



**REGULAR CITY COUNCIL MEETING  
MEETING AGENDA  
WEDNESDAY, MARCH 30, 2016**

**Closed Session Meeting – 5:30 PM  
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  
Terri Andersen, Council Member**

**Evans Phelps, Vice Mayor  
Duane Strawser, Council Member**

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The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2<sup>nd</sup> and 4<sup>th</sup> 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 – 5:30 PM**

Pursuant to Government Code Section 54956.8 Real Property Transactions: Closed meeting with negotiators, City Manager Mark Prestwich, Contract City Attorney Hal DeGraw to participate in negotiations with representatives of Sierra Fund regarding purchase and/or terms of acquisition of property identified as APN 05-100-69 and 97 (portions).

Pursuant to Government Code Section 54956.9(d)(2) the Contract City Attorney is requesting a Closed Session regarding a significant exposure to litigation in one potential case.

**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:** Fire Activity Report – February 2016

**Recommendation:** Receive and file.

**B. Subject:** Award Contract for Water Plant Improvements in Nevada City

**Recommendation:** Pass Resolution 2016-XX 1) Finding the project categorically exempt pursuant to CEQA Guideline §15306, and 2) Awarding a Contract for a Fixed Price, Not to Exceed Amount of \$50,000 based on a rate for labor of \$70.00 per hour plus actual direct cost for materials to E.R Harries Construction of Nevada City, CA and Authorize Mayor to sign.

**C. Subject:** Offer of Dedication of Public Utility Easement for Inn Town Campground on City-owned property at #5 Kidder Court used by the Nevada County Narrow Gauge Railroad and Transportation Museum

**Recommendation:** Approve and Authorize the Mayor to sign the attached easement document where indicated to grant a non-exclusive easement for Public Utility Purposes across City-owned property at #5 Kidder Court to the Inn Town Campground.

### 4. APPROVAL OF ACTION MINUTES:

**A. City Council Meeting – March 9, 2016**

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

- A. Subject:** Memorial Bench Request for Pioneer Park  
**Recommendation:** Approve a bench with plaque to be placed in memory of Dr. Galen Martin at Pioneer Park.
- B. Subject:** 2015 Year in Review - Police Department (Oral Report)  
**Recommendation:** Receive and file.
- C. Subject:** June 7, 2016 Municipal Election Update (Oral Report)  
**Recommendation:** Receive and file.

**6. PUBLIC HEARINGS:**

- A. Subject:** Appeal of Planning Commission Decision to Deny the Architectural Review Application of Charlotte Dewar to Construct a Front Entry Façade on the Accessory Building located at 254 Boulder Street  
**Recommendation:** After holding a public hearing, Council shall make a decision whether to uphold, overturn or modify the Planning Commission decision to deny the Architectural Review Application.
- B. Subject:** An Ordinance of the City of Nevada City Imposing a 3/8 of 1% Transactions and Use Tax for Special Purposes (First Reading / Requires 4/5<sup>th</sup>s Vote)  
**Recommendation:** Hold a public hearing and first reading of a proposed Special Tax Ordinance imposing a 3/8 of 1% Transactions and Use Tax for Special Purposes effective upon voter approval.

**7. OLD BUSINESS:**

**8. NEW BUSINESS:**

- A. Subject:** Review of Draft 2016 Nevada City Community Survey  
**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 March 30, 2016 Regular Meeting of the Nevada City City Council was posted March 25, 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](http://www.nevadacityca.gov).

Signed this March 25, 2016 at Nevada City, California

\_\_\_\_\_, Corey Shaver, Administrative Supervisor

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

March 31, 2016	Cesar Chavez Day Holiday – City Hall Closed
April 13, 2016	Regular Council Meeting
April 27, 2016	Regular Council Meeting
May 11, 2016	Regular Council Meeting
May 18, 2016	Special Council Meeting – Budget Workshop
May 25, 2016	Regular Council Meeting
June 7, 2016	Municipal Election
June 8, 2016	Regular Council Meeting
June 22, 2016	Regular Council Meeting

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.*