



**REGULAR CITY COUNCIL MEETING  
MEETING AGENDA  
WEDNESDAY, November 14, 2018**

**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.*

**David Parker, Mayor**

**Duane Strawser, Council Member**

**Erin Minett, Council Member**

**Reinette Senum, Vice Mayor**

**Valerie Moberg, 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 – None**

**Under Government Code Section 54950 members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.**

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

**Roll Call:** Mayor Parker, Vice Mayor Senum, Moberg, Minett & Strawser

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS:** "Nevada County Food and Toy Run Day" – December 8<sup>th</sup>, 2018

## **PRESENTATIONS:**

- A. Introduction of New Firefighter – Alex Otani
- B. City Clerk, Niel Locke - Nisenan

## **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 – October 2018  
**Recommendation:** Receive and file.

- B. **Subject:** Accounts Payable Activity Report – October 2018  
**Recommendation:** Receive and file.

- C. **Subject:** Side Letter No. 4 to The Nevada City Police Officers Association (NCPOA) and Side Letter No. 1 to the Nevada City Police Supervisors Association (NCPSA) Memorandum Of Understanding (MOU) – Moving the Classification of Sergeant from the NCPSA MOU to the NCPOA MOU  
**Recommendation:** Review and approve Side Letter No. 4 to the City of Nevada City Police Officers Association (NCPOA) Memorandum of Understanding (MOU) and Side Letter No. 1 to the Nevada City Police Supervisors Association (NCPSA) moving the classification of Sergeant from the NCPSA MOU to the NCPOA MOU.

- D. **Subject:** Award of Contract for Sacramento Street Sewer Line Improvements in Nevada City  
**Recommendation:** Pass Resolution 2018-XX awarding a contract to Peter Schack Construction Engineering in the amount of \$38,300.00 plus \$6,000.00 in contingencies for Sacramento Street Sewer Line Improvements in Nevada City and authorize the Mayor to sign.

- E. **Subject:** Award of Contract for City Hall Roof Restoration in Nevada City

**Recommendation:** Pass Resolution 2018-XX awarding a contract to MCM Roofing Company, Inc. in the amount of \$45,346.00 plus \$4,500.00 in contingencies for City Hall Roof Restoration in Nevada City and authorize the Mayor to sign.

**F. Subject:** Award of Contract for Paving at 775 Zion Street in Nevada City

**Recommendation:** Pass Resolution 2018-XX awarding a contract to C&D Construction in the amount of \$39,500 plus \$4,000 contingencies for Paving at 775 Zion Street and authorize the Mayor to sign.

#### **4. APPROVAL OF ACTION MINUTES:**

**A.** City Council Meeting – October 24, 2018

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

**A. Subject:** FY 17/18 4<sup>th</sup> Quarter Financials

**Recommendation:** Receive and file.

**B. Subject:** Pay Scale for Temporary Parks & Recreation Employees

**Recommendation:** Pass Resolution 2018-XX approving the proposed Parks & Recreation pay scale for 2019.

#### **6. PUBLIC HEARINGS:**

**A. Subject:** Swimming Pool Program Fees Update

**Recommendation:** Conduct a Public Hearing and upon conclusion pass Resolution 2018-XX to adjust fees for Swimming Pool Programs.

**B. Subject:** Facility Rental Fees Update

**Recommendation:** Conduct a Public Hearing and upon conclusion pass Resolution 2018-XX to adjust fees for Bandshell rentals and update all Facility Rental fees to include \$10 Police Department fee for alcohol permit requests, \$25 Set-up and Clean-up fees and \$100 fee for a lost key.

**C. Subject:** Ordinance to Regulate Wireless Telecommunications Facilities in the Right of Way

**Recommendation:** Hold a Public Hearing and introduce by title only, and waive full reading of the ordinance, for first reading of an Ordinance Amending the Nevada City Municipal Code to add Chapter 17.150 entitled “Wireless Telecommunication Facilities in the Right of Way”.

#### **7. OLD BUSINESS:**

**A. Subject:** Extension of Urgency Interim Ordinance 2018-08 to Regulate Wireless Telecommunications Facilities in the Right of Way

**Recommendation:** Hold a Public Hearing, waive full reading, and adopt by title only, via a 4/5 roll call vote, an extension to the urgency ordinance entitled, “Ordinance to Extend the Existing Urgency Interim Ordinance 2018-08 of the City of Nevada City Temporarily

Adding Chapter 17.150 to the Municipal Code, Entitled ‘Wireless Telecommunications Facilities in the Right of Way’”.

**B. Subject:** Update on Proposed Wastewater Rate Adjustment and Proposition 218 Notice  
**Recommendation:** Review Proposed Alternative C Wastewater Rate Adjustment and Proposition 218 Notice.

**C. Subject:** Staff Provided Areas of Concern to Consider Prior to Approving Amendment Removing Medical-Only Restriction on Cannabis Dispensaries and Other Cannabis Businesses.  
**Recommendation:** Review and consider staff provided areas of concern before acting on amendments to cannabis regulations to allow adult use.

**D. Subject:** An Ordinance of the City of Nevada City Repealing and Re-enacting Chapter 9.22 of Title 9 of the Nevada City Municipal Code Entitled “Medical Cannabis Dispensaries and Other Cannabis Businesses and Activity” and Renaming it “Cannabis Dispensaries and Other Cannabis Businesses and Activity”; Amending Chapter 17.142 Entitled “Medical Cannabis Uses and Activity” and Renaming it “Cannabis Uses and Activity” to Allow Adult-Use for Businesses and Activities Previously Restricted to Medical-only; and Amending Sections 17.36.020, 17.40.020, and 17.48.020 (principal permitted uses in LB, GB, and LI zones) in Title 17 to Reflect the Amendment  
**Recommendation:** Subsequent to considering staff provided areas of concern, decide whether to proceed by either referring Ordinance 2018-XX to the Planning Commission for its recommendation or commencing adoption by waiving reading of Ordinance, reading title only and introducing for first reading.

**E. Subject:** Traffic Study for the National Alley  
**Recommendation:** Review the Traffic Study based on a proposal by the owner of the National Hotel to vacate National Alley as a public roadway, provide staff direction on whether or not to proceed with environmental review pursuant to the California Environmental Quality Act (CEQA) and whether or not to proceed with safety reports from the Fire and Police Departments as previously requested by Council.

## **8. NEW BUSINESS:**

**A. Subject:** A Resolution of the City Council of the City of Nevada City, State of California, Authorizing Temporary Issuance of Cannabis Permits for Adult Use  
**Recommendation:** If decided to move forward with the process to adopt an Ordinance allowing adult use of cannabis as well as medical, pass attached Resolution 2018-XX Temporary Issuance of Cannabis Permits for Adult Use.

## **9. CORRESPONDENCE:**

## **10. ANNOUNCEMENTS:**

## **11. CITY MANAGER’S REPORT:**

## 12. ADJOURNMENT

### **Certification of Posting of Agenda**

I, Loree' McCay, Administrative Services Manager/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the November 14<sup>th</sup>, 2018 Regular Meeting of the Nevada City City Council was posted November 9<sup>th</sup>, 2018 at the entrance of City Hall. The agenda is also posted on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov).

Signed November 9<sup>th</sup>, 2018, at Nevada City, California

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Loree' McCay, Administrative Services Manager/Deputy City Clerk

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

November 12, 2018	Veterans Day - Observed
November 14, 2018	Regular Council Meeting
November 22-23, 2018	Thanksgiving Holiday
December 12, 2018	Regular Meeting
December 25, 2018	Christmas Holiday
January 1, 2018	New Year's Day
January 9, 2018	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.*