



**REGULAR CITY COUNCIL MEETING  
MEETING AGENDA  
WEDNESDAY, DECEMBER 12, 2018**

**Closed Session – 6:00 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.*

**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 – 6:00 PM**

1. Pursuant to Government Code Section 54957(b)(1) a closed session is requested with City Manager Catrina Olson, the and City Attorney Hal DeGraw on a personnel matter related to the Police Chief position.

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:**

## PRESENTATIONS:

- A. Introduction of New Firefighter – Alex Otani

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

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

- C. **Subject:** Review and Approve the Purchase of Radar Units for Installation in Patrol Vehicles and a Speed Monitoring Mobile Radar Trailer  
**Recommendation:** Approve the request for the Police Department to purchase radar units for installation in the patrol vehicles and a speed monitoring mobile radar trailer.

- D. **Subject:** Nevada City Chinese New Year Parade and Festival Street Closure Request  
**Recommendation:** Review and authorize Nevada City Chinese New Year Parade and Festival street closure request per application.

- E. **Subject:** Bear Yuba Land Trust (BYLT) Trail Maintenance Contract  
**Recommendation:** Pass Resolution 2018-XX and authorize the City Manager to sign the 2019 Trail Maintenance Contract.

- F. **Subject:** Bench and Plaque for Placement on Hirschman Trail  
**Recommendation:** Approve the requested plaque wording.

**G. Subject:** Award of Contract for Pioneer Park Tennis Court Bathroom Improvements in Nevada City  
**Recommendation:** Pass Resolution 2018-XX awarding a contract to Barsotti Contracting in the amount of \$65,200.00 plus \$7,000.00 in contingencies for Pioneer Park Tennis Court Bathroom Improvements in Nevada City and authorize the Mayor to sign.

**H. Subject:** Authorization for Procurement for Nevada City Water Plant Chlorine System  
**Recommendation:** Authorize the City Manager or designee to sign purchase orders for the procurement of Nevada City Water Plant Chlorine System in the amount of \$31,706.20 plus \$2,000.00 in contingencies for Nevada City Water Plant Chlorine System in Nevada City.

**4. APPROVAL OF ACTION MINUTES:**

**A.** City Council Meeting – November 14, 2018

**B.** Special City Council Meeting – November 20, 2018

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

**A. Subject:** Monthly Update On City Council Six-Month Strategic Objectives  
**Recommendation:** Receive and file.

**B. Subject:** Year End Update for Ongoing Citywide Projects  
**Recommendation:** Review and recommend further direction/next steps on presented projects if desired.

**C. Subject:** Revised City of Nevada City Special Event Application/Contract  
**Recommendation:** Review and approve the revised City of Nevada City Special Event Application/Contract and Event Guidelines.

**6. PUBLIC HEARINGS:**

**A. 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”.

**B. Subject:** A Public Hearing and Pass Resolution 2018-XX Establishing a 5-Year Wastewater Rate Structure with Scheduled Annual Incremental Increases  
**Recommendation:** Hold a Public Hearing and Pass Resolution 2018-XX establishing a 5-year wastewater rate structure with scheduled annual incremental increases.

## 7. OLD BUSINESS:

- A. 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:** Introduce for a second reading an Ordinance 2018-XX repealing and re-enacting Chapter 9.22 of Title 9 of the Nevada City Municipal Code, to allow adult-use cannabis businesses in addition to medical businesses to operate within City limits in appropriate zoning designations, as outlined in the above Title; waive reading of the Ordinance; read title only, and adopt the Ordinance.
- B. Subject:** An Ordinance of the City of Nevada City Adding Chapter 8.06 of the Nevada City Municipal Code Addressing Unlawful Panhandling  
**Recommendation:** Waive reading of Ordinance, read title only and introduce for first reading.
- C. Subject:** Approve Improvements for a Kiosk and Rail Exhibit at Clamper’s Square  
**Recommendation:** Approve a Notice of Exemption improvements to the Clamper’s Square.

## 8. NEW BUSINESS:

- A. Subject:** Request for Council Review and Consideration of Grievance by Firefighter Michael Chau Regarding Incentive Pay Requirements and City Manager’s Decision Thereon  
**Recommendation:** Commence conducting a review of the grievance, determining the best means to conduct a review of the facts and issues and determine if any further investigation is needed and set a date for rendering a decision or render a decision if nothing else is needed.
- B. Subject:** Resolution Approving Application of Cal Fire – Fire Prevention Grant  
**Recommendation:** Pass Resolution 2018-XX Approving a Notice of Exemption (NOE), Pass Resolution 2018-XX Approving the Cal Fire Environmental Review Report, and Pass Resolution 2018-XX Approving Application of Cal Fire – Fire Prevention Grant and authorize the Mayor to sign.
- C. Subject:** Proposition 68 Funding: California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018  
**Recommendation:** Choose top priority projects and direct staff on how to proceed with participation in the grant application process.

**D. Subject:** Vegetation Management on City Owned Properties – Prescriptive Grazing “Goat Brigade”

**Recommendation:** Review progress made regarding vegetation management on City owned properties with the use of the “Goat Brigade” for prescriptive grazing and approve recommended next steps on presented project locations.

**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 December 12<sup>th</sup>, 2018 Regular Meeting of the Nevada City City Council was posted December 7<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 December 7<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**

December 12, 2018	Regular Meeting
December 25, 2018	Christmas Holiday
January 1, 2018	New Year’s Day
January 9, 2018	Regular Council Meeting
January 23, 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.*