

**CITY OF NEVADA CITY  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF MAY 11, 2016**

**NOTE:** This meeting is available to view on the City's website [www.nevadacityca.gov](http://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 Corey Shaver, 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.

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

**Roll Call:** Present: Andersen, Bergman, Strawser, Vice Mayor Phelps, & Mayor Ray

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** National Preservation Month – May 2016

**PRESENTATION:** Kiwanis Club for Pioneer Park Bike Rack

**1. BUSINESS FROM THE FLOOR-PUBLIC COMMENT (Per Government Code Section 54954.3)**

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

**2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov) for additional comments.

**3. CONSENT ITEMS:**

- A. Subject:** County of Nevada AB1600 Recreation Mitigation Funding Grant Agreement  
**Recommendation:** Authorize the Mayor to sign the Park & Recreation Mitigation Fees FY 2015/2016 Grant Agreement (City of Nevada City Pioneer Park Picnic Area Improvements)
- B. Subject:** Recognition Sign for Bike Rack at Pioneer Park  
**Recommendation:** Approve language on the sign as presented in staff report.
- C. Subject:** Request for In-Kind Sponsorship of Nevada City Film Festival Summer "Movies Under the Pines, Outdoor Film Series"  
**Recommendation:** Approve request to provide in-kind sponsorship of Nevada City Film Festival's summer "Movies Under the Pines Outdoor Film Series" in the form of allowing use of Pioneer Park Band Shell and adjacent field at no charge on June 4, July 9 and August 27, 2016.
- D. Subject:** Conflict of Interest Code Policy Update  
**Recommendation:** Pass Resolution 2016-17 updating the Conflict of Interest Code policy.

**Action:** Motion by Strawser, seconded by Phelps to approve Consent Calendar as presented.  
**(Approved 5 - 0)**

**4. APPROVAL OF ACTION MINUTES:**

- A. City Council Meeting – City Council Meeting – April 27, 2016**

**Action:** Motion by Strawser, seconded by Phelps to approve the April 27, 2016 Minutes.  
**(Approved 5 - 0)**

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

8. NEW BUSINESS:

- A. **Subject:** Consideration of Modifying Chapter 5.32 Licensure of Tobacco Retailers and Regulations Related to Vaping Lounge Uses

**Recommendation:** Provide direction to staff regarding 1) whether to amend Chapter 5.32, Licensure of Tobacco Retailers, to update the "definitions" section in a manner that would capture e-cigarettes and vaping products, 2) whether to consider a cap on the number of tobacco retail licenses permitted in the City, and 3) whether to have the Planning Commission consider prohibition of vaping lounge uses within zoning designations throughout the City.

**Action:** Motion by Strawser, seconded by Andersen to provide direction to staff regarding 1) amend Chapter 5.32, Licensure of Tobacco Retailers, to update the "definitions" section in a manner that would capture e-cigarettes and vaping products, 2) "Cease of Use" clause in the event that one of the four current tobacco retail licenses discontinues operation, and 3) Planning Commission to consider prohibition of vaping lounge uses within zoning designations throughout the City. **(Approved 5 – 0)**

- B. **Subject:** Sewer Utility Billing Calculation Correction

**Recommendation:** Receive, file and authorize collection of under charged accounts over a two-year period.

**Action:** Motion by Strawser, seconded by Phelps to receive, file, and authorize the collection of under charged accounts over a two-year period beginning July 1, 2016.

**(Approved 3 – 2, AYES: Phelps, Strawser, Bergman – NOES: Ray & Andersen)**

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

11. CITY MANAGER'S REPORT:

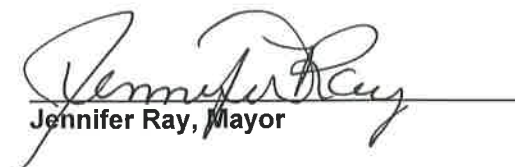
- A. **Subject:** City Council Transition

**Direction:** Staff to explore July 6, 2016 as the meeting date for City Council Transition instead of the Regular Scheduled City Council Meeting of July 13, 2016.

12. ADJOURNMENT – 8:01 p.m.

ATTEST:

  
Niel Locke, City Clerk

  
Jennifer Ray, Mayor