

CITY OF NEVADA CITY  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF JUNE 28, 2017

**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.

**CLOSED SESSION MEETING – 6:00 PM**

1. Pursuant to Government Code Section 54956.8, a closed session is requested with negotiators City Manager Mark Prestwich, Assistant City Manager Catrina Olson, Consulting Assistant City Engineer William Falconi and Consulting City Attorney Hal DeGraw regarding possible sale of City-owned property at 775 Zion Street.

**Action:** Staff to proceed as directed.

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

**Roll Call:** Present: Moberg, Parker, Vice Mayor Strawser, Mayor Phelps  
Absent: Senum

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** None

**PRESENTATION:** None

**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 comments.

**3. CONSENT ITEMS:**

- A. **Subject:** Notice of Completion for Seaman's Lodge Roof Replacement in Pioneer Park  
**Recommendation:** Pass Resolution 2017-40 approving a Notice of Completion for the construction of Seaman's Lodge Roof Replacement in Pioneer Park in Nevada City and authorize Mayor to sign.
- B. **Subject:** Accounts Payable Report – May 2017  
**Recommendation:** Receive and file.
- C. **Subject:** Local Transportation Fund (LTF) Claim for Transit and Paratransit Operations  
**Recommendation:** Pass Resolution No. 2017-41 requesting the Nevada County Transportation Commission (NCTC) allocate \$90,259 of the City's FY 2017/18 estimated apportionment of LTF in support of transit and paratransit services.
- D. **Subject:** Adopt Memorandum of Understanding (MOU) for the Nevada City Police Officers Association (NCPOA)  
**Recommendation:** Pass a Motion approving a Memorandum of Understanding with the Nevada City Police Officers Association from July 1, 2017 through June 30, 2020.

- E. **Subject:** Nevada City's Special Tax (Measure K) and Special Tax 1986 for the 2017/18 Fiscal Year  
**Recommendation:** Pass Resolution 2017-42 (Measure K) and Resolution 2017-43 (1986) Requesting the Nevada County Auditor-Controller and Tax Collector to Collect Nevada City's Special Tax (Measure K) and Special Tax 1986 for the 2017/18 Fiscal Year.
- F. **Subject:** Wheyward Girl Settlement, Termination and Release Agreement  
**Recommendation:** Pass a Motion authorizing the Mayor to sign a Settlement, Termination and Release agreement with Wheyward Creamery, LLC and Barbara Jenness.
- G. **Subject:** Resolution Establishing Nevada City Underground District No. 6  
**Recommendation:** Pass Resolution No. 2017-44 designating and establishing Underground Utility District No. 6.
- H. **Subject:** Collection of Delinquent Sewer and/or Water Accounts on the Nevada County Tax Roll  
**Recommendation:** After holding a public hearing, pass Resolution 2017-45 requesting that the County of Nevada levy and collect delinquent water and sewer service charges on the tax roll.

Consent Items F and H were pulled for discussion.

**Action:** Motion by Strawser, seconded by Parker to approve Consent Items A, B, C, D, E, and G as presented.  
**(Approved, 4 – 0, Senum Absent)**

**Action:** Motion by Strawser, seconded by Parker to approve Consent Item F authorizing the Mayor to sign a settlement agreement contingent upon receipt of a signed agreement with Wheyward Creamery, LLC and Barbara Jenness and a \$10,000 payment.  
**(Approved, 4 – 0; Senum Absent)**

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

#### 4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – June 14, 2017

**Action:** Motion by Parker, seconded by Moberg to approve June 14, 2017 Minutes as presented.  
**(Approved 4 – 0 – 1; Senum Absent, Strawser Abstain)**

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

- A. **Subject:** Consideration of a Position of Support for Assembly Bill 1408 (Calderon-Whittier), Crimes, Supervised Release.

**Action:** Motion by Strawser, seconded by Parker to adopt a position of support for AB 1408 (Calderon-Whittier and Authorize the Mayor to submit a letter of support.  
**(Approved 4 – 0; Senum Absent)**

#### 6. PUBLIC HEARINGS:

- A. **Subject:** Pre-zoning for City-Sponsored Annexation of Approximately 54.32 Acres (Including 17.5 Acres of Public Right-of-Way Area), Northeast of the City Limits

**Action:** Motion by Parker, seconded by Moberg to hear first reading of Ordinance 2017-XX, approving the re-zoning of the territory to be annexed, read title only.  
**(Approved 4 – 0; Senum Absent)**

**Action:** Motion by Strawser, seconded by Parker to adopt Resolution 2017-46, to file a Notice of Exemption regarding Annexation #55 and Prezoning.  
**(Approved 4 – 0; Senum Absent)**

**Action:** Motion by Strawser, seconded by Parker to adopt Resolution 2017-47 Requesting the Local Agency Formation Commission of Nevada County to Initiate Proceedings for the Annexation of 54.32 Acres Located Northwest of the City Limits, City Annexation No. 55 and add to 0.58 acres (CALPAC Property) at 544 Coyote Street to the Resolution  
**(Approved 4 – 0; Senum Absent)**

**7. OLD BUSINESS:**

**A. Subject:** An Ordinance of the City of the City of Nevada City amending Chapter 9.22 of Title 9 of the Nevada City Municipal Code entitled "Medical Cannabis Dispensaries and Other Cannabis Businesses and Activity" to allow for the establishment, permitting, and regulation of medical cannabis cultivation, manufacturing, distributing, transporting, and testing laboratory businesses within the City; amending Chapter 17.142 entitled "Medical Cannabis Uses and Activity"; and amending Chapter 17.48 entitled "Light Industrial Zone" to allow for the same (Second Reading)

**Action:** Motion by Moberg, seconded by Parker to waive reading of the Ordinance, read title only, and adopt Ordinance 2017-10 and direct staff to develop an application and permit process and bring back to Council at a July 2017 meeting.  
**(Approved 4 – 0; Senum Absent)**

**B. Subject:** Old Airport Property Workshop Summary/Next Steps

**Action:** Motion by Strawser, seconded by Parker to confirm a prioritization of the top five conceptual property uses and direct staff to prepare a report outlining various consideration related to each conceptual use (e.g. environmental, cost, feasibility, zoning, etc.).  
**(Approved 4 – 0; Senum Absent)**

**8. NEW BUSINESS:**

**A. Subject:** Request for Loading Zone Designation at Robinson Plaza

**Action:** Motion by Moberg, seconded by Strawser to authorize designation of a loading zone in front of Robinson Plaza.  
**(Approved 4 – 0; Senum Absent)**

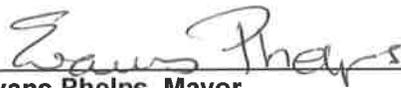
**B. CORRESPONDENCE:**

**C. ANNOUNCEMENTS:**

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

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

**E. ADJOURNMENT – 9:26 p.m.**

  
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Evans Phelps, Mayor

ATTEST:

  
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Niel Locke, City Clerk