

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF APRIL 11, 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 – 6:15 PM

1. 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, Phelps, Senum, Vice Mayor Parker, & Mayor Strawser

PLEDGE OF ALLEGIANCE

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

1. The City has finished interviews for Police Chief and hope to make an announcement shortly.

PROCLAMATIONS:

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:** Accounts Payable Activity Report – March 2018
Recommendation: Receive and file.

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

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

C. Subject: 3rd Quarter 2017 Sales Tax Update

Recommendation: Receive and file.

D. Subject: Award Of Contract For Adams Street And Nile Street Improvements In Nevada City

Recommendation: Pass Resolution 2018-18 Awarding a contract to Simpson & Simpson Inc. in the amount of \$404,763.00 plus \$35,000.00 contingencies for Adams Street and Nile Street Improvements in Nevada City and authorize the Mayor to sign.

E. Subject: Award Of Contract For Sewer Replacement At Sacramento Street In Nevada City

Recommendation: Pass Resolution 2018-19 Awarding a contract to Escherman Construction in the amount of \$42,818.63 plus \$8,000.00 contingencies for Sewer Replacement at Sacramento Street in Nevada City and authorize the Mayor to sign.

F. Subject: Award Of Contract For Water Replacement At Jordan Street In Nevada City

Recommendation: Pass Resolution 2018-20 Awarding a contract to C&D Contractors, Inc. in the amount of \$26,530.00 plus \$4,000.00 contingencies for Water Replacement at Jordan Street in Nevada City and authorize the Mayor to sign.

G. Subject: A Resolution Of The City Council Of Nevada City To Adopt A Determination Of A CalPERS Member's Industrial Disability Retirement For Police Officer Shane Franssen

Recommendation: Pass Resolution 2018-16 to adopt a determination of CalPERS member's industrial disability retirement for Police Officer Shane Franssen.

H. Subject: A Resolution Of The City Council Of Nevada City To Adopt A Determination Of A CalPERS Member's Industrial Disability Retirement For Police Officer Gary Scott Clendenen

Recommendation: Pass Resolution 2018-17 to adopt a determination of CalPERS member's industrial disability retirement for Police Officer Gary Scott Clendenen.

I. Subject: Award Of Contract For Water Repairs At 317 Broad Street In Nevada City

Recommendation: Pass Resolution 2018-21 Awarding a contract to Springsteen Construction in the amount of \$10,104.00 plus \$2,000.00 contingencies for Water Repairs at 317 Broad Street in Nevada City and authorize the Mayor to sign.

J. Subject: Award Of Contract Change Order For Professional Environmental Consulting Services For Nevada Street Bridge Over Deer Creek In Nevada City

Recommendation: Pass Resolution 2018-22 awarding a contract change order to LSA Associates, Inc. in the amount of \$9,000 for Professional Environmental Consulting Services for Nevada Street Bridge in Nevada City and authorize the Mayor to sign.

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

(Approved 5 – 0)

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – March 28th, 2018

Action: Motion by Senum, seconded by Parker to approve March 14th, 2018 Minutes as presented.

(Approved 5 – 0)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: Monthly Update On City Council Six-Month Strategic Objectives

Recommendation: Receive and file.

Action: Receive and file.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

A. Subject: Progress Report For Design Of Nevada Street Bridge Replacement Project In Nevada City

Recommendation: No action requested.

Action: No action.

B. Subject: Final Map Check For Recordation Of The Tentatively Approved Nevada City Tech Center Phase 3 Final Map For Subdivision Into Three (3) Commercial Lots

Recommendation: After reviewing and considering the approved Mitigation Measures and Conditions of Approval, adopt Resolution 2018-23 to approve for filing the Final Map for Nevada City Tech. Center LLC – Phase 3 and authorize the Mayor to sign the map.

Action: Motion by Phelps, seconded by Parker to adopt Resolution 2018-23 to approve for filing the Final Map for Nevada City Tech. Center LLC – Phase 3 and authorize the Mayor to sign the map.

C. Subject: LAFCo Meeting Update

Recommendation: Receive and file.

Action: No action.

D. Subject: Medical Cannabis Business Permit Format And Indemnification Agreement

Recommendation:

- Review the draft Indemnification Agreement prepared by the City Attorney and provide direction.
- Make a motion to pass Resolution 2018-24, authorizing a permit format to be used for permitting any qualifying medical cannabis business.
- Make a motion to pass Resolution 2018-25 establishing a fee deposit for issuance of permits to qualifying medical cannabis businesses.

Action: Motion by Senum, seconded by Evans to adopt Resolution 2018-24, authorizing a permit format to be used for permitting any qualifying medical cannabis business.

(Approved 5 – 0)

Action: Motion by Senum, seconded by Evans to adopt Resolution 2018-25, establishing a fee deposit for issuance of permits to qualifying medical cannabis businesses.

(Approved 5 – 0)

E. Subject: An Ordinance Of The City Of Nevada City Amending Chapter 9.22 Of The Nevada City Municipal Code Relating To Restrictions On Medical Commercial Cannabis Businesses And Limiting Activity That May Occur Under The City's Medical Cannabis Cultivation Permit

Recommendation: Hold a first reading for an Ordinance amending Chapter 9.22.110 with Subsection H, allowing activities related to nursery growing of immature plants and allowing processing of cannabis flower within city limits and adding Chapter 9.22.115 to prohibit commercial medical cannabis cultivation activities related to growing mature plants.

Action: First Reading of Ordinance Waived and read Title only.

8. NEW BUSINESS:

A. Subject: Review Of Community And Economic Support Program Applications

Recommendation: Review proposals and provide direction related to the funding requests and the amount of funding to incorporate into the Fiscal Year 2018/19 budget.

Action: Staff was directed to include in the FY 18/19 budget \$1000 for the Nevada City Tree Tour and \$3,000 for the Nevada City Bicycle Classic and \$1,000 for the Sargent 19th amendment in support of the Community and Economic Support Program applications received by the City.


9. CORRESPONDENCE: Regarding Medical Cannabis Business Applications

10. ANNOUNCEMENTS:

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

11. CITY MANAGER'S REPORT:

12. ADJOURNMENT – 9:01pm


Duane Strawser, Mayor

ATTEST:


Niel Locke, City Clerk