

CITY OF NEVADA CITY  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF NOVEMBER 30, 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: Moberg, Parker, Vice Mayor Strawser & Mayor Phelps  
Absent: Council Member Senum

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** Nevada County Food & Toy Run – 25<sup>th</sup> Anniversary – December 10, 2016

**PRESENTATION:**

The City Council received a presentation by Michael Heggarty, Director of Health and Human Services, County of Nevada regarding an overview of homeless services provided by the County.

**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:** Automatic Aid Agreements with Higgins Fire District, Ophir Hill Fire District, Penn Valley Fire District and North San Juan Fire District  
**Recommendation:** Pass a Motion 1) approving agreements providing Automatic Aid from the City of Nevada City to Higgins Fire District, Ophir Hill Fire District, Penn Valley Fire District and North San Juan Fire District; and 2) authorizing the Fire Chief and City Manager to sign agreements and to edit non-substantial items within the agreement pending approval from the other affected agencies.
- B. Subject:** Interim Staffing at Nevada City Water and Wastewater Treatment Plants  
**Recommendation:** Pass a Motion approving Amendment No. 3 in the amount of \$56,000 to City agreement with Fishers Wastewater Services for a total not to exceed agreement amount of \$80,000 to provide interim management staffing for the City's water and wastewater plants thru June 30, 2017.
- C. Subject:** Environmental Protection Agency (EPA) Brownfields Assessment Coalition Grant  
**Recommendation:** Pass a Motion authorizing the Mayor to sign a Letter of Commitment to participate in the Brownfields Assessment Coalition Grant funded by the EPA.
- D. Subject:** 4<sup>th</sup> Quarter Financial Update, Fiscal Year 15/16  
**Recommendation:** Staff recommends that the City Council review and accept the enclosed 4<sup>th</sup> Quarter Financial Reports for Fiscal Year 15/16.

- E. **Subject:** Approval of Regional Transportation Mitigation Fee Program and Agreement with Nevada County Transportation Commission  
**Recommendation:** Pass Resolution 2016-49 approving the Regional Transportation Mitigation Fee (RTMF) and RTMF Agreement with Nevada County Transportation Commission.

**Action:** Motion by Strawser, seconded by Parker to approve Consent Items as presented.  
(Approved 4 – 0; Senum Absent)

#### 4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – November 9, 2016

**Action:** Motion by Strawser, seconded by Parker to approve November 9, 2016 Minutes as presented.  
(Approved 4 – 0; Senum absent)

#### 5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** Deer Creek Restoration Project and Flood Mitigation Project at Pioneer Park  
**Recommendation:** No action required. This is a presentation with an opportunity for public feedback on the project and CEQA documentation.

**Action:** A status report presentation of the forthcoming project was provided. Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov) for discussion.

#### 6. PUBLIC HEARINGS:

#### 7. OLD BUSINESS:

- A. **Subject:** Presentation of Preliminary Findings of Comprehensive Water and Wastewater System Assessment (Oral Report)  
**Recommendation:** Receive and file.

**Action:** Receive and file.

- B. **Subject:** Ordinance: Adding Section 3.26 to the Nevada City Municipal Code Relating to a Hotel Investment Incentive Program (First Reading)  
**Recommendation:** Pass an Ordinance adding Section 3.26 to the Nevada City Municipal Code relating to a Nevada City Hotel Investment Incentive Program.

**Action:** Motion by Strawser, seconded by Parker to waive reading of Ordinance, read title only and introduce for first reading.  
(Approved 4 – 0; Senum absent)

#### 8. NEW BUSINESS:

- A. **Subject:** Agreement between the City of Nevada City and Inn Town Development LLC to Convey Property and Allow Parking on City Property  
**Recommendation:** Pass a Motion authorizing the Mayor to sign an Agreement between the CITY OF NEVADA CITY, owner of Railroad Museum property, and INN TOWN DEVELOPMENT LLC, owner of the Inn Town Campground, to convey property and allow parking on City property.

**Action:** Motion by Parker, seconded by Moberg authorizing the Mayor to sign an Agreement between the CITY OF NEVADA CITY, owner of Railroad Museum property, and INN TOWN DEVELOPMENT LLC, owner of the Inn Town Campground, to convey property and allow parking on City property.  
(Approved 3 – 0; Senum absent; Phelps recused)

- B. **Subject:** Request for Continuance for the Appeal of the Planning Commission Decision to Deny the Use Permit Application by Verizon Wireless to Install eight (8) cellular antennas to various points of the rooftop of 109 North Pine Street  
**Recommendation:** Provide direction to either: 1) If the City Council is satisfied that Verizon's request to continue the appeal of their Use Permit is necessary to investigate alternative sites, continue the Verizon

Appeal to be heard at the requested March 8, 2017 City Council Meeting; or 2) Set the date to hear the appeal of the Planning Commission's decision to deny the Use Permit on December 14, 2016.

**Action:** Direction provided to staff to continue appeal of the Planning Commission decision to March 9, 2017 unless staff identifies concerns related to pending legislation that otherwise would affect the appeal.

**9. CORRESPONDENCE:**

**10. ANNOUNCEMENTS:**

**11. CITY MANAGER'S REPORT:**

**Action:** City Manager Prestwich invited the community to participate in a special meeting of the Planning Commission on December 1, 2016. The meeting begins at 6:30 p.m. at City Hall and will focus on seeking public feedback on a proposed medical cannabis ordinance.

**12. ADJOURNMENT – 8:15 p.m.**

  
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Evans Phelps, Mayor

**ATTEST:**

  
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Niel Locke, City Clerk