

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF FEBRUARY 28, 2018**

NOTE: This meeting is available to view on the City's website www.nevadacityca.gov – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. For website assistance, please contact Loree' McCay, Deputy City Clerk at (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

CLOSED SESSION – 6:00 PM

1. Pursuant to Government Code Section 54956.9(d)(2) the City Attorney Hal DeGraw is requesting a closed session regarding significant exposure to litigation in one potential case.
2. Pursuant to Government Code Section 54957(b)(1) a closed session is requested with City Manager Catrina Olson and City Attorney Hal DeGraw on a personnel matter.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Present: Moberg, Senum, Vice Mayor Parker, & Mayor Strawser
Absent: Phelps

PLEDGE OF ALLEGIANCE

Consulting City Attorney, Hal DeGraw reported out of Closed Session:

1. Staff to proceed as directed.
2. Staff to proceed as directed.

PROCLAMATIONS: “Thomas A. Coleman Day” – February 28th, 2018

PRESENTATIONS: None

BUSINESS FROM THE FLOOR

1. PUBLIC COMMENT (Per Government Code Section 54954.3)

Please refer to the meeting video on the City's website at www.nevadacityca.gov.

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

3. CONSENT ITEMS:

- A. Subject:** Notice Of Completion For 2017 Measure "S" Paving And Reconstruction Of Various Streets In Nevada City
Recommendation: Pass Resolution 2018-09 approving a Notice of Completion for the construction of 2017 Measure "S" Paving and Reconstruction of Various Streets and authorize Mayor to sign.
- B. Subject:** Notice Of Completion For The Chamber Of Commerce Building Roof In Nevada City
Recommendation: Pass Resolution 2018-10 approving a Notice of Completion for the replacement of the Chamber of Commerce Building Roof and authorize Mayor to sign.
- C. Subject:** Award Of Contract Change Order For Sewer Repairs At West Broad And Various Locations In Nevada City
Recommendation: Pass Resolution 2018-11 awarding a contract change order to CME Services in the amount of \$17,000 for Sewer Repairs at West Broad and Various Locations in Nevada City and authorize the Mayor to sign.

Action: Motion by Parker, seconded by Senum to approve Consent Items 3A – 3C as presented.

(Approved 4 – 0, 1 Absent)

4. APPROVAL OF ACTION MINUTES:

- A. Strategic Planning Meeting – February 7, 2018**

Action: Motion by Senum, seconded by Parker to approve February 7th, 2018 minutes as presented.

(Approved 4 – 0: 1 Absent)

- B. City Council Meeting – February 14, 2018**

Action: Motion by Senum, seconded by Parker to approve February 14th, 2018 minutes after Item 7A was corrected to reflect Moberg's preference of Three (3).

(Approved 4 – 0: 1 Absent)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** 1st Quarter Financial Update, Fiscal Year (FY) 17/18

Recommendation: Receive and file.

Action: Continued to next meeting.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** An Ordinance Of The City Of Nevada City Retitling And Amending Section 9.22.110 Of Chapter 9.22 Of The Nevada City Municipal Code, Entitled 'Additional Requirements For Cultivation Facilities' Relating To Medical Cannabis Dispensaries And Other Cannabis Businesses And Activity
Recommendation: Provide direction to staff on whether or not bring back for a first reading the attached Ordinance No. 2018-XX retitling and amending Section 9.22.110 of Chapter 9.22 of the Nevada City Municipal Code for the purpose of limiting cultivation sizes that may be permitted within city limits.

Action: Council directed staff to draft amended language for existing Ordinance 2017-10 to prohibit medical cannabis cultivation businesses.

- B. Subject:** Review City Attorney Memorandum And Consider Drafting An Amendment To Nevada City Municipal Code Section 17.142.030 To Include Language That Addresses The Matter Of Proximity Of Cannabis Businesses To Day Care Centers And Youth Centers And Define Terms
Recommendation: Review City Attorney memorandum and provide direction to the City Manager and City Attorney to draft language regarding separation from day care centers and youth centers with a definition of these terms amending Nevada City Municipal Code section 17.142.030.

Action: Staff was directed to bring back several options regarding separation from day care centers and youth center and a definition for these terms.

8. NEW BUSINESS:

- A. Subject:** Consideration Of A Proposal By Owner Of National Hotel To Vacate National Alley As A Public Roadway
Recommendation: In conformance with Section 65402 of the Government Code, City Council directs Planning Commission to review the application for vacation of National Alley and its conformance with the General Plan. This shall include a public hearing, CEQA Environmental Assessment and a review of applicable policies, regulations and mitigation measures. The Planning Commission shall provide recommendation to the City Council for vacation of the alley with conditions of approval within forty (40) days after the matter is submitted to it.

Action: Motion by Senum, seconded by Moberg to approve as presented.
(Approved 4 – 0: 1 Absent)

- B. Subject:** LAFCo Review Of The Nevada City Sphere Of Influence (SOI)

Update

Recommendation: Receive and file.

Action: None

C. Subject: Resolution Of Intent Of The City Of Nevada City To Annex Those Properties Already Served With City Sewer And Intervening Properties For Which City Services Are Readily Available: H.E.W. Property And Adjacent Properties; Cemetary Properties On Red Dog Road And Park Avenue Extension And Adjacent Properties; Caltrans Property And Adjacent Properties; And The Nevada County Juvenile Hall And Adjacent Properties

Recommendation: Adopt Resolution 2018-12 of Intent to Annex those properties already served with City sewer and intervening/adjacent properties for which city services are readily available.

Action: Motion by Moberg, seconded by Senum to approve as presented.

(Approved 4 – 0: 1 Absent)

D. Subject: Nevada City Three-Year Goals And Six-Month Strategic Objectives

Recommendation: Review and approve City of Nevada City three-year goals and six-month strategic objectives.

Action: Motion by Senum, seconded by Parker to approve as presented.

(Approved 4 – 0: 1 Absent)

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

Please refer to the meeting video on the City's website at www.nevadacityca.gov.

11. CITY MANAGER'S REPORT:

12. ADJOURNMENT – 9:18 pm



Duane Strawser, Mayor

ATTEST:



Niel Locke, City Clerk