or the public. A public nuisance may be deemed to exist if the cultivation produces odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public.
15. The marijuana cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
16. The marijuana grower shall pay any applicable city taxes relating to marijuana.

D. Indoor Marijuana Cultivation in Excess of 25 Square Feet. Any proposed marijuana cultivation by an individual that may exceed the cultivation area standard maximum of 25 square feet per residence shall require administrative review by the Chief of Police or his or her designee, and shall meet the criteria set forth above, as well as the additional criteria set forth in subsections (D)(1) through (3) of this section:

1. Documentation of medical need, such as a physician's recommendation; and
2. Inspection of the cultivation area by a building inspector or code enforcement officer to confirm that no health or safety concerns are present; and

3. The building official may require additional specific standards to meet the California Building Code and Fire Code, including, but not limited to, installation of fire suppression sprinklers.

17.140.045 Cultivation permit.

A. Prior to commencing any indoor medical marijuana cultivation, a qualified patient or primary caregiver must obtain a medical marijuana cultivation permit from the Chief of Police or his or her designee. The following information will be required with the initial permit application and subsequent permit extensions:

1. A notarized signature from the owner of the property consenting to the cultivation of medical marijuana at the premises on a form acceptable to the city, and when the applicant is not the sole owner of the property, then written permission of the owner's consent to allow marijuana cultivation to occur on the premise with the owner's notarized signature.
2. The name of each person owning, leasing, occupying, or having charge of any legal parcel or premises where medical marijuana will be cultivated.
3. The name of each qualified patient or primary caregiver who participates in the medical marijuana cultivation.
4. A copy of a current valid medical recommendation or county-issued medical marijuana card for each qualified patient identified as required above, and for each qualified patient for whom any person identified as required above is the primary caregiver.
5. The physical site address of where the medical marijuana will be cultivated.
6. A signed consent form, acceptable to the city, authorizing city staff, including the Chief of Police or his or her designee, to conduct a quarterly inspection of the detached, fully enclosed and secure structure or area of the residence used for the cultivation of marijuana upon 24 hours' notice.

B. The initial permit shall be valid for one year and each renewal permit shall be valid for one year.

C. To the extent permitted by law, any personal or medical information submitted with a medical marijuana cultivation permit application or permit extension shall be kept confidential and shall only be used for purposes of administering this chapter.

D. The Chief of Police, or his or her designee, may, in his or her discretion, deny any application for a medical marijuana cultivation permit, or extension thereof, where he or she finds, based on articulated facts, that the issuance of such permit, or extension thereof, would be detrimental to the public health, safety, or welfare. A prior criminal conviction for a drug-related offense by the permit applicant shall be grounds for denial. The Chief of Police shall deny an application for a medical marijuana cultivation permit, or extension thereof, that does not demonstrate satisfaction of the minimum requirements of this chapter. Such denial shall be given to the applicant in writing and shall describe the grounds for the denial.

E. A person who is denied a marijuana cultivation permit under this section may appeal such denial within 10 days of the date the Chief of Police issues the written denial required by subsection (D) of this section.

F. Upon timely request by the person requesting the marijuana cultivation permit, the appeal hearing process and related procedures of a denial of its permit pursuant to this section shall proceed pursuant to the provisions of this Title 17.

G. The finance director may establish a fee or fees required to be paid upon filing of an application for permit(s) as provided by this chapter, which fees shall not exceed the reasonable cost of administering this chapter.

17.140.050 Public nuisance.

It is hereby declared to be unlawful for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Nevada City to create a public nuisance in the course of cultivating marijuana plants or any part thereof. A public nuisance may be deemed to exist if such activity produces:

A. Odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public;

B. Repeated responses (more than three times in a one-year time period) to the parcel from law enforcement officers;

C. Repeated disruption (more than three times in a one-year time period) to the free passage of persons or vehicles in the neighborhood;

D. Excessive noise in violation of applicable city noise standards in the general plan or municipal code;

E. Any other impacts on the neighborhood which are disruptive of normal activity in the area.

17.140.055 Sale of medical marijuana prohibited.

It shall be unlawful for any person cultivating medical marijuana pursuant to this chapter to sell or offer for sale the marijuana permitted to be grown under this chapter.

17.140.060 Enforcement.

A. The violation of this chapter is hereby declared to be a public nuisance. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed the amount provided in Penal Code Section [19](#), as may be amended from time to time, by imprisonment in the county jail not to exceed six months, or by both a fine and imprisonment.

B. A violation of this chapter may be abated by the city attorney by the prosecution of a civil action for injunctive relief and by the abatement procedure set forth in Chapter 8.04 NCMC.

C. Abatement Procedure. The code enforcement officer and/or the Chief of Police, or his or her designee (hereafter the “enforcement official”), are hereby authorized to order the abatement of any violation of this chapter by following the abatement procedure as defined in Chapter [8.04](#) NCMC. In addition, the enforcement official may require the property owner or tenant to personally abate/remove all medical marijuana plants and improvements to the property that exceed the limits set by this chapter.

17.140.070 Penalty for violation.

A. Cultivation of marijuana on parcels within the city that does not comply with this chapter is a misdemeanor subject to the penalties and enforcement as provided in NCMC sections [1.12.010](#).

B. The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any others, including those in NCMC section [1.12.010](#) and Chapter [8.04](#) NCMC, and none of these penalties and remedies prevents the city from using any other remedy at law or in equity which may be available to enforce this chapter or to abate a public nuisance.