



**REGULAR CITY COUNCIL MEETING  
MEETING AGENDA  
WEDNESDAY, MAY 11, 2016**

**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.

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

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

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** Proclaiming May as Preservation Month

**PRESENTATION:** Presentation by Kiwanis Club for Pioneer Park Bike Rack

**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:** County of Nevada AB1600 Recreation Mitigation Funding Grant Agreement  
**Recommendation:** Authorize the Mayor to sign the Park & Recreation Mitigation Fees FY 2015/2016 Grant Agreement (City of Nevada City Pioneer Park Picnic Area Improvements)
- B. Subject:** Recognition Sign for Bike Rack at Pioneer Park  
**Recommendation:** Approve language on the sign as presented in staff report.
- C. Subject:** Request for In-Kind Sponsorship of Nevada City Film Festival Summer "Movies Under the Pines, Outdoor Film Series"  
**Recommendation:** Approve request to provide in-kind sponsorship of Nevada City Film Festival's summer "Movies Under the Pines Outdoor Film Series" in the form of allowing use of Pioneer Park Band Shell and adjacent field at no charge on June 4, July 9 and August 27, 2016.
- D. Subject:** Conflict of Interest Code Policy Update  
**Recommendation:** Pass Resolution 2016-XX updating the Conflict of Interest Code policy.

## 4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – April 27, 2016

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

## 6. PUBLIC HEARINGS:

## 7. OLD BUSINESS:

**8. NEW BUSINESS:**

**A. Subject:** Consideration of Modifying Chapter 5.32 Licensure of Tobacco Retailers and Regulations Related to Vaping Lounge Uses

**Recommendation:** Provide direction to staff regarding 1) whether to amend Chapter 5.32, Licensure of Tobacco Retailers, to update the “definitions” section in a manner that would capture e-cigarettes and vaping products, 2) whether to consider a cap on the number of tobacco retail licenses permitted in the City, and 3) whether to have the Planning Commission consider prohibition of vaping lounge uses within zoning designations throughout the City.

**B. Subject:** Sewer Utility Billing Calculation Correction

**Recommendation:** Receive, file and authorize collection of under charged accounts over a two-year period.

**9. CORRESPONDENCE:**

**10. ANNOUNCEMENTS:**

**11. CITY MANAGER’S REPORT:**

**A. Subject:** City Council Transition

**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 May 11, 2016 Regular Meeting of the Nevada City City Council was posted May 6, 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 May 6, 2016 at Nevada City, California

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

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

May 18, 2016	Special Council Meeting – Budget Workshop (9:00AM)
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.*