



**REGULAR CITY COUNCIL MEETING
MEETING AGENDA
WEDNESDAY, FEBRUARY 10, 2016**

**Closed Session Meeting – 6:00PM
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.

CLOSED SESSION MEETING – 6:00PM

- 1) Pursuant to Government Code Section 54956.9 the City Attorney is requesting a closed session conference to discuss and confer on the appeal of litigation involving the City in the case of Friends of Spring Street vs. Nevada City, et al, Nevada County Superior Court Case No. CU15-080911

REGULAR MEETING – 6:30 PM - Call to Order

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

PLEDGE OF ALLEGIANCE

PROCLAMATION:

PRESENTATION:

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 – January 2016

Recommendation: Receive and file.

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

Recommendation: Receive and file.

C. Subject: Award Contract for new Gas/Water Lines at the Nevada City Sewer Plant

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

D. Subject: Award of CABY Contract for the Clear and Grub of the Waterline along Maybert Road within the Washington Water District

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

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – January 27, 2016

B. Special Council Meeting – February 2, 2016

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

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

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** An Ordinance of the City Council of Nevada City, California, Adding Chapter 17.70 to the Nevada City Municipal Code Entitled “Formula Businesses Restrictions and Regulations”
Recommendation: Waive reading, read by title only, and adopt Ordinance 2016-XX adding Chapter 17.70 to the Nevada City Municipal Code Restricting and Regulating Formula Businesses.
- B. Subject:** Sugarloaf Mountain Master Plan
Recommendation: Review and adopt the Final Draft of the Sugarloaf Master Plan; Direct staff to file the Notice of Exemption with the Nevada County Clerk’s Office; Authorize the Mayor to sign Resolution 2016-XX
- C. Subject:** Historic District Designated Smoking Area Receptacles and Signage
Recommendation: Review and approve implementation of staff compliance recommendations, no-smoking receptacles and associated signage for the City’s no-smoking ordinance.

8. NEW BUSINESS:

- A. Subject:** Sierra Roots Inclement Weather Shelter Request
Recommendation: Provide direction to the City Manager.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT

Certification of Posting of Agenda

I, Corey Shaver, Administrative Supervisor for the City of Nevada City, declare that the foregoing agenda for the February 10, 2016 Regular Meeting of the Nevada City City Council was posted February 5, 2016 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 February 5, 2016 at Nevada City, California

_____, Corey Shaver, Administrative Supervisor

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

February 15, 2016	Presidents’ Day Holiday – City Hall Closed
February 24, 2016	Regular City Council Meeting
March 9, 2016	Regular City Council Meeting
March 23, 2016	Regular City Council Meeting
March 31, 2016	Cesar Chavez Day Holiday – City Hall Closed

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.*