

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF MARCH 10, 2021**

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 Gabrielle Christakes, 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 – 5:30 PM - Closed session adjourned at 6:28PM

Threat to Public Services or Facilities (Government Code Section 54957)
Consultation with Interim City Manager and City Attorney (COVID-19 Update)

- A. Pending litigation (Government Code Section 54956.9(d)(1)) the case of Ken Paige and Nevada County Restaurant Coalition v. City of Nevada City and City Council of City of Nevada City, Nevada County Superior Court Case No. CU20-085158.

Actions: No reportable action taken.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Present: Mayor Minett, Vice Mayor Strawser, Council Members Fernández, Fleming and Petersen

PLEDGE OF ALLEGIANCE:

PROCLAMATIONS: “Melinda Solis Day”-March 14th, 2021

PRESENTATIONS: April Citywide Cleanup Update – Jessie Locks

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 AND FUTURE AGENDA ITEMS:

3. CONSENT ITEMS:

A. Subject: Accounts Payable Activity Report – February 2021

Recommendation: Receive and file.

B. Subject: Action Minutes February 24, 2021 Regular City Council Meeting

Recommendation: Review and approve Regular City Council Meeting action minutes of February 24, 2021.

C. Subject: Award of Contract for Nivens Street Sewer Improvement

Recommendation:

- Award the Nivens Street Sewer Improvement construction contract to PSCE in the amount of \$29,160.20
- Authorize the execution of the construction contract with PSCE
Authorize the expenditure in a not-to-exceed amount of \$29,160.20 including 15% contingency for the construction.

D. Subject: Nevada City Farmer's Market Street Closure Request

Recommendation: Review and authorize Nevada City Farmers Market street closure request per application.

Action: Council Member Petersen Pulled Item 3C from Consent for clarification of referenced 15% contingency as additional monies. Motion by Strawser, seconded by Fleming to approve consent item C as presented.

(Approved 5-0, - Roll call votes ayes; Minett, Strawser, Petersen, Fernández, Fleming)

Action: Motion by Strawser, seconded by Petersen to approve consent items A, B and D as presented.

(Approved 5-0, - Roll call votes ayes; Minett, Strawser, Petersen, Fernández, Fleming)

4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

5. PUBLIC HEARINGS:

- A. Subject:** Appeal of Planning Commission Decision to Deny a Variance from Development Performance Standards and Historic District Signage Standards as Proposed by Representatives of the National Exchange Hotel for the Property Located at 211 Broad Street, Nevada City

Recommendation: After holding a public hearing, Council shall make a decision whether to uphold, overturn or modify the Planning Commission decision to deny the Variance from Development Performance standards and Historic District Signage standards.

Action: Motion by Strawser, seconded by Fernández to uphold the Planning Commission decision to deny the Variance from Development Performance standards and Historic District Signage standards

(Approved 5-0, - Roll call votes ayes; Minett, Strawser, Petersen, Fernández, Fleming)

6. OLD BUSINESS:

7. NEW BUSINESS:

- A. Subject:** Cannabis Cultivation Ordinance – Amendment to allow indoor mature plant cultivation

Recommendation:

1. Adopt Resolution 2021-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY ADOPTING A NOTICE OF EXEMPTION (Zoning Code Amendment – Chapter 9.22, Commercial Mature-Plant Cannabis Cultivation)

2. Adopt Resolution 2021-XX A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY ADOPTING ORDINANCE 2021-03 AMENDING CHAPTER 9.22 OF THE NEVADA CITY MUNICIPAL CODE RELATING TO RESTRICTIONS ON COMMERCIAL CANNABIS BUSINESSES AND ALLOWING LIMITED MATURE PLANT CULTIVATION AS AN ACTIVITY THAT MAY OCCUR UNDER THE CITY'S CANNABIS CULTIVATION.

Action: Motion by Fleming, seconded by Petersen to conduct first reading by title only of Ordinance

2021-03 and 2021-XX and set for second reading and adoption at the next regular meeting of the city council and adopted Resolution 2021-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY ADOPTING A NOTICE OF EXEMPTION (Zoning Code Amendment – Chapter 9.22, Commercial Mature-Plant Cannabis Cultivation.)

(Approved 5-0, - Roll call votes ayes; Minett, Strawser, Petersen, Fernández, Fleming)

8. CORRESPONDENCE:

9. ANNOUNCEMENTS:

10. CITY MANAGER'S REPORT: None

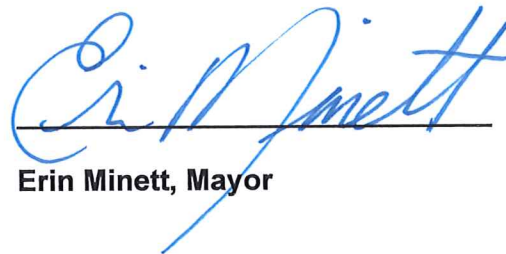
11. ADJOURNMENT: - 9:38 PM

AYES: MINETT, STRAWSER, FERNÁNDEZ, FLEMING, PETERSEN

NOES:

ABSTAIN:

ABSENT:



Erin Minett, Mayor

ATTEST:



Niel Locke, City Clerk