

RESOLUTION NO. 2018-50

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY SUPERCEDING
RESOLUTION NO. 2017-50 AND CHANGING OTHER MEDICAL CANNABIS BUSINESS
APPLICATION FEES TO A DEPOSIT**

WHEREAS, the City Council adopted Ordinance No. 2017-06 which established Chapter 9.22, together with the amendment Ordinance No. 2017-10 of the Municipal Code which established regulations for the permitting and operation of medical cannabis businesses within Nevada, provided that business operators received a permit from the City and comply with all other state and local legal requirements; and

WHEREAS, section 9.22.050 of the newly adopted Chapter 9.22 requires the City Council to adopt a fee schedule for the processing of medical cannabis business permits and applications; and

WHEREAS, the City of Nevada City desires to supersede Resolution No. 2017-50 which was passed and adopted on August 9, 2018 establishing fees for applications for permits.

WHEREAS, Conditions of approval may include application review, evaluation, compliance checks, reporting and tracking of costs for applications by City staff and/or approved consultant; and

WHEREAS, the City of Nevada City desires to seek full cost recovery for staff and consultant related costs, as well as, any other expenses related to application review and processing via applicant-paid deposits.

NOW, THEREFORE, BE IT RESOLVED the City Council establish Medical Cannabis Business (for non-dispensary businesses) application for permit deposits, with a minimum deposit of \$5,000 for one business and \$2,500 for every subsequent visit. A schedule of hourly rates are attached to this Resolution (Exhibit A).

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Nevada City on the 11th day of July, 2018, by the following vote:

AYES: MOBERG, MINETT, PARKER, SENUM, STRAWSER

NOES:

ABSENT:

ABSTAIN:



David Parker, Mayor

ATTEST:



Loree' McCay, Deputy City Clerk

Exhibit A

Staff has recommended a \$5,000 Fee Deposit based on an estimate of required staff hours and related expenses. The fee deposit recommendation is based on the following rates and staff hours needed to review and make recommendations to the Planning Commission:

<u>Nevada City Staff</u>	<u>Rate</u>
City Planner	\$75
Police Chief	\$75
Fire Chief	\$75
City Engineer	\$75
Consulting Attorney	\$175
Administration	\$75

<u>SCI Consultants Approved Staff</u>	<u>Rate</u>
John Bliss, President, Fee Engineer	\$245
Neil Hall, Senior Cannabis Consultant	\$275
Kyle Tankard, Cannabis Consultant	\$175
Sonia Ortega, Cannabis Consultant	\$175
Support Staff	\$65

The fee deposit resolution mandates that the applicant pay the following costs for a medical cannabis business application for permit deposit (for non-dispensary businesses):

If an applicant applies for more than one type of business in a single application, staff recommends a \$2,500 additional fee deposit for each subsequent business type submitted by the same applicant(s) on a single application to cover the cost of additional staff review time and incidental costs, which fee would be \$2,500 per subsequent business type.