

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF October 10, 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 134.

- 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 54956.9 the City Manager Catrina Olson and City Attorney Hal DeGraw are requesting a closed session conference to confer on litigation involving the City in the case of Jacquelyn Sakioka, Successor in Interest to Estate of Ronson Sakioka v. State of California, County of Nevada, City of Nevada City and Genevieve Dungan, Nevada County Superior Court Case No. CU18-083228.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Present: Moberg, Minett, Strawser, & Mayor Parker
Absent: Vice Mayor Senum via Phone but not part of the quorum

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

PRESENTATIONS:

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 – September 2018
Recommendation: Receive and file.

B. Subject: Amendment No. 2 To A Grant Agreement Between County Of Nevada And City Of Nevada City For Picnic Area Improvements
Recommendation: Authorize the Mayor to sign "Amendment No. 2 to Grant Agreement between County of Nevada and City of Nevada City".

Action: Motion by Strawser, seconded by Minett to approve Consent Items 3A & 3B as presented.

(Approved 4 – 0: 1 Absent)

4. APPROVAL OF ACTION MINUTES:

A. A. City Council Meeting – September 26, 2018

Action: Motion by Strawser, seconded by Minett to approve September 26, 2018 minutes as presented.

(Approved 3 – 0: 1 Absent, 1 Abstain-Moberg)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: Warming Shelter Agreement Between City Of Nevada City And Sierra Roots

Recommendation: Approve the attached Memorandum of Understanding (MOU) between the City of Nevada City and Sierra Roots and authorize the Mayor to sign.

Action: Motion by Strawser, seconded by Minett to approve the attached Memorandum of Understanding (MOU) between the City of Nevada City and Sierra Roots with the support of the Veterans of Foreign Wars (VFW) and authorize the Mayor to sign.

(Approved 4 – 0: 1 Absent)

B. Subject: City Council Meeting Dates For November And December 2018

Recommendation: Discuss potential date changes for the November and December 2018 Council Meetings and approve revised meeting schedule.

Action: Motion by Moberg, seconded by Strawser to approve one meeting in November and one meeting in December set for November 14, 2018 and December 12, 2018.

(Approved 4 - 0: 1 Absent)

C. Subject: : Nevada City In-Town Trails Improvement Task Force Update

Recommendation: Review the In-Town Trails Task Force Update and reaffirm, by motion, the goals and objectives of the Task Force.

Action: An update by Jim Morris and Bob Eitel was given regarding the progress of the In-Town Trails Task Force's goals and objectives. Motion by Strawser, seconded by Moberg to reaffirm the goals and objectives of the Task Force.

(Approved 4 - 0: 1 Absent)

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

A. Subject: A Resolution Amending Passed Resolution 2017-81 Of The City Council Of The City Of Nevada City Approving An Application For Authorization To Access State And Federal Level Summary Criminal History Information For Employment, Volunteers, And Contractors, Licensing Or Certification Purposes

Recommendation: Pass Resolution 2018-61 authorizing the City of Nevada City to access state summary criminal history information for employment (including volunteers and contract employees), licensing, or certification purposes and may not disseminate the information to a private entity.

Action: Motion by Strawser, seconded by Moberg to adopt Resolution 2018-61 with amended language in the final paragraph that reads "licensing and certification of commercial cannabis operations including cultivation, distribution, transportation, manufacturing, testing laboratory

and retailer purposes”.

(Approved 4 - 0: 1 Absent)

B. Subject: Agreement For Center For Municipal Services (CMS) –
Telecommunications Services

Recommendation: Approve the Agreement with Center for Municipal Services (CMS) and authorize the Mayor to sign.

Action: Motion by Strawser, seconded by Minett to approved the Agreement with Center for Municipal Services (CMS) and authorize the Mayor to sign.

(Approved 4 - 0: 1 Absent)

C. Subject: Urgency Interim Ordinance To Regulate Wireless Telecommunications Facilities In The Right Of Way

Recommendation: Waive full reading, and adopt by title only, via a 4/5 roll call vote, an urgency ordinance entitled, “Urgency Interim Ordinance of the City of Nevada City Temporarily Adding Chapter 17.150 to the Municipal Code, Entitled “Wireless Telecommunications Facilities in the Right of Way”.

Action: Motion by Minett, seconded by Strawser to waive full reading and adopt by title only, via a 4/5 roll call vote, and urgency ordinance entitled, “Urgency Interim Ordinance of the City of Nevada City Temporarily Adding Chapter 17.150 to the Municipal Code, Entitled “Wireless Telecommunications Facilities in the Right of Way” with amendments to section B.13 adding that a power density worksheet that discloses technical data, antenna details, desired output and the facility’s distance from nearby structures be included with the required radio frequency (RF) Compliance report and a requirement that proposals for the 7 Hills Business District be subject to a Major Wireless Telecommunications Facility Permit.

(Approved by roll call Mayor Parker, Aye, Vice Mayor Senum - unable to vote, Moberg – Aye, Minett, Aye, Strawser – Aye Approved 4 - 0: 1 Absent)

D. Subject: An Ordinance Of The City Of Nevada City Amending Subsection (4) Of Section 9.22.050 Of Chapter 9.22 And Section 17.142.040 Of Chapter 17.142 Of The Nevada City Municipal Code Pertaining To Permit Renewals And Location Of Medical Cannabis Businesses

Recommendation: Waive reading of Ordinance, read title only and introduce for the second reading.

Action: Motion by Moberg, seconded by Strawser to waive reading of Ordinance, read title only and introduce for a second reading.

(Approved 4 – 0: 1 Absent)

8. NEW BUSINESS:

A. Subject: Provide Staff Direction On The Donation Of A Kiosk And Rail Exhibit At Clamper’s Square

Recommendation: Provide staff direction on next steps in the process for the donation of a kiosk and rail exhibit from the Narrow Gauge Railroad Museum.

Action: Staff direction provided to move the proposed Kiosk and Rail design forward for Planning Commission review.

- B. Subject:** Sewer Rate Study And Proposed Rate Adjustment Alternatives
Recommendation: Review and discuss the three rate adjustment alternatives and direct staff to prepare a 5 Year Sewer Rate Adjustment Resolution and a Proposition 218 notice to inform all property owners of a public hearing to be held 45 days from noticing regarding sewer rate adjustments using staff recommended alternative B.

Action: Staff was directed to move forward in preparing a Proposition 218 notice to inform all property owners of a public hearing to be held 45 days from noticing regarding sewer rate adjustments based on staff prepared option "C" and to create a 5 Year Sewer Rate Adjustment Resolution.

- 9. CORRESPONDENCE:
- 10. ANNOUNCEMENTS:
- 11. CITY MANAGER'S REPORT:
- 12. ADJOURNMENT: - 8:51 PM



David Parker, Mayor

ATTEST:



Niel Locke, City Clerk