



**REGULAR CITY COUNCIL MEETING
MEETING AGENDA
WEDNESDAY, JANUARY 9, 2019**

**Closed Session – 6:00 PM
Regular Meeting - 6:30 PM**

**City Hall – Beryl P. Robinson, Jr. Conference Room
317 Broad Street, Nevada City, CA 95959**

MISSION STATEMENT

The City of Nevada City is dedicated to preserving and enhancing its small town character and historical architecture while providing quality public services for our current and future residents, businesses and visitors.

David Parker, Mayor

**Duane Strawser, Council Member
Erin Minett, Council Member**

**Reinette Senum, Vice Mayor
Valerie Moberg, Council Member**

The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2nd and 4th Wednesdays of each month. Your interest is encouraged and appreciated. This meeting is recorded on DVD and is televised on local public television Channel 17. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Please turn off all cell phones or similar devices. Action may be taken on any agenda item. Agenda notices are available at City Hall. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Hall at 317 Broad Street, Nevada City, CA during normal business hours.

ANY MEMBER OF THE PUBLIC DESIRING TO ADDRESS THE COUNCIL ON ANY ITEM ON THIS

AGENDA: After receiving recognition from the Mayor, give your name and address, and then your comments or questions. Please direct your remarks to the Councilmembers. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. All citizens will be afforded an opportunity to speak, consistent with their Constitutional rights. Time limits shall be at the Mayor's discretion.

IF YOU CHALLENGE the Council's decision on any matter in court, you will be limited to raising only those issues you or someone else raised at the meeting or Public Hearing described on this agenda, or in written correspondence delivered to the City Council at, or prior to, the meeting or Public Hearing.

CLOSED SESSION – 6:10 PM

Under Government Code Section 54950 members of the public are entitled to comment on the closed session agenda before the Council goes into closed session.

1. Pursuant to Government Code Section 54957(b)(1) a closed session is requested with City Manager Catrina Olson, the and Interim Police Chief James Leal on a personnel matter related to the Police Department open Police Officer positions.
2. Pursuant to Government Code Section 54956.8 a closed session is requested with negotiators City Manager, Catrina Olson and City Attorney, Hal DeGraw to discuss a possible purchase of real estate located at 377 Wyoming Road using grant funds in a potential joint application with the City of Nevada City and Sierra Streams Institute.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Mayor Parker, Vice Mayor Senum, Moberg, Minett & Strawser

PLEDGE OF ALLEGIANCE

PROCLAMATIONS:

PRESENTATIONS:

BUSINESS FROM THE FLOOR

1. PUBLIC COMMENT

Under Government Code Section 54954.3, members of the public are entitled to address the City Council concerning any item within the Nevada City Council’s subject matter jurisdiction. Comments on items NOT ON THE AGENDA are welcome at this time. Normally, public comments are limited to no more than three minutes each. **Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.**

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

3. CONSENT ITEMS:

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, City staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

A. Subject: Accounts Payable Activity Report – December 2018
Recommendation: Receive and file.

B. Subject: Side Letter No. 1 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing the Section 12 HOLIDAYS Policy
Recommendation: Review and approve Side Letter No. 1 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing the Section 12 HOLIDAYS Policy.

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – December 12, 2018

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** Vegetation Management on City Owned Properties – Prescriptive Grazing “Goat Brigade” Quotes and Update on Pioneer Project
Recommendation: Review quotes, the Pioneer Project and progress made regarding vegetation management on City owned properties with the use of the “Goat Brigade” for prescriptive grazing and recommend next steps on presented project locations.
- B. Subject:** : County of Nevada Parks and Recreation Consolidation Feasibility Study
Recommendation: Provide staff direction regarding participation in the study.
- C. Subject:** Sugarloaf Trail Progress Update
Recommendation: Receive and File.

6. PUBLIC HEARINGS:

7. OLD BUSINESS:

- A. Subject:** Provide Staff Direction Regarding how to Proceed with Staff Suggested Cannabis Ordinance Amendment in Adding a Moratorium on the Issuance of any Additional Cannabis Permits Associated with the Volatile Extraction Method.
Recommendation: Provide staff direction regarding proceeding in adding an amendment to the Cannabis Ordinance associated to placing a moratorium on issuing any further cannabis permits to volatile extraction method manufacturing applicants.
- B. Subject:** An Ordinance of the City of Nevada City Adding Chapter 8.06 of the Nevada City Municipal Code Addressing Unlawful Panhandling
Recommendation: Waive reading of Ordinance, read title only and introduce for second reading and final adoption of the Ordinance.
- C. Subject:** Designated Smoking Areas Pilot Project
Recommendation: Provide staff direction in proceeding with a designated smoking area six-month pilot project within the Historic District, as determined by City Council.
- D. Subject:** An Ordinance Deleting Subsection B.4 of Section 9.22.120 of Chapter 9.22. of the Nevada City Municipal Code Relating to Labeling of the Products of Cannabis Manufacturing Businesses
Recommendation: Waive reading of the Ordinance, read title only and introduce for a first reading.

8. NEW BUSINESS:

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT

Certification of Posting of Agenda

I, Loree' McCay, Administrative Services Manager/Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the January 9th, 2019 Regular Meeting of the Nevada City City Council was posted January 4th, 2019 at the entrance of City Hall. The agenda is also posted on the City's website www.nevadacityca.gov.

Signed January 4th, 2019, at Nevada City, California

Loree' McCay, Administrative Services Manager/Deputy City Clerk

**CITY OF NEVADA CITY
City Council
Long Range Calendar**

| | |
|-------------------|----------------------------|
| January 9, 2019 | Regular Council Meeting |
| January 21, 2019 | Martin Luther King Holiday |
| January 23, 2019 | Regular Council Meeting |
| February 13, 2019 | Regular Council Meeting |
| February 18, 2019 | Presidents Holiday |
| February 27, 2019 | Regular Council Meeting |

NOTE: This list is for planning purposes; items may shift depending on timing and capacity of a meeting.

NOTICE: *As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council and to enforce the rules of the Council.*

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Accounts Payable Activity Report – December 2018

RECOMMENDATION: Receive and file.

CONTACT: Loree' McCay, Administrative Services Manager

BACKGROUND / DISCUSSION: The attached Accounts Payable Activity Report includes all the cash disbursements associated with the City-Wide Expenditures for the month of December 2018.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

FISCAL IMPACT: Varies Monthly.

ATTACHMENTS:

- ✓ Accounts Payable Activity Report – December 2018

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 001
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|---|--|--|--|---|--|--|
| 12-18 | 4LE01 (4LEAF, INC.) | J3652C 64518001 J3692-01A | 11/29/18 11/29/18 11/29/18 | / / / / / / | | 772.50 11480.00 3978.75 | BUILDING INSPECTION - NATIONAL HOTEL PLAN REVIEW - NATIONAL HOTEL BUILDING INSPECTION - CURLY WOLF |
| | | Vendor's Total -----> | | | | 16231.25 | |
| 12-18 | ADV02 (ADVANCED MECHANICAL PLUMBIN | 121718 | 12/17/18 | / / | | 2600.00 | HOTWATER HEATER CITY HALL |
| 12-18 | AIK01 (BEVERLY AIKEN) | 112618 | 11/26/18 | / / | | 100.00 | RVETS 11/17/18 CASH BEVERLY AIKEN |
| 12-18 | ALB01 (ALBANESE WELDING, INC) | 3394 | 11/20/18 | / / | | 640.00 | DAVITS FOR MIXERS |
| 12-18 | ALH02 (ALHAMBRA & SIERRA SPRINGS) | 121318 | 12/13/18 | / / | | 30.67 | DPW WATER 11/27/18 |
| 12-18 | ALL01 (ALL SEASONS POOLS & SPAS) | TR-117567 TR-117747 | 11/12/18 11/26/18 | / / / / | | 127.48 149.15 | MURIATIC ACID CHLORINE |
| | | Vendor's Total -----> | | | | 276.63 | |
| 12-18 | ALL24 (ALL TRAFFIC SOLUTIONS) | Q-36794 | 12/17/18 | / / | | 1500.00 | 12 MONTH RENEWAL 12/18/18-12/17/19 |
| 12-18 | ALS01 (ALSEA GEOSPATIAL INC) | 2018108 | 12/12/18 | / / | | 265.00 | COMPUTER MAPPING SUBSCRIPTION 07/1/18-11/30/ |
| 12-18 | AMA00 (SYNCB/AMAZON) | 434473645 446853834 448756984 549658996 647837338C 649655793 | 12/06/18 11/15/18 11/22/18 12/05/18 10/10/18 11/14/18 | / / / / / / / / / / / / | | 173.38 215.19 59.11 154.76 162.54 42.70 | LIGHTS FLASHLIGHT & BOXES OFFICE SUPPLIES CABLE & EXTERNAL HARD DRIVE K.TIMMS UNIFORM RETURN PARKING METERS |
| | | Vendor's Total -----> | | | | 482.60 | |
| 12-18 | AME19 (AMERICAN FIDELITY) | B837258 | 12/01/18 | / / | | 850.80 | STD/LTD BENEFITS DEC 2018 |
| 12-18 | AME24 (AMERICAN UNITED LIFE INSURA DEC 2018 | | 12/18/18 | / / | | 408.78 | LIFE INS 12/1-12/31/18 |
| 12-18 | AQU02 (SPENCER AQUILINA) | 1117-1130 1201-1214 | 12/04/18 12/17/18 | / / / / | | 120.00 120.00 | FIRE INTERN SVCS 11/17-11/30/18 FIRE INTERN SVC 12/01-12/14/18 |
| | | Vendor's Total -----> | | | | 240.00 | |
| 12-18 | ARA01 (ARAMARK) | 636397959 | 11/08/18 | / / | | 71.69 | CITY HALL/DPW MATS |
| 12-18 | AT&15 (AT&T CALNET 3) | 12305714 | 12/10/18 | / / | | 1045.53 | 11/10-12/09/18 BAN#9391023504 |
| 12-18 | AT&16 (AT&T - WWTP) | 1129-1228 | 11/28/18 | / / | | 95.95 | WWTP INTERNET SVC 11/29-12/28/18 |
| 12-18 | ATO01 (A TO Z SUPPLY) | 349372 349818 349996 | 11/13/18 11/26/18 12/01/18 | 12/13/18 12/26/18 12/31/18 | A A A | 250.44 38.40 62.65 | STORM DRAIN PIPE GLUE & PIPE BELT PRESS WASH WATER LINE |
| | | Vendor's Total -----> | | | | 351.49 | |
| 12-18 | B&C01 (B & C TRUE VALUE HOME CTR) | 350139 350319 350323 350328 350375 350388 350725 350937 351053 351763 352030 352853 352986 353196 353324 353344 353384 | 11/20/18 11/21/18 11/21/18 11/21/18 11/21/18 11/21/18 11/26/18 11/27/18 11/28/18 12/03/18 12/05/18 12/11/18 12/12/18 12/13/18 12/14/18 12/14/18 12/14/18 | 12/20/18 12/21/18 12/21/18 12/21/18 12/21/18 12/21/18 12/26/18 12/27/18 12/28/18 01/02/19 01/04/19 01/10/19 01/11/19 01/12/19 01/13/19 01/13/19 01/13/19 | A A A A A A A A A A A A A A A A A | 100.49 45.36 18.73 203.58 14.41 56.38 13.60 47.83 56.96 30.25 70.39 236.53 32.19 23.14 14.64 4.48 107.40 | TARPS/RAIN REPORT ROOM POWER STRIP HOZE NOZZLE PPE & FUEL CANS PARKING METERS GRINDER WHEELS SAND BAGS/STORM CITY HALL ROOF CHRISTMAS TREE RADAR TRAILERS CITY HALL SUPPLIES PUMP ROOM SUPPLIES WINTERIZE POOL PAINT TRAINING ROOM FIRE HOUSE #2 CITY HALL BATHROOM HOT WATER HEATER CITY HALL HOLIDAY DECORATION SUPPLIES EZ-UP/SHADE STRUCTURE |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 002
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|--|----------------|-----------------------|----------|-------------|--------------|--|
| 12-18 | B&C01 (B & C TRUE VALUE HOME CTR) | 353602 | 12/17/18 | 01/16/19 | A | 6.42 | DUST PAN |
| | | | Vendor's Total -----> | | | 1082.78 | |
| 12-18 | BAN01 (JOHN PEKAREK, BANNER COMMUN | 35324 | 12/01/18 | 12/31/18 | A | 50.00 | WWTP RADIO REPEATERS NOV 2018 |
| 12-18 | BAR00 (MONICA BARBAO) | 120418 | 12/04/18 | / / | | 32.00 | NEW SHIRT UNIFORM PATCHES |
| 12-18 | BEA02 (BEAM SECURITY SYSTEMS) | R190012 | 12/01/18 | / / | | 126.00 | COMMERCIAL FIRE INSPECT/MONITOR 12/1/18-2/28 |
| 12-18 | BUC01 (BUCKMASTER OFFICE SOLUTIONS | 362501 | 11/20/18 | / / | | 4998.26 | NEW PAPER SORTER/FOLDER FOR BILLING |
| | | 363721 | 12/14/18 | / / | | 185.89 | CONTRACT USAGE 10/29-11/28/18 |
| | | | Vendor's Total -----> | | | 5184.15 | |
| 12-18 | BUR07 (BURTON'S FIRE, INC.) | W77689 | 11/19/18 | / / | | 990.00 | PUMP TESTING |
| 12-18 | BUS02 (BUSINESS CARD/B OF A VISA) NOV 2018 | | 12/06/18 | / / | | 4745.42 | MISC DEPT PURCHASES 11/7-12/06/18 |
| 12-18 | C&D01 (C & D CONTRACTORS, INC.) | 16.1.1 | 11/23/18 | 12/23/18 | A | 41500.00 | PAVING COMPLETE PROJECT ZION ST |
| | | 17.1.1 | 11/23/18 | 12/23/18 | A | 7310.00 | MAINT OF DRAINAGE DITCH MEASURE S |
| | | | Vendor's Total -----> | | | 48810.00 | |
| 12-18 | CAM01 (NATHANIEL CAMPBELL) | 1117-1130 | 12/17/18 | / / | | 120.00 | FIRE INTERN SVCS 11/17-11/30/18 |
| | | 1130-1214 | 12/17/18 | / / | | 90.00 | FIRE INTERN SVCS 11/30-12/14/18 |
| | | | Vendor's Total -----> | | | 210.00 | |
| 12-18 | CAN03 (SYLVIA J. CANO) | 112618 | 11/26/18 | / / | | 1100.00 | JANITOR CITY/VETS HALL NOV 2018 |
| 12-18 | CAR09 (KEVIN CARTZDAFNER) | 121718 | 12/17/18 | / / | | 483.00 | TRAINING REIMB-ANNUAL MEDIC REFRESHER |
| 12-18 | CHA14 (CHARTER MACHINE COMPANY) | 0322708IN | 11/29/18 | / / | | 1451.85 | BELT PRESS BEARINGS |
| 12-18 | CHE08 (CHEMTRADE CHEMICALS US LLC) | 92519839 | 11/27/18 | / / | | 2035.50 | COAGULANT |
| 12-18 | CIT01 (CITY OF GRASS VALLEY) | 235 | 12/19/18 | 01/18/19 | A | 9005.61 | ANIMAL CONTROL SVCS 1ST QTR FY 18/19 |
| | | 236 | 12/19/18 | 01/18/19 | A | 9005.61 | ANIMAL CONTROL SVCS 2ND QTR FY 18/19 |
| | | | Vendor's Total -----> | | | 18011.22 | |
| 12-18 | CLE02 (C.L.E.A.R.S., INC.) | 100518 | 10/05/18 | / / | | 50.00 | CLEAR'S MEMBERSHIP DUES 2019 |
| 12-18 | COM08 (COMCAST CABLE) | 1220/0119 | 12/15/18 | / / | | 30.66 | MNTHLY TV CHG/MTG REC 12/20/18-01/19/19 |
| | | DEC2-JAN1 | 11/27/18 | / / | | 100.15 | DPW MNTHLY INTERNET 12/2/18-1/1/19 |
| | | | Vendor's Total -----> | | | 130.81 | |
| 12-18 | COM09 (COMMERCIAL PUMP SERVICE, IN | 10070 | 11/13/18 | / / | | 2825.81 | BELT PRESS BEARINGS |
| | | 10073 | 11/16/18 | / / | | 1737.01 | RAS PUPM WIRE UP |
| | | 10095 | 12/11/18 | / / | | 2825.34 | LIGHTS |
| | | | Vendor's Total -----> | | | 7388.16 | |
| 12-18 | CON11 (CME SERVICES) | 64705 | 12/02/18 | / / | | 16775.00 | WATER PLANT PIPING |
| 12-18 | COO01 (COOLER ZONE) | 49756 | 12/01/18 | / / | | 49.00 | COOLER RENTAL DEC 2018 |
| 12-18 | COP07 (COP SHOP INSTALLATIONS, INC | 8946 | 10/17/18 | / / | | 11176.20 | UNIT 23 OUTFIT PROP 172 |
| 12-18 | COR01 (CORBIN WILLITS SYSTEMS) | B811151 | 11/15/18 | 12/15/18 | A | 423.54 | MNTHLY OPS SYS DEC 2018 |
| 12-18 | COT01 (SHANNON COTTER) | 120418 | 12/04/18 | / / | | 100.00 | RVETS 12/02/18 HONEYBOOK SHANNON COTTER |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 003
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|-------------------------------------|-----------------------|--------------|----------|-------------|--------------|--|
| 12-18 | COU05 (COUNTY OF NEVADA) | 114837 | 11/20/18 | 12/20/18 | A | 263.76 | SUGARLOAF ANNEXATION |
| 12-18 | COU23 (NEVADA COUNTY COLLECTIONS) | NOV 2018 | 12/18/18 | 01/17/19 | A | 2209.00 | PARKING TIX/POC NOV 2018 |
| 12-18 | CRA01 (CRANMER ENGINEERING, INC.) | 176860 | 11/30/18 | 12/30/18 | A | 1843.00 | WWTP TESTING |
| | | 176934 | 11/30/18 | 12/30/18 | A | 675.00 | WWTP TESTS |
| | | 176935 | 11/30/18 | 12/30/18 | A | 319.50 | LAB SAMPLES, WATER TESTS |
| | | Vendor's Total -----> | | | | 2837.50 | |
| 12-18 | CSF02 (CALIFORNIA STATE FIRE-) | 10691 | 11/13/18 | / / | | 480.00 | CSFA DUES |
| 12-18 | CUN00 (GREGORY CUNDIFF) | 08022018 | 08/02/18 | / / | | 350.00 | NEW HIRE B.BUTTS POLYGRAPH |
| 12-18 | DAT01 (DATA TICKET, INC.) | 95863 | 12/18/18 | 01/17/19 | A | 999.70 | TICKET PROCESSING NOV 2018 |
| 12-18 | DEL05 (DELL MARKETING L.P.) | 275713636 | 11/01/18 | / / | | 1972.50 | DPW LAPTOP INV#10275713636 |
| | | 275713644 | 11/01/18 | / / | | 1972.50 | CITY MANAGER INV#10275713644 |
| | | Vendor's Total -----> | | | | 3945.00 | |
| 12-18 | DEL08 (DELTA INDUSTRIAL SOLUTIONS) | 24600 | 11/06/18 | / / | | 237.03 | CLEANING & TOILETRY |
| | | 24602 | 11/06/18 | / / | | 828.72 | SUPPLIES |
| | | Vendor's Total -----> | | | | 1065.75 | |
| 12-18 | DEP06 (DEPT OF FORESTRY & FIRE) | 155913 | 11/15/18 | / / | | 4416.01 | BROADCAST DISPATCH 1ST QTR FY 18/19 |
| 12-18 | DEP13 (DEPARTMENT OF JUSTICE) | 343362 | 12/05/18 | / / | | 98.00 | BACKGROUNDS NOV 2018 |
| 12-18 | DEP17 (DEPT OF TOXIC SUBSTANCES CO) | 18SM3546 | 12/04/18 | / / | | 2.93 | INDIAN FLAT PROJ CODE #101377 (SM) |
| 12-18 | DOK01 (DOKKEN ENGINEERING) | 34000 | 11/16/18 | / / | | 5974.20 | NEVADA ST BRIDGE DESIGN PROJ#2244 AUG-OCT 20 |
| | | 34066 | 12/07/18 | / / | | 1531.10 | NEVADA ST BRIDGE DESIGN PROJ #2244 NOV 2018 |
| | | Vendor's Total -----> | | | | 7505.30 | |
| 12-18 | ENG06 (ENGINEERED FIRE SYSTEMS, IN) | 14558 | 12/01/18 | / / | | 150.00 | FIRE PLAN REVIEW SGBE BLOOMFIELD 11/06/18 |
| 12-18 | EVE01 (EVERGUARD SYSTEMS) | A61158 | 11/21/18 | / / | | 90.00 | MUSEUM FIRE ALARM SVC 12/01-02/28/19 |
| 12-18 | GOO02 (SAM GOODSPEED) | 120618 | 12/06/18 | 01/05/19 | A | 16.24 | 2019 CALENDARS |
| 12-18 | GRA01 (GRAY ELECTRIC COMPANY) | 049844 | 11/20/18 | 12/20/18 | A | 26.00 | CITY HALL ALARM SVC DEC 2018 |
| | | 049845 | 11/20/18 | 12/20/18 | A | 28.00 | SEAMANS LDGE ALARM SVC DEC 2018 |
| | | Vendor's Total -----> | | | | 54.00 | |
| 12-18 | GRA10 (GRAINGER) | 901666441 | 11/28/18 | 12/28/18 | A | 63.37 | DIESEL TANK GAUGE |
| | | 902243414 | 12/04/18 | 01/03/19 | A | 41.92 | BIO SOLIDS PRESS GAUGES |
| | | Vendor's Total -----> | | | | 105.29 | |
| 12-18 | GRA14 (CITY OF GRASS VALLEY FIRE) | DFD2118044 | 12/07/18 | 01/06/19 | A | 797.00 | SALARY NON-PERM T.PISTOCHINI |
| | | FD2118045 | 12/18/18 | 01/17/19 | A | 3746.09 | SHIFT COVERAGE O.CLEMENS & C.ARMSTRONG |
| | | Vendor's Total -----> | | | | 4543.09 | |
| 12-18 | GRA38 (KEN GRADY COMPANY, INC.) | 3369 | 11/19/18 | / / | | 666.88 | SO2 ANALYZER |
| 12-18 | GRA50 (GRASS VALLEY-NEVADA CITY CU) | 120518 | T12/05/18 | / / | | 7500.00 | CULTURAL DISTRICT MATCH FUNDING FY 18/19 |
| 12-18 | GRE17 (GREAT AMERICA FINANCIAL SVC) | 23872538 | 12/10/18 | / / | | 384.46 | COPIERS CONTRACT 12/1-12/31/18 |
| 12-18 | HAN01 (HANSEN BROS. ENTERPRISES) | 315944 | 11/07/18 | 12/07/18 | A | 68.55 | DRAIN REPAIR |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 004
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|---|----------------------------------|----------------------------------|----------------------------------|-------------|---------------------------|--|
| 12-18 | HDL00 (HINDERLITER, deLLAMAS & ASS0030435IN | | 12/10/18 | / / | | 986.30 | AUDIT SVCS SALES TAX Q2 2018 |
| 12-18 | HEL02 (JERRY HELMUTH) | 112618 | 11/26/18 | / / | | 100.00 | SL 11/25/18 CHK#9798 JERRY HELMUTH |
| 12-18 | HES01 (KELSEY HESS) | 120718 | 12/10/18 | / / | | 14.09 | UNIT 25 HEADLIGHT REIMB |
| 12-18 | HIL02 (HILLS FLAT LUMBER CO.) | 541500/1 542578/1 544931/1 | 11/15/18 11/21/18 12/05/18 | 12/15/18 12/21/18 01/04/19 | A A A | 41.82 319.80 422.38 | PT LUMBER STORM PREP/PPE TOLL BATTERY, RAIN GEAR MISC SUPPLIES |
| | | | Vendor's Total -----> | | | 784.00 | |
| 12-18 | HIL10 (HILL BROTHERS CHEMICAL CO.) | 07045437 | 11/09/18 | / / | | 6776.01 | WWTP MAG |
| 12-18 | HUE01 (DALLEN HUETTER) | 1117-1130 1201-1214 | 12/04/18 12/17/18 | / / / / | | 180.00 120.00 | FIRE INTERN SVCS 11/17-11/30/18 FIRE INTERN SVCS 12/1-12/14/18 |
| | | | Vendor's Total -----> | | | 300.00 | |
| 12-18 | JON00 (JONES & MAYER) | 113018 | 11/30/18 | / / | | 8132.50 | LEGAL SVCS NOV 2018 |
| 12-18 | KAE00 (KAESER COMPRESSORS) | 912851850 | 11/30/18 | / / | | 759.00 | BLOWER SERVICE CALL |
| 12-18 | KAM01 (KAMAN INDUSTRIAL TECHNOLOGI | I330682 | 10/08/18 | / / | | 4339.34 | BELT PRESS DRIVE MOTOR |
| 12-18 | KAN01 (KATE KANE) | 121118 | 12/11/18 | / / | | 100.00 | SL 12/07/18 CASH KATE KANE |
| 12-18 | KIN02 (SHANE KINNE) | 120718 | 12/07/18 | / / | | 250.00 | UNIFORM/BOOT REIMB |
| 12-18 | KNI01 (KNIGHTS PAINT STORE) | 26628/1 | 12/06/18 | 01/05/19 | A | 40.46 | RESTROOM REPAIR |
| 12-18 | LEO01 (SARAH LEONARD) | 121818 | 12/18/18 | / / | | 100.00 | SL 12/15/18 CHK#3265 JEREMY LEONARD |
| 12-18 | LSA01 (LSA ASSOCIATES, INC.) | 163440 | 12/11/18 | / / | | 3445.87 | NEVADA ST BRIDGE ENVIRO NOV 2018 |
| 12-18 | MAR02 (MARATHON BUSINESS FORMS) | 17177 | 11/20/18 | 12/20/18 | A | 771.03 | A/P CHECK STOCK |
| 12-18 | MCA00 (BRYAN MCALISTER) | 122018 | 12/20/18 | / / | | 811.69 | MISC ENGINEERING PURCHASES REIMB |
| 12-18 | MUF01 (THE MUFFLER & BRAKE BARN) | 11730 | 11/26/18 | / / | | 464.72 | BRAKES #36 |
| 12-18 | MUN05 (MUNICIPAL EMERGENCY SERVICEIN1283294 | | 11/16/18 | / / | | 226.33 | UNIFORM ALLOWANCE A.OTANI |
| 12-18 | NCT00 (NEVADA CO. DIGITAL MEDIA CE | 561 } 3Q 2018 | 11/29/18 12/18/18 | / / / / | | 660.00 2847.94 | VIDEO SVCS NOV 2018 COMCAST PEG FEES JUL-AUG 2018 |
| | | | Vendor's Total -----> | | | 3507.94 | |
| 12-18 | NEV02 (NEVADA IRRIGATION DISTRCT) | 1031/1130 | 12/07/18 | 01/06/19 | A | 5915.19 | WATER SVC DS CANAL 10/31-11/30/18 ACCT#17033 |
| 12-18 | NEV05 (NEVADA COUNTY DEMOCRATS) | 121218 | 12/12/18 | / / | | 100.00 | SL 12/05/18 CASH NEVADA COUNTY DEMOCRATS |
| 12-18 | NEV06 (NEVADA CITY ENGINEERING) | 28221 | 12/05/18 | 01/04/19 | A | 1657.50 | DEER CREEK BRIDGE/CABIN ST NOV 2018 CMAQ MAT |
| 12-18 | NOR30 (NORTH STATE CONSULTING) | 18-11 | 12/01/18 | / / | | 5056.00 | ENGINEER CONSULT NOV 2018 |
| 12-18 | OPE01 (OPEN SPATIAL CORP) | 0883 | 12/17/18 | / / | | 8820.00 | MAPPING |
| 12-18 | P.S00 (P. SCOTT BROWNE, ATTORNEY) PE | 111518 | 11/15/18 | / / | | 142.50 | NC B&B LIT P/E 11/15/18 |
| 12-18 | PAC01 (PAC MACHINE CO., INC.) | 74685 | 12/05/18 | / / | | 2393.11 | RAS PUMP REPAIR |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 005
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|---|--|--|--|---|--|---|
| 12-18 | PAC02 (PACIFIC GAS & ELECTRIC) | 1017-1115 1031/1130 | 11/15/18 12/04/18 | 12/15/18 01/03/19 | A A | 48132.14 1489.17 | GAS/ELECT SVC 10/17-11/15/18 MISC ACCTS 10/31-11/30/18 |
| | | | Vendor's Total | | | 49621.31 | |
| 12-18 | PAR13 (PARENTS' RESOURCE GUIDE) | 2057 | 12/17/18 | / / | | 236.25 | FACILITY RENTAL AD |
| 12-18 | PEA09 (PEACE & JUSTICE CENTER) | 112618 | 11/26/18 | / / | | 100.00 | RVETS 11/25/18 CHK#1027 PEACE & JUSTICE CENT |
| 12-18 | PET02 (PETER SCHACK CONSTRUCTION E | PW-16 PW-17 | 12/07/18 12/21/18 | / / / / | | 8000.00 15000.00 | SEWER REPLACEMENT SACRAMENTO ST SEWER REPLACEMENT INV #3 |
| | | | Vendor's Total | | | 23000.00 | |
| 12-18 | PIT03 (PITNEY BOWES SUPPLIES) | 101051936 101052559 | 12/09/18 12/11/18 | / / / / | | 113.79 184.50 | EQUIP RENTAL 9/29-12/29/18 SLA SVC AGREEMENT #0040253435 7/1-12/31/18 |
| | | | Vendor's Total | | | 298.29 | |
| 12-18 | PIT04 (PITNEY BOWES POSTAGE BY PHO | 120518 | 12/05/18 | / / | | 958.00 | GENERAL & BILLING POSTAGE SEPT-OCT 2018 |
| 12-18 | PLA01 (PLAZA TIRE CO., INC.) | 3232103 | 10/26/18 | 11/25/18 | A | 257.29 | TIRE MAINT #26 |
| 12-18 | PLA13 (PLATT) | T819722 T887567 | 11/15/18 11/27/18 | / / / / | | 378.09 53.62 | WTP LIGHTS ELECT COVER PARK |
| | | | Vendor's Total | | | 431.71 | |
| 12-18 | PRE05 (PREMIER ACCESS INSURANCE CO JAN 2019 | | 12/11/18 | / / | | 2418.30 | DENTAL BENEFITS JAN 2019 |
| 12-18 | RAR01 (RARE EARTH LANDSCAPE MAT.) | 110127 110342 | 11/02/18 11/06/18 | 12/02/18 12/06/18 | A A | 122.47 67.53 | ADAMS/NILE LANDSCAPING FINAL TOP SOIL |
| | | | Vendor's Total | | | 190.00 | |
| 12-18 | RAY01 (RAY MORGAN CO) | 2325445 | 12/06/18 | / / | | 71.42 | CONTRACT USAGE 11/1-11/30/18 |
| 12-18 | REE02 (REED'S LOCKSMITHING, INC.) | 3067 3086 3087 | 11/30/18 12/10/18 12/10/18 | 12/30/18 01/09/19 01/09/19 | A A A | 189.88 122.60 1112.45 | CITY HALL RESTROOM HANDLE LOCKS RESTROOM KEYS |
| | | | Vendor's Total | | | 1424.93 | |
| 12-18 | RIE02 (RIEBE'S NAPA AUTO PARTS) | 810050 811774 811786 811808 811838 812504 812743 812766 813030 813485 814578 814807 814988 | 10/16/18 11/01/18 11/01/18 11/01/18 11/01/18 11/07/18 11/09/18 11/09/18 11/13/18 11/16/18 11/27/18 11/28/18 11/30/18 | 11/15/18 12/01/18 12/01/18 12/01/18 12/01/18 12/07/18 12/09/18 12/09/18 12/13/18 12/16/18 12/27/18 12/28/18 12/30/18 | A A A A A A A A A A A A A | 52.46 136.64 23.61 42.45 24.69 24.69 12.19 21.66 23.32 7.74 17.78 28.20 16.23 | TOOLS CHIPPER/SUGARLOAF JETTER/TRAILERS CHIPPER GREASE FITTINGS VEH MAINT BRUSH SUPPLIES SWEEPER GREASE GUN SWEEPER LIGHTS SOLDER TORCH WIPER BLADES WIPER BLADES |
| | | | Vendor's Total | | | 431.66 | |
| 12-18 | ROB03 (ROBINSON ENTERPRISES, INC.) | 18271 18340 18464 18466 18524 18111409 18111411 18111415 18112379 18112380 18112381 18112385 | 11/15/18 11/20/18 11/29/18 11/29/18 11/30/18 11/15/18 11/15/18 11/15/18 11/30/18 11/30/18 11/30/18 11/30/18 | 12/15/18 12/20/18 12/29/18 12/29/18 12/30/18 12/15/18 12/15/18 12/15/18 12/30/18 12/30/18 12/30/18 12/30/18 | A A A A A A A A A A A A | 1070.85 224.11 107.55 1393.31 2444.20 497.94 131.87 829.67 697.63 1231.73 195.99 488.64 | WWTP BIO-SOLIDS CUST#141130 INV#IN00018271 BELT PRESS GREASE & OIL WWTP BAR SCREEN OIL CUST#141130 INV#IN00018466 DIESEL GEN WWTP CUST#141130 INV#IN00018466 WWTP BIO-SOLIDS CUST#141130 INV#IN00018524 DPW FUEL CUST#141100 INV#FI18111409 WWTP FUEL CUST#141130 INV#FI18111411 FD FUEL CUST#141217 INV#FI18111415 DPW FUEL CUST#141100 INV#FI18112379 PD FUEL CUST#141120 INV#FI18112380 WWTP FUEL CUST#141130 INV#FI18112381 FD FUEL CUST#141217 INV#FI18112385 |
| | | | Vendor's Total | | | 9313.49 | |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 006
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|------------------------------------|---|--|--|---|--|---|
| 12-18 | ROC03 (W. MARTIN ROCHE) | 44 | 11/30/18 | / / | | 800.00 | WATER CONSULTING/RAW WATER LDC 10/16-11/30/1 |
| 12-18 | ROT01 (ROTO-ROOTER) | AB0618011 | 11/06/18 | 12/06/18 | A | 182.70 | SEWER REPAIR |
| 12-18 | SCH01 (BEVERLY SCHORR) | NC1000891 | 12/10/18 | / / | | 33.00 | REFUND DUPLICATE PAYMENT CIT #NC010008910 |
| 12-18 | SHE10 (SHERRIF'S DEPARTMENT) | 121118 | 12/11/18 | / / | | 100.00 | SL 12/06/18 HONEYBOOK SHERIFF'S DEPT |
| 12-18 | SIE67 (SIERRA STREAMS INST.) | 120718A 120718B | 12/07/18 12/07/18 | / / / / | | 1793.98 617.11 | BROWNSFIELD QUARTZ MILL SSI NOV 2018 LDC RESTORATION PROJ NOV 2018 |
| | | | Vendor's Total | -----> | | 2411.09 | |
| 12-18 | SIM05 (SIMPSON & SIMPSON) | 118777 | 12/11/18 | / / | | 41500.00 | MEASURE S - MAX SOLARO DRIVE |
| 12-18 | SMA02 (SMARTERBROADBAND, INC.) | 41366 | 12/17/18 | / / | | 140.00 | BROADBAND MNTHLY SVC JAN 2019 |
| 12-18 | SPA01 (SPAR TREE FORESTRY INC) | 121318 | 12/13/18 | 01/12/19 | A | 4000.00 | TREE REMOVAL |
| 12-18 | SPD01 (SPD MARKETS) | 05608847 06664645 | 11/26/18 11/01/18 | 12/26/18 12/01/18 | A A | 63.04 5.41 | BATTERIES CLEANING SUPPLIES |
| | | | Vendor's Total | -----> | | 68.45 | |
| 12-18 | SPD02 (SPD SAW SHOP) | 112518 113411 | 10/24/18 11/01/18 | 11/23/18 12/01/18 | A A | 38.74 633.94 | CHIPPING WEED-EATER |
| | | | Vendor's Total | -----> | | 672.68 | |
| 12-18 | SPR05 (SPRING STREET MARKET & DELI | 121618 | 12/16/18 | / / | | 135.49 | COMMERCIAL ST MEETING LUNCHEON |
| 12-18 | STE12 (STERICYCLE, INC.) | 300449121 | 12/01/18 | / / | | 21.58 | SHARPS MNTHLY COLLECTION/MED WSTE DEC 2018 |
| 12-18 | SUN01 (SUNRISE ENVIRONMENTAL) | 93204 93349 93432 93667 | 11/27/18 11/30/18 12/04/18 12/12/18 | 12/27/18 12/30/18 01/03/19 01/11/19 | A A A A | 691.33 506.46 522.90 181.61 | SUPPLIES SUPPLIES SUPPLIES CITY HALL SUPPLIES |
| | | | Vendor's Total | -----> | | 1902.30 | |
| 12-18 | SWA04 (SWARTZ DIESEL) | 6935 | 12/03/18 | / / | | 3043.15 | SWEeper REPAIR INV#1 |
| 12-18 | SWR01 (SWRCB) | WD0139541 WD0143333 | 11/27/18 11/27/18 | 12/27/18 12/27/18 | A A | 2286.00 5036.00 | ANNUAL PERMIT FEES 5SSO11011 7/1/18-6/30/19 STATE COMPLIANCE FEES 7/1/18-6/30/19 |
| | | | Vendor's Total | -----> | | 7322.00 | |
| 12-18 | TEL02 (TELECOM NETWORKING SYSTEMS, | 724214 | 12/03/18 | / / | | 195.00 | PHONE |
| 12-18 | THE10 (THE AUTO SHOP) | 24513 24842 | 10/30/18 12/10/18 | / / / / | | 122.56 78.32 | UNIT #24 SOLENOID UNIT #27 OIL CHANGE |
| | | | Vendor's Total | -----> | | 200.88 | |
| 12-18 | UNI01 (THE UNION) | I00321373 I00332067 I00332069 I00332083 I00334579 I00336074 I00336099 I00338844 I00338853 | 12/06/18 11/20/18 11/20/18 11/20/18 12/06/18 11/26/18 11/26/18 12/06/18 12/06/18 | 01/05/19 12/20/18 12/20/18 12/20/18 01/05/19 12/26/18 12/26/18 01/05/19 01/05/19 | A A A A A A A A A | 50.00 190.48 115.44 109.64 50.00 104.86 187.60 237.36 230.16 | FACILITY RENTAL AD#321373-01 TELECOM ORD-PH AD#332067-01 CDBG BID FOR PP BATHROOM PROJ AD#332069-01 SWIMMING PROGRAM FEE-PH AD#332083-01 FACILITY RENTAL AD#334579-01 CDBG BID FOR PP BATHROOM PROJ AD#336074-01 URGENCY TELECOM ORD-PH AD#336099-01 ADMIN SERVICES TECH-RECRUIT AD#338844-01 PT TEMP MAINT WORKER AD#338853-01 |
| | | | Vendor's Total | -----> | | 1275.54 | |
| 12-18 | USA01 (USA BLUE BOOK) | 737987 744884 | 11/14/18 11/26/18 | 12/14/18 12/26/18 | A A | 555.41 1117.80 | C/2 ANALYZER CHEMICAL/FEED PUMP REPAIR KIT |
| | | | Vendor's Total | -----> | | 1673.21 | |

REPORT.: Dec 31 18 Monday
 RUN...: Dec 31 18 Time: 15:28
 Run By.: Desirae Andresen

City of Nevada City
 Month End Payable Activity Report
 Report for 12-18

PAGE: 007
 ID #: PY-AC
 CTL.: NEV

| Period | Vendor # (Name) | Invoice Number | Invoice Date | Due Date | Disc. Terms | Gross Amount | Description |
|--------|-------------------------------------|------------------------|------------------------|----------------------|-------------|----------------------|--|
| 12-18 | USD02 (U.S. DEPT. OF AGRICULTURE) | 100118A 100118B | 10/01/18 10/01/18 | 10/31/18 10/31/18 | A A | 31680.00 38781.25 | WWTP#14 JAN 2019 INTEREST ONLY PMNT WWTP#12 JAN 2019 INTEREST ONLY |
| | | | Vendor's Total -----> | | | 70461.25 | |
| 12-18 | USD05 (USDI, BUREAU OF LAND MGMT) | 201901410 | 11/29/18 | 12/29/18 | A | 17246.81 | R.O.W. 1/1-12/31/19 BILL#2019014101 CACA0045 |
| 12-18 | VAL08 (VALLEY TOXICOLOGY SERV) | 3212 | 11/30/18 | / / | | 380.00 | BLOOD & ALCOHOL ANALYSIS NOV 2018 |
| 12-18 | VER01 (VERIZON WIRELESS) | 981906684 981980143 | 11/23/18 12/07/18 | / / / / | | 568.56 63.78 | PD CELL SVC/PLUS FD IPAD SVC 10/24-11/23/18 WWTP&WTP ON CALL CELL SVC 11/8-12/07/18 |
| | | | Vendor's Total -----> | | | 632.34 | |
| 12-18 | VSP00 (VISION SERVICE PLAN-(CA)) | DEC 2018 | 11/20/18 | / / | | 330.17 | VISION BENEFITS DEC 2018 |
| 12-18 | WAS10 (WASTE MGMT. OF NEVADA CO.) | 897349387 | 12/01/18 | / / | | 74.52 | TRASH |
| 12-18 | WIL02 (WILLIAMS STATIONERY) | 137194 0137390 | 11/14/18 11/29/18 | 12/14/18 12/29/18 | A A | 230.63 34.91 | MISC OFFICE SUPPLIES ENVELOPES |
| | | | Vendor's Total -----> | | | 265.54 | |
| 12-18 | WOO01 (WOODBRIIDGE HOMEOWNERS ASSOC | 120318 | 12/03/18 | / / | | 2437.68 | SEARLS AVE DRAINAGE WORK REIMB 50% |
| 12-18 | ZEE01 (ZEE MEDICAL SERVICE CO.) | 724902979 | 12/11/18 | 01/10/19 | A | 187.36 | MED SUPPLIES |
| 12-18 | ZYD02 (DAWN ZYDONIS) | 122018 | 12/20/18 | / / | | 240.92 | MISC DEPT PURCHASES DEC 2018 |
| | | | Total of Purchases --> | | | 486026.37 | ===== |

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City, CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Side Letter No. 1 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing the Section 12 HOLIDAYS Policy

RECOMMENDATION: Review and approve Side Letter No. 1 to The Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding (MOU) dated July 1, 2018 through June 30, 2021 – Rescinding and Replacing the Section 12 HOLIDAYS Policy.

CONTACT: Catrina Olson, City Manager

BACKGROUND / DISCUSSION:

During the labor negotiations between the City of Nevada City and the Nevada County Professional Firefighters, Local 3800, the firefighters wanted to revise the Holidays Section to allow for a payout upon separation of employment. The revision was made to allow for this and the holiday leave was changed to an accrual method. After approval, the accrual method was unclear and problematic and required revisions. The holiday leave was revised to include a provision to allow for a payout upon separation of employment.

A side letter containing the revised policy was written and approved by the Fire Department.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

- ✓ Side Letter No. 1 to the Nevada County Professional Firefighters, Local 3800 MOU

**CITY OF NEVADA CITY
SIDE LETTER NO. 1 TO MEMORANDUM OF UNDERSTANDING**

TO: Catrina Olson, City Manager

FROM: Dan Paulus, Fire Captain – Shop Steward, Nevada County Professional Firefighters, IAFF Local 3800

SUBJECT: Amendment No. 1 to the Nevada County Professional Firefighters, Local 3800 Memorandum of Understanding dated July1, 2018 through June 30th, 2021.

EFFECTIVE DATE: July 1, 2018

The Department and City have agreed to rescind and replace the **Section 12. HOLIDAYS** policy to read as follows:

The employee shall be compensated for the 14 paid Holidays (112 hours) as follows:

Employee holiday leave credit shall be received in two lump sum credits during the course of the calendar year. Firefighters will receive 56 hours of holiday leave credit on January 1st and July 1st.

Available holiday leave credit may be used during the calendar year as received. Holiday leave hours will be scheduled in the same manner as vacation.

Employees may request a lump sum payment of up to 56 hours of unused Holiday leave once during the calendar year. The employee will provide the City a letter of intent to sell back up to 56 holiday leave hours prior to the end of November. The payment of the requested hours will occur on a regular payroll cycle on the last check date of December. All remaining hours after payout will be forfeited during this same pay period.

New employees will receive pro-rated holiday leave credit on the first paycheck calculated as follows:
4.31 x (# pay periods remaining in 6 month period after hire date)

Employees separated from employment prior to December 31st shall receive a maximum payout of up to 56 hours for any unused Holiday leave credit.

Catrina Olson, City Manager

Date

Loree' McCay, Administrative Services Manager

Date

Dan Paulus, Fire Captain

Date

Michael Chau, Firefighter

Date

Clayton Thomas, President Local 3800

Date

**CITY OF NEVADA CITY
ACTION MINUTES
REGULAR CITY COUNCIL MEETING OF DECEMBER 12, 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 – 6:00 PM

1. Pursuant to Government Code Section 54957(b)(1) a closed session is requested with City Manager Catrina Olson, the and City Attorney Hal DeGraw on a personnel matter related to the Police Chief position.

Action: Report out of closed session, staff to proceed as directed.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Present: Mayor Parker, Vice Mayor Senum, Council Members Minett, Strawser, and Moberg

PLEDGE OF ALLEGIANCE

PROCLAMATIONS: None

PRESENTATIONS:

- A. **Subject:** Introduction of New Firefighter – Alex Otani was moved to a future agenda.

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:** Fire Activity Report – November 2018
Recommendation: Receive and file.
- B. **Subject:** Accounts Payable Activity Report – November 2018
Recommendation: Receive and file.

- C. Subject:** Review and Approve the Purchase of Radar Units for Installation in Patrol Vehicles and a Speed Monitoring Mobile Radar Trailer **Recommendation:** Approve the request for the Police Department to purchase radar units for installation in the patrol vehicles and a speed monitoring mobile radar trailer.
- D. Subject:** Nevada City Chinese New Year Parade and Festival Street Closure Request
Recommendation: Review and authorize Nevada City Chinese New Year Parade and Festival street closure request per application.
- E. Subject:** Bear Yuba Land Trust (BYLT) Trail Maintenance Contract
Recommendation: Pass Resolution 2018-72 and authorize the City Manager to sign the 2019 Trail Maintenance Contract.
- F. Subject:** Bench and Plaque for Placement on Hirschman Trail
Recommendation: Approve the requested plaque wording.
- G. Subject:** Award of Contract for Pioneer Park Tennis Court Bathroom Improvements in Nevada City
Recommendation: Pass Resolution 2018-73 awarding a contract to Barsotti Contracting in the amount of \$65,200.00 plus \$7,000.00 in contingencies for Pioneer Park Tennis Court Bathroom Improvements in Nevada City and authorize the Mayor to sign.
- H. Subject:** Authorization for Procurement for Nevada City Water Plant Chlorine System
Recommendation: Authorize the City Manager or designee to sign purchase orders for the procurement of Nevada City Water Plant Chlorine System in the amount of \$31,706.20 plus \$2,000.00 in contingencies for Nevada City Water Plant Chlorine System in Nevada City.

Action: Motion by Strawser, seconded by Senum to approve Consent Items 3A-3C and 3E-3H as presented. Item 3D was pulled to request applicant to remind affected businesses of the parade date. Applicant agreed to send a flyer.

(Approved 5 – 0)

Motion by Strawser, seconded by Minett to approve Consent Item 3D.

(Approved 5 – 0)

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – November 14, 2018

Action: Motion by Moberg, seconded by Senum to approve November 14, 2018 minutes as presented.

(Approved 5 – 0)

B. Special City Council Meeting – November 20, 2018

Action: Motion by Senum, seconded by Moberg to approve November 20, 2018 special

meeting minutes as presented.

(Approved 4 – 0, 1 Abstain-Strawser)

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

A. Subject: Monthly Update On City Council Six-Month Strategic Objectives

Recommendation: Receive and file.

Action: No action. Receive and file.

B. Subject: Year End Update for Ongoing Citywide Projects

Recommendation: Review and recommend further direction/next steps on presented projects if desired.

Action: No action. Staff directed to add directional signage back on the list of things to work towards completing.

C. Subject: Revised City of Nevada City Special Event Application/Contract

Recommendation: Review and approve the revised City of Nevada City Special Event Application/Contract and Event Guidelines.

Action: No action. Update to City Council on changes, receive and file.

6. PUBLIC HEARINGS:

A. Subject: Ordinance to Regulate Wireless Telecommunications Facilities in the Right of Way

Recommendation: Hold a Public Hearing and introduce by title only, and waive full reading of the ordinance, for first reading of an Ordinance Amending the Nevada City Municipal Code to add Chapter 17.150 entitled “Wireless Telecommunication Facilities in the Right of Way”.

Action: Motion by Strawser, seconded by Minett to continue this item to a date certain of January 23, 2019 for review of comments regarding the Ordinance from Paul Albritton of Mackenzie & Albritton, LLP, the attorney representing Verizon Wireless.

(Approved 5 – 0)

B. Subject: A Public Hearing and Pass Resolution 2018-74 Establishing a 5-Year Wastewater Rate Structure with Scheduled Annual Incremental Increases

Recommendation: Hold a Public Hearing and Pass Resolution 2018-74 establishing a 5-year wastewater rate structure with scheduled annual incremental increases.

Action: Motion by Senum, seconded by Strawser to pass Resolution 2018-74 establishing a 5-year wastewater rate structure with scheduled annual incremental increases as presented.

(Approved 4 – 1) Roll call vote – Yes: Strawser, Moberg, Senum, and Parker

No: Minett

7. OLD BUSINESS:

A. Subject: : An Ordinance of the City of Nevada City Repealing and Re-enacting Chapter 9.22 of Title 9 of the Nevada City Municipal Code Entitled “Medical Cannabis Dispensaries and Other Cannabis Businesses and Activity” and

Renaming it “Cannabis Dispensaries and Other Cannabis Businesses and Activity”; Amending Chapter 17.142 Entitled “Medical Cannabis Uses and Activity” and Renaming it “Cannabis Uses and Activity” to Allow Adult-Use for Businesses and Activities Previously Restricted to Medical-only; and Amending Sections 17.36.020, 17.40.020, and 17.48.020 (principal permitted uses in LB, GB, and LI zones) in Title 17 to Reflect the Amendment

Recommendation: Introduce for a second reading an Ordinance 2018-10 repealing and re-enacting Chapter 9.22 of Title 9 of the Nevada City Municipal Code, to allow adult-use cannabis businesses in addition to medical businesses to operate within City limits in appropriate zoning designations, as outlined in the above Title; waive reading of the Ordinance; read title only, and adopt the Ordinance.

Action: Motion by Senum, seconded by Minett to introduce for a second reading an Ordinance 2018-10 repealing and re-enacting Chapter 9.22 of Title 9 of the Nevada City Municipal Code, to allow adult-use cannabis businesses in addition to medical businesses to operate within City limits in appropriate zoning designations, as outlined in the above Title; waive reading of the Ordinance; read title only, and adopt the Ordinance. Staff was directed to bring an Ordinance amendment back to Council to update Section 9.22.120 deleting subsection B, number 4.

B. Subject: An Ordinance of the City of Nevada City Adding Chapter 8.06 of the Nevada City Municipal Code Addressing Unlawful Panhandling

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

Action: Motion by Senum, seconded by Strawser to waive reading of Ordinance, read title only and introduce for first reading.

(Approved 5 – 0)

C. Subject: Approve Improvements for a Kiosk and Rail Exhibit at Clamper’s Square

Recommendation: Approve a Notice of Exemption improvements to the Clamper’s Square.

Action: Motion by Strawser, seconded by Moberg to approve a Notice of Exemption improvements to the Clamper’s Square.

(Approved 5 – 0)

8. NEW BUSINESS:

A. Subject: Request for Council Review and Consideration of Grievance by Firefighter Michael Chau Regarding Incentive Pay Requirements and City Manager’s Decision Thereon

Recommendation: Commence conducting a review of the grievance, determining the best means to conduct a review of the facts and issues and determine if any further investigation is needed and set a date for rendering a decision or render a decision if nothing else is needed.

Action: City Council conducted a review of the grievance, determined that there was no further investigation needed and rendered a unanimous decision to uphold the determination of the Fire Chief, Mark Buttron and City Manager, Catrina Olson to not include the six months of temporary work towards the three years of employment required to receive incentive pay for qualified certifications. City Council directed City Attorney, Hal DeGraw to draft a letter to

Michael Chau with the decision that was rendered.

B. Subject: Resolution Approving Application of Cal Fire – Fire Prevention Grant
Recommendation: Pass Resolution 2018-75 Approving a Notice of Exemption (NOE), Pass Resolution 2018-76 Approving the Cal Fire Environmental Review Report, and Pass Resolution 2018-77 Approving Application of Cal Fire – Fire Prevention Grant and authorize the Mayor to sign.

Action: Motion by Moberg, seconded by Minett to pass Resolution 2018-75 approving a Notice of Exemption (NOE), pass Resolution 2018-76 approving the Cal Fire Environmental Review Report, and pass Resolution 2018-77 approving application of Cal Fire – Fire Prevention Grant and authorize the Mayor to sign.

(Approved 5 – 0)

C. Subject: Proposition 68 Funding: California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018
Recommendation: Choose top priority projects and direct staff on how to proceed with participation in the grant application process.

Action: No action. City Council directed staff to proceed with setting a community meeting to review possible priority projects for Proposition 68 funding.

D. Subject: Vegetation Management on City Owned Properties – Prescriptive Grazing “Goat Brigade”
Recommendation: Review progress made regarding vegetation management on City owned properties with the use of the “Goat Brigade” for prescriptive grazing and approve recommended next steps on presented project locations.

Action: No action. City Council update regarding suggested projects. Staff directed to proceed with Pioneer Park project for prescriptive grazing contributing approximately \$3,000.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER’S REPORT:

12. ADJOURNMENT: - 10:24 PM

David Parker, Mayor

ATTEST:

Niel Locke, City Clerk

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Vegetation Management on City Owned Properties – Prescriptive Grazing “Goat Brigade” Quotes and Update on Pioneer Project

RECOMMENDATION: Review quotes, the Pioneer Project and progress made regarding vegetation management on City owned properties with the use of the “Goat Brigade” for prescriptive grazing and recommend next steps on presented project locations.

CONTACT: Catrina Olson, City Manager

BACKGROUND/DISCUSSION:

The City has a Strategic Plan in place with three year goals. One of the three year goals is to Manage and reduce homelessness and transient populations. One of the current six months’ objectives is to present to the City Council a Fire/Homeless Reduction Program: “The Goat Brigade” to clear out brush and trash and remove homeless camps.

As a part of that objective on October 26, 2018 a meeting was held to introduce and talk about prescribed grazing “The Goat Brigade”. October 29, 2018 City Staff with Council Member Senum met with several ranchers, including Rob Thompson of Legacy Ranching, to tour several City open spaces that Nevada City Staff and Council considers very high fire hazard zones.

A map is attached to the staff report identifying the areas of concern which include:

1. Clark Street and Sacramento Street by the City’s overflow parking lot
2. Pioneer Park – near softball (starting on Silva Avenue) to the picnic area near the horseshoe pits
3. Woods Ravine off Highway 49
4. The west side of Hirschman’s Pond
5. The City Environs from the Wastewater Treatment Plant to Providence Mine Road
6. The Nevada City Old Airport various sites

Prescriptive grazing would be used in some of these areas but would need volunteer and/or Washington Ridge Crews hand work as a follow-up. Some of the areas would be volunteer and/or Washington Ridge Crews hand work only.

Attached are three quotes the City has received from Legacy Ranching, The Goat Works and NM Ranch providing estimates of grazing costs for several of the areas identified above.

The City has selected Pioneer Park to be the first project to begin the process of using prescriptive grazing (the “Goat Brigade”). This project is the smallest and least expensive project as compared to some of the other identified areas. This project will be used as an educational tool to provide community outreach as to the use of prescriptive grazing for vegetation management. City staff have met with Robert Thompson of Legacy Ranching to contract for the Pioneer Park project. This project will be occurring in the next 30 days, but is weather

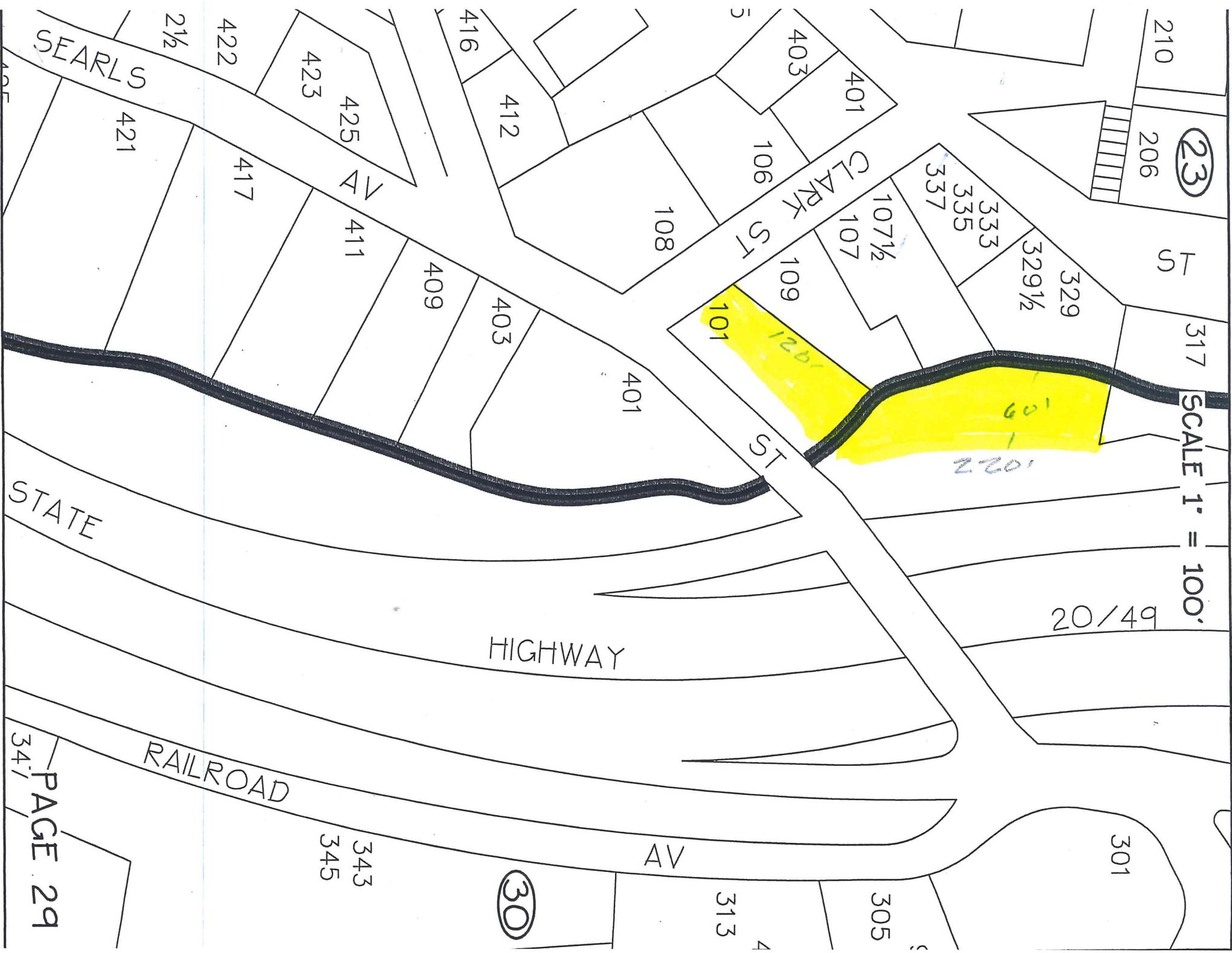
dependent. A public service announcement will be issued to social media as the project period approaches.

Council Member Senum in conjunction with City Staff have started a “Go Fund Me” campaign to provide ongoing funding to support citywide vegetation management efforts. The “GoatFundMeNevadaCity” information is attached.

FINANCIAL CONSIDERATIONS: Pioneer Project to be City funded with General Fund open space budget FY 18/19 approximately \$3,000. Larger projects identified above will be covered by funds raised through the GoatFundMeNevadaCity efforts.

ATTACHMENT:

- ✓ Maps identifying areas of City owned property for vegetation management
- ✓ “GoatFundMeNevadaCity” information
- ✓ Three quotes from Legacy Ranching, The Goat Works and NM Ranch.

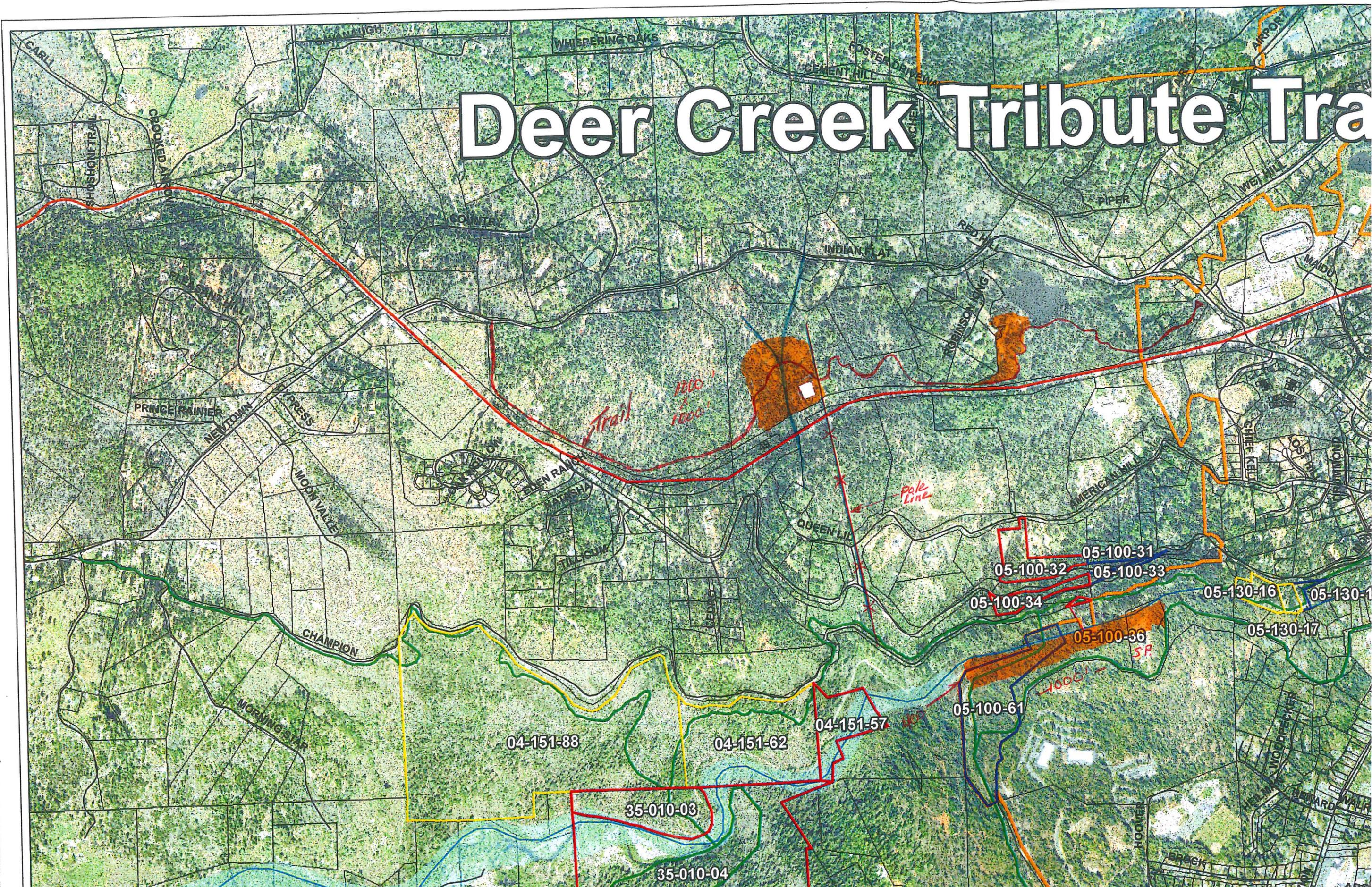


23

SCALE 1" = 100'

30

Deer Creek Tribute Trail



Check out the GoFundMe campaign just launched this evening: gofundme.com/GoatFundMeNevadaCity

ALL HANDS ON DECK

There is little need to stress how important it is to the safety and wellbeing of Nevada City citizens and neighboring residents that we reduce the fire load in our surrounding forests and neighborhoods. The unprecedented fires in California, particularly in Paradise, have hit all too close to home and have become the ultimate Cautionary Tale.

Fortunately, we can do something about it and while the City of Nevada City is taking the lead we cannot do this alone. Whether you are a homeowner, a renter, or a business owner, we are all in the same boat together, equally at risk for catastrophic fire.

THE CITY OF NEVADA CITY

Our city staff, fire and police departments, as well as city council members realize how important it is that we take proactive steps NOW. This is why we have been working for weeks with local ranchers to launch a goat/sheep prescriptive grazing on city-owned land including the over 450 acres of city-owned greenbelt.

In addition to these greenbelts, we are starting this December with the backside of Pioneer Park as our Goat Grazing Public Demonstration. While we are being proactive as a city we believe in the Chinese Proverb, "Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime."

We know it's equally important that we teach our local residents how to reduce the risk on their own property by providing this Public Demonstration, as well as tips, tools, best practices, and contact info of qualified, vetted ranchers. We will provide this information in brochure-form as well as on our official city website so you can utilize the same prescriptive grazing techniques on your property and surrounding neighborhood as we will on our city-owned land.

However, we can't do this alone and this is why:

TIME IS OF THE ESSENCE

Yes, we can use prescriptive grazing as a solution to reduce our risk of

catastrophic fire, BUT the rub is we only have THIS winter available to use several different large herds: Our local ranchers have already rented out their herds next spring, summer, and fall. And while the ranchers are expanding to meet demand, for now, they are only available to Nevada City on a large scale THIS winter..... THIS is why time is of the essence.

While we turn to our homeowners, renters, business owners, and neighborhood associations, we will be looking at securing grant funding as well. However, this generally takes many weeks or months and we simply don't have that kind of time to be able to launch the program by this month, December, and throughout the rest of the winter.

Paradise, California, 2018

Prescriptive grazing utilizes goats for bushes, trees, and manzanita (not scotch broom) while sheep graze on grass. The program requires a herdsman to be on-site at all times as well as a camping trailer, water wagon, electric fencing, herding dog, and transport trailer. It also requires timely public notice through signage alerting residents of the incoming herd.

Prescriptive grazing can cost anywhere from \$500 to \$1,000 per acre depending on the difficulty of the terrain and how much there is to graze. Approximately 200 goats can knock down an acre per day. Nevada City has over 450 acres of greenbelt and it is of utmost importance we keep the fire risk to a minimum. That's a lot of acreage, but we're breaking it down into bite sizes and prioritizing where the risk is greatest. *However, the more money we raise, the more acreage we can cover!*

THE PLAN

To get going, the city staff is recommending the City Council approve (up to) \$5,000 for the Pioneer Park Prescriptive Grazing, Public Demonstration, & Outreach Materials. City staff and council members have walked city owned property and have identified 4 different methods of clearing as well as the following properties as high priority for this winter:

METHOD

Community Volunteers (CV)
Goats or Sheep; Prescriptive Grazing (G)
Jail Work Release Program, or Washington Ridge Crews (WR)
Machinery (M)

LOCATIONS & (METHOD)

Pioneer Park (G) (CV)

Deer Creek Environs including Treatment Plant (G) (CV) (WR)

Woods Ravine (West of Hirschman's Pond) (G) (WR)

Sugar Loaf (WR)

Old Airport (M)

Once these properties have been cleared we will follow up with hand-crews. We will need community volunteers for easy-to-reach properties and are working towards partnering with the County to utilize the Jail Release Program and/or the Washington Ridge Crews.

We will maximize the benefits of clearing out these properties by also following up with removing abandoned homeless camp so as to discourage homeless camps in the future thus reducing the fire risk even more while ensuring a healthy watershed!

Please support us in keeping Nevada City and surrounding communities safe. If we don't do this for ourselves, it's simply not going to happen. There is no better insurance policy than to reduce the risk at hand. Let's be proactive and ensure that we are safe and thriving in a healthy, fire-free community!

Legacy Ranching
Robert Thompson
legacyranching@gmail.com
530-708-0590
12-17-18

This bid will expire on January 31, 2019

This is a bid for goat and sheep grazing on properties owned by Nevada City know as
-Pioneer Park
-Woods Ravine
-Deer Creek Environs
-Hirschman Pond

Pioneer Park

Grazing timing: any time from 12-18-18 through 11-15-19 based on the cities preference and needs.

Estimated acreage: 5

Total cost: \$4000

Animals may have to be fed or hauled off site for short periods of time due to inclement weather

Woods Ravine

Grazing timing: any time from 8-1-19 through 11-15-19 based on the cities preference and needs.

Estimated acreage: 22.95

Total cost: \$15000

Deer Creek Environs

Grazing timing: any time from 8-1-19 through 11-15-19 based on the cities preference and needs.

Estimated acreage: 29.6

Total cost: \$29600

Hirschman Pond

Grazing timing: any time from 8-1-19 through 11-15-19 based on the cities preference and needs.

Estimated acreage: 7-9

Total cost: \$850 per acre based on actual acres grazed

All acreages are based on estimates from maps supplied by the city. If the actual acres grazed exceeds the estimates by more than 5% the city shall be billed at a rate of \$500 per acre for the additional acres.

Legacy Ranching will supply all of its own fencing, equipment, insurance, and employees. Nevada City shall provide access to stock water for the grazing sites.

It is Legacy Ranchings opinion that Fall is the best time of year for brush reduction using sheep and goats in Nevada County. The Grazing timing in this bid reflects that opinion. If Nevada City would like to discuss grazing at different times of the year I am open for further discussions and could re-submit a bid based on a change in time of year grazed.

All bids are for individual sites. If Legacy Ranching were awarded all sites I would give the city a 10% discount.

All sites will be billed individually at the time of completion. The terms are net 30 with a 18%apr added to late payments.

All bids are for the first year grazing for Nevada City. The first year on grazing projects are more expensive than following years as brush needs to be hand cleared for fence lines and logistics need to be set up. The following years may be completed at a reduced rated and Legacy Ranching would be willing to re-bid the sites after completion of year one.



**For All Your Vegetation
Management Needs**

PO Box 358
Penn Valley, CA 95946
Phone (530) 906-0338

**DATE: December 13, 2018
Winter 2018 Quote**

Send To:
Nevada City

Comments or special instructions:

Nevada City properties - vegetation reduction using goats

| Description | AMOUNT |
|---|-------------|
| Pioneer Park pilot project grazing | \$4,500.00 |
| Woods Ravine 1000ft x 1000ft (22 acres) | \$11,000.00 |
| Hirshmans Pond - (25 acres) | \$12,500.00 |
| Deer Creek North 1,200ft x 300ft (8 acres) | \$4,000.00 |
| Deer Creek North small parcel 150ft x 600ft (2 acres) | \$2,000.00 |
| Deer Creek South 2800ft x 300ft (19 acres) | \$11,400.00 |
| Pioneer Park - 50% due upon move in - Final 50% due upon completion | |
| Nevada City project - \$2500 down payment due upon move in - will then be billed every 2 weeks on acreage completed with final invoice sent and due upon completion | |
| | |
| | |

Thank you for your Business!

If there are any questions we would be glad to answer them (530)906-0338

NM Ranch
Nathan and Kaitlyn Medlar
565 Clipper Gap Road
Auburn, CA 95603
(916) 825-0933

Estimate
January 3, 2019

Provided to:
Nevada City

| Service | Location | Rate |
|-------------------|---|-------------|
| Livestock Grazing | Pioneer Park | \$5,000 |
| | Woods Ravine (1000' x 1000' - 22 acres) | \$11,500 |
| | Hirshmans Pond (25 acers) | \$13,000 |
| | Deer Creek North (1200' x 300' - 8 acres) | \$5,200 |
| | Deer Creek North small (150' x 600' - 2 acres) | \$2,400 |
| | Deer Creek South (2800' x 300' - 19 acres) | \$12,350 |
| | | |
| | | |

Half of rate is to be paid on the day before or day of move in of the animals to each location, the remainder is to be paid on the day of move out of the animals at that location. Failure to make this payment will result in a 1.5% interest charge per month of the total rate. There is a \$50 fee for returned checks.

This estimate is provided at no charge and is subject to change.

Thank you for your business!

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: County of Nevada Parks and Recreation Consolidation Feasibility Study

RECOMMENDATION: Provide staff direction regarding participation in the study.

CONTACT: Dawn Zydonis, Parks & Recreation Manager

BACKGROUND / DISCUSSION:

The County of Nevada has hired Economic & Planning Systems Consulting Firm (EPS) to conduct a feasibility study to determine if consolidation of park and recreation programs and operations could be advantageous for local residents.

There have been two public meetings regarding the study. These meetings were an opportunity for the public to provide input and ideas about the study. The agendas from those meetings are attached.

EPS has been gathering information from each of the three Park & Recreation Districts in Western Nevada County (Western Gateway Recreation & Park District, Bear River Park & Recreation District & Oak Tree Community Park & Recreation District). They are interested in getting feedback and information from Nevada City. Staff would like direction from the Council on our level of participation in this study.

ENVIRONMENTAL CONSIDERATIONS: None

FISCAL IMPACT: None

ATTACHMENTS:

- ✓ Agendas from previous public meetings held by County of Nevada and EPS
- ✓ Parks and Recreation Consolidation Study Summary



Meeting Purpose

EPS is looking for input from the Nevada County community and interested stakeholders regarding parks and recreation facilities and services in Nevada County. At this meeting, we want to let the community know what we are working on and give community members an opportunity to shape the future of parks and recreation in Nevada County!

Agenda

1. County Introduction and Overview
2. EPS Presentation—Park Impact Fee and District Consolidation Feasibility Study Update
3. Breakout Sessions – Community Input
4. Closing Remarks and Next Steps

Park and Recreation Stakeholder Meeting

RECEIVED
JUL 28 2018
CITY OF NEVADA CITY

Date: Thursday, August 2

Time: 5:30 PM to 7:30 PM

Location: Madelyn Helling Library—Gene Albaugh Community Room
980 Helling Way, Nevada City, CA 95959

Background

Nevada County is partnering with Economic & Planning Systems, Inc. (EPS) to update the County's Park Facility Impact Fee and to conduct a Western Nevada County Parks District Consolidation Feasibility Study.

Park Facility Impact Fee Nexus Study

- The County collects two types of fees for parks and recreation (AB1600 fees & Quimby fees) on new development to mitigate its impact on the need for new park facilities—the more people, the more parks needed.
- The fees are then provided to five Recreation Benefit Zones across Western Nevada County.
- EPS is conducting a Nexus Study to update the fees that were last updated in 1997.

Park District Consolidation Feasibility Study

- Western Nevada County has three independent Park and Recreation Districts outside of the Grass Valley and Nevada City areas:
 - Western Gateway Recreation and Park District,
 - Bear River Park and Recreation District,
 - Oak Tree Community Park and Recreation District.
- Since the Great Recession in 2008, many jurisdictions are fiscally challenged to secure adequate and sustained funding for park and recreation programs and operations.
- EPS will be conducting a Western Nevada County Park District Consolidation Feasibility Study to determine if consolidation could be advantageous for parks and recreational opportunities to local residents.

Frequently Asked Questions

- 1. *What is a Development Impact Fee?*** A development impact fee is fee paid by new development to the local government to fund infrastructure and public facilities needed to accommodate new development. As a community adds new residents and employees, those new residents and employees place demands on infrastructure and facilities, such as roads, sewer systems, police and fire stations, and of course, parks and recreation facilities. Development impact fees are a way for the local government to require new development projects to pay for the new infrastructure and public facilities that new residents and employees need.
- 2. *What does a Development Impact Fee fund?*** A development impact fee funds new facilities and infrastructure needed to serve new development projects. If existing facilities are sufficiently sized to accommodate new development, new development can be required to pay for its “fair share” of that existing facility.
- 3. *What can't a Development Impact Fee fund?*** A development impact fee may not be charged to new development to rectify existing infrastructure or public facility deficiencies. If infrastructure or facilities are inadequate to serve the local government's current resident and employee base, the local government must find alternative sources of funds to resolve those issues.
- 4. *Why is the County evaluating the feasibility of consolidating Park Districts?*** The County does not provide recreation and park services. Park and recreation services in Nevada County are currently provided by several individual park and recreation districts. Residents near Nevada City and Grass Valley don't have a specific park service provider, and instead utilize City park and recreation facilities. In this revenue constrained environment, the County is interested in understanding whether there are more efficient ways to provide park and recreation services and deliver the best services possible to the community.
- 5. *Would all Western County Districts have to consolidate?*** The feasibility study will evaluate the potential financial and service provision outcomes of District consolidation. Recommendations regarding consolidation will be based on the ability of a consolidated district to provide improved or equal services more efficiently. The analysis will evaluate that whether services would be more efficiently provided if all Western County Districts consolidate, if some consolidate, or if consolidation does not transpire.
- 6. *Who decides?*** The Nevada County Board of Supervisors will consider the results of the Park Facility Impact Fee Study and District Consolidation Study and will determine the preferred course of action. The County may choose to implement park facility impact fees at the levels justified by EPS's Nexus Study, or they may decide to implement fees at a lower level than justified by the Study. In no circumstance may the County implement fees higher than justified by the Nexus Study. Any decisions regarding potential District consolidation falls under the jurisdiction of the Nevada County Local Agency Formation Commission (LAFCO).



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

**950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9851 <http://mynevadacounty.com>**

Sean Powers
Community Development Agency Director

Brian Foss
Planning Director

Notice of Public Meeting

County of Nevada and Economic & Planning Systems, Inc.

Park District Consolidation Feasibility Study and Park Facility Impact Fee Nexus Study
Park and Recreation Stakeholder Meeting

Date: Monday, September 17

Time: 6:00 PM to 8:00 PM

Location: Board of Supervisors Chambers at the Eric Rood Administrative Center, 950 Maidu Ave, Nevada City, CA 95959

Background & Meeting Purpose: Nevada County is partnering with Economic & Planning Systems, Inc. (EPS) to update the County's Park Facility Impact Fee and to conduct a Western Nevada County Parks District Consolidation Feasibility Study. The main focus of this meeting will be regarding the feasibility of park district consolidation.

Consolidation Feasibility Study: Western Nevada County has 3 independent Park and Recreation Districts outside of the Grass Valley/Nevada City and Twin Ridges areas including Western Gateway Recreation and Park District, Bear River Park and Recreation District, and Oak Tree Community Park and Recreation District. EPS will be conducting a Western Nevada County Park District Consolidation Feasibility Study to determine if consolidation could be advantageous for parks and recreational opportunities to local residents.

Park Facility Impact Fee: The County collects fees for parks and recreation on new development to mitigate its impact on the need for new park facilities - the more people, the more parks needed. The fees are then provided to 5 Recreation Benefit Zones across Western Nevada County. EPS is conducting a Nexus Study to update the fees that were last updated in 1997.

Meeting Purpose: EPS is looking for input from the Nevada County community and interested stakeholders regarding parks and recreation facilities and services in Nevada County. The meeting discussion will focus on the feasibility of reorganizing park districts in order to increase recreational opportunities and efficiencies and update on the Nexus Study regarding AB1600 fees will be provided. Public input and discussion is welcome to help shape the future of Western Nevada County Parks and Recreation!

Agenda

1. County Introduction and Overview
2. EPS Presentation – Park District Consolidation Feasibility Study Update
3. EPS Presentation – Update on AB1600 Nexus Study and Fee
4. Public Input/Questions & Answers
5. Closing Remarks and Next Steps

Park District Consolidation Feasibility Study

EPS is working with Nevada County (County) to conduct a feasibility analysis evaluating alternative approaches to providing parks and recreation services to Western County residents (excluding the Truckee Donner area). Currently, park and recreation services in Western Nevada County are provided by 3 separate independent park and recreation districts outside of the Grass Valley and Nevada City areas:

- Western Gateway Recreation and Park District,
- Bear River Park and Recreation District, and
- Oak Tree Community Park and Recreation District.

For areas in the Western County that are not in a park and recreation district, the County provides limited park and recreation facilities and services, and many residents use park and recreation facilities and services provided by the Cities of Nevada City and Grass Valley.

EPS's study is specifically evaluating how different governance structures, namely consolidation of park and recreation service providers, might improve park and recreation service provision in the Western County. EPS's analysis is focused on the feasibility of various governance structure approaches, with the intent of inventorying pros and cons of various approaches as well as future steps needed to implement each alternative.

It is important to note that EPS's study is not expected to establish a specific recommendation regarding how park and recreation services are provided. The intent is instead to provide information that will facilitate future discussions and deliberation between the various parks and recreation service providers to determine the most effective and efficient approach to providing services.

EPS's study will specifically evaluate the financial feasibility of identified alternatives (e.g., all providers consolidate, some consolidate, etc.), identifying the potential for cost efficiencies and evaluating the potential for service delivery enhancements or other impacts.

Data Needs

From each existing government entity participating in the District Consolidation Feasibility Study, EPS is requesting the following data and information to inform the analysis:

Park Inventory Data

- Inventory of parks and recreation facilities and buildings (e.g., ball fields, pools, playing courts, community center), including publicly used school district facilities and joint use agreement documentation.
- Inventory of public park acreage by type (e.g., neighborhood, community), including publicly used school district facilities and joint use agreement documentation.
- Park master planning documents.
- Recreation capital improvement plans.

Staffing and Budget

- Park and Recreation budget information – sources and allocation of revenues, annual expenses
- Staff FTE, organizational chart
- Park maintenance detail:
 - Contract services agreements
 - Staff performed maintenance
 - Partnership agreements (i.e., contracted agreements in coordination with other organizations)
- Detail on parcel taxes or other dedicated revenue sources

Programming

- List of park and recreation programs offered.
- Youth or other organization affiliations and partnerships (e.g., sports leagues).

EPS also requests any other information that may help to provide additional context or supplemental information and appreciates the opportunity to interview local staff and policymakers to understand the dynamics surrounding parks and recreation service provision.

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Sugarloaf Trail Progress Update

RECOMMENDATION: Receive and File.

CONTACT: Amy Wolfson, City Planner;
Bryan McAlister, City Engineer

BACKGROUND/DISCUSSION:

At the May 10, 2017 meeting, Council approved a conceptual trail alignment for the Sugarloaf Trail as proposed by the Bear Yuba Land Trust. Since the conceptual approval, staff and the Land Trust have worked with consultants to prepare several special studies that will inform preparation of an initial study pursuant to the California Environmental Quality Act (CEQA). Staff has set up a webpage on the City website that provides links to completed studies, including the following reports: 1) Geotechnical Engineering Feasibility Study, 2) Cultural Resource Survey, and 3) a Biological Inventory.

The webpage also contains an updated project description and the most recent trail construction plans as prepared by City Engineer, Bryan McAlister. With the above information compiled, staff was able to send out a notice of distribution and request for agency comment to pertinent agencies, marking the first step in the preparation of the environmental document pursuant to CEQA. The agency comment deadline is January 18, 2019. The Sugarloaf Trail webpage can be found at: <https://www.nevadacityca.gov/pview.aspx?id=20862&catid=564>

NEXT STEPS:

Before the City Planner can begin preparation of the environmental document, staff will need to receive a notification list from the Native American Heritage Commission (NAHC) in compliance with the State Historic Preservation Office (SHPO). Once agency comments are received, including from NAHC, the City Planner will begin preparation of the environmental document.

Trail improvements also require an encroachment permit from the CA Department of Transportation (Caltrans) for the portion of the trail that is within State right-of-way. In response to staff's initial application, Caltrans has requested an extensive amount of additional information. City staff is in the process of resubmitting the application with the requested information. After acceptance of the application, there are six departments at Caltrans that will need to approve the plan prior to issuance of the permit. Caltrans is the regulatory approving agency for this portion of the trail.

Trail improvements cannot occur until the environmental document is adopted. Furthermore, the portion of trail improvements within State right-of-way cannot occur until a Caltrans encroachment permit is secured.

FISCAL CONSIDERATIONS: The trail implementation process is funded by volunteers of the Bear Yuba Land Trust. Some staff time will be required for processing a formal trail proposal and preparing the CEQA document.

ATTACHMENT:

1. Distribution Notice, December 18, 2018
2. Caltrans response letter, November 29, 2018, with attached encroachment application
3. Trail improvement plans

DEPARTMENT OF TRANSPORTATION**DISTRICT 3**

703 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4403
FAX (530) 741-4236
TTY 711
www.dot.ca.gov/dist3



*Making Conservation
a California Way of Life.*

November 29, 2018

03-NEV-49-15.4

Bryan McAlister
City of Nevada City
317 Broad Street
Nevada City, CA 95959

Dear Mr. McAlister:

This is to inform you that we have performed an initial screening for the completeness of your encroachment permit application received on November 26, 2018, as submitted, for permission to construct a portion of the Sugarloaf Pedestrian Trail within the State's Right-of-Way (R/W) at the NE quadrant of the intersection of State Route 49 and North Bloomfield Road in Nevada City.

We regret to inform you that your application cannot be processed as submitted until the comments below are addressed:

1. Show and clearly label the State's R/W lines on the plans. If you need assistance identifying the State's R/W lines, contact the Caltrans R/W Engineering Front Map Counter at 530-741-7101 or email Tiffany Bean at tiffany.bean@dot.ca.gov.
2. Provide detailed information about the proposed trail within State's R/W. Some critical information that is missing includes, slopes, cross slopes, landing area detail, type of ADA elements, grading plans, cross sections of trail, offset distances from ETW, etc.
3. Provide quantity tables on the plans.
4. Provide an alignment with stations to the proposed trail. Reference the cross sections, bridge details, etc., with reference to the stations.
5. Provide construction details at landing area and connection to the road with cross sections, slopes, materials, type of elements to be used.
6. Bridge detail shows variable dimensions, this shall be actual not estimated.
7. The name of the trail is not the same on the application and plans, different names are used like "Sugarloaf Trail", "walking path", "pedestrian facility". We understand that it is pedestrian trail named Sugarloaf Trail. Revise the plans and application form Box 17 and use a consistent name for the trail.

Box 17 of the application form needs to be re-written to make it clearer. Paragraph 1 can be for what the permit application is for, and paragraph 2 can discuss the various elements involved for construction within the State's R/W.

Mr. McAlister
November 29, 2018
Page 2

9. The application mentions the removal of an existing trestle foot bridge and its reinstallation at a new location. Revise the plans and show this detail on the plans with relevant construction notes and legends.
10. Provide complete construction details of the proposed rock retaining wall.

Please note that these comments are preliminary, additional comments may be provided when we review a new, revised encroachment permit application, and detailed plans. You may visit <http://www.dot.ca.gov/trafficops/ep/> for reference to prepare for the Encroachment Permit Application, plans and documents.

Attached please find the plan set requirements for your reference.

If you have any questions or concerns, please contact the permit writer, Tejinderjit Singh, at 530-741-4403.

Sincerely,



HIKMAT BSAIBESS, P.E.
District Permit Engineer

Enclosures

- (1) Encroachment permit application form and documents received on November 26, 2018
- (2) Plan set requirements

STANDARD ENCROACHMENT PERMIT APPLICATION

TR-0100 (REV. 03/2015)

Please type or print clearly your answers. Complete ALL fields, write "N/A" if not applicable. This application is not complete until all requirements have been approved.

Permission is requested to encroach on the State Highway right-of-way as follows:

| | | | | | | | | | | | |
|---|----------------------------|------------------------|------------------------|--|--|---|--|-----------------------------|--|---|--|
| 1. COUNTY Nevada | | | | | | 2. ROUTE 49 | | 3. POSTMILE 15.40 | | FOR CALTRANS USE PERMIT NO. DIST/CO/RTE/PM SIMPLEX STAMP | |
| 4. ADDRESS OR STREET NAME N Bloomfield Road | | | | 5. CITY Nevada City | | 7. PORTION OF RIGHT-OF-WAY detached walking path | | DATE OF SIMPLEX STAMP | | | |
| 8. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> OWN FORCES <input checked="" type="checkbox"/> CONTRACTOR | | | | 9. ESTIMATED START DATE 05-01-2018 | | 10. ESTIMATED COMPLETION DATE 08-01-2018 | | | | | |
| 11. EXCAVATION | MAX. DEPTH 3 | AVG. DEPTH 1 | AVG. WIDTH 5 | LENGTH 300' | | SURFACE TYPE Agg Base Shoulder | | | | | |
| 12. ESTIMATED COST WITHIN STATE HIGHWAY RIGHT-OF-WAY \$ 15,000.00 | | | | | | FUNDING SOURCE(S) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE <input checked="" type="checkbox"/> LOCAL <input type="checkbox"/> PRIVATE | | | | | |
| 13. PIPES | PRODUCT TYPE n/a | | DIAMETER | VOLTAGE / PSIG | | 14. CALTRANS' PROJECT CODE (ID) | | | | | |
| 15. <input type="checkbox"/> Double Permit Parent Permit Number _____ Applicant's Reference Number / Utility Work Order Number _____ | | | | | | | | | | | |
| 16. Have your plans been reviewed by another Caltrans branch? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (If "YES") Who? _____ | | | | | | | | | | | |
| 17. Completely describe work to be done within STATE Highway right-of-way: | | | | | | | | | | | |

Attach 6 complete sets of plans (folded to 8.5" x 11") and any applicable specifications, calculations, maps, etc.

Construction of 390' walking path within State Right-of-Way from the intersection to the Tahoe National Forest service property. The walking path will be detached from the roadway (20'-40') except where it joins the pavement at the existing crosswalk. Trail tread width will vary from 36 to 48 inches, depending on location and physical constraints, and constructed using a mini excavator, chainsaws, and a variety of hand tools. Installation of ADA curb ramp at NE quadrant of signalized intersection at Highway 49 and N Bloomfield Road. Placement of a pre-constructed footbridge across a small, low volume, intermittent channel approximately 3 ft wide and incised to a depth of 2 to 3 ft. The trestle footbridge currently installed at a nearby location will be removed and installed on the Sugarloaf Trail. It consists of (2) 8-ft. sections for a total length of 16 ft, and is constructed of Douglas fir, redwood (top cap and rails), and wood composite decking. (see attached photo)

The Sugarloaf trail connection has been prioritized by the City as a necessary pedestrian safety improvement to provide a safe alternative to walking along shoulder of roadways or crossing at unsafe locations. The trail alignment begins at the existing signalized intersection and provides access to private and public properties north of the City.

18. Is a City, County or other public agency involved in the approval of this project?

YES (If "YES", check type of project AND attach environmental documentation and conditions of approval)

COMMERCIAL DEVELOPMENT BUILDING GRADING OTHER _____

CATEGORICALLY EXEMPT NEGATIVE DECLARATION ENVIRONMENTAL IMPACT REPORT OTHER MND forthcoming

NO (If "NO", please check the category below which best describes the project AND answer questions A - K on page 2)

DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE OR RESURFACING FENCE

PUBLIC UTILITY MODIFICATIONS, EXTENSIONS, HOOKUPS MAILBOX

FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS EROSION CONTROL

OTHER _____ LANDSCAPING



STANDARD ENCROACHMENT PERMIT APPLICATION

TR-0100 (REV. 03/2015)

PERMIT NO.

The following questions must be completed when a City, County or other public agency IS NOT involved in the approval of this project.

Your answers to these questions will assist Departmental staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within State Highway right-of-way and to determine which type of environmental studies may be required to approve your application for an encroachment permit.

It is the applicant's responsibility for the production of all required environmental documentation and supporting studies and in some cases this may be costly and time consuming. If possible, attach photographs of the location of the proposed project. Please answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.)

A. Will any existing vegetation and/or landscaping within State Highway right-of-way be disturbed?

Yes

B. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the project or State Highway right-of-way?

Yes

C. Is the proposed project located within five miles of the coast line?

No

D. Will the proposed project generate construction noise levels greater than 86 dBA (e.g. jack-hammering, pile driving)?

No

E. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?

Yes

F. Are there any recreational trails or paths within the limits of the proposed project or State Highway right-of-way?

Yes

G. Will the proposed project impact any structures, buildings, rail lines or bridges within State Highway right-of-way?

No

H. Will the proposed project impact access to any businesses or residences?

No

I. Will the proposed project impact any existing public utilities or public services?

No

J. Will the proposed project impact existing pedestrian facilities, such as sidewalks, crosswalks or overcrossings?

No

K. Will new lighting be constructed within or adjacent to State Highway right-of-way?

No

19. Will this project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource? YES NO

(If "YES", provide a description)

20. Is this project on an existing State Highway or street where the activity involves removal of a scenic resource including a significant tree or stand of trees, a rock outcropping or a historic building? YES NO (If "YES", provide a description)

21. Is work being done on the applicant's property? YES NO (If "YES", attach 6 complete sets of site and grading plans.)

22. Will the proposed project require the disturbance of soil? YES NO
If "YES", estimate the area within State Highway right-of-way in square feet AND acres: 3200 (ft²) AND .07 (acres)
estimate the area outside of State Highway right-of-way in square feet AND acres: 51,200 (ft²) AND 1.17 (acres)

23. Will the proposed project require dewatering? YES NO
If "YES", estimate total gallons AND gallons/month. (gallons) AND (gallons/month)
SOURCE*: STORM WATER NON-STORM WATER
(*See Caltrans SWMP for definitions of non-storm water discharge: http://www.dot.ca.gov/hq/env/stormwater/index.htm)

24. How will any storm water or ground water be disposed of from within or near the limits of the proposed project?
 Storm Drain System Combined Sewer / Storm System Storm Water Retention Basin
 Other (explain): BMPs will be used to protect existing roadside drainage

STANDARD ENCROACHMENT PERMIT APPLICATION

TR-0100 (REV. 03/2015)

PERMIT NO. _____

PLEASE READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.

The applicant, understands and herein agrees that an encroachment permit can be denied, and/or a bond required for non-payment of prior or present encroachment permit fees. Encroachment Permit fees may still be due when an application is withdrawn or denied, and that a denial may be appealed, in accordance with the California Streets and Highways Code, Section 671.5. All work shall be done in accordance with the California Department of Transportation's (Department) rules and regulations subject to inspection and approval.

The applicant, understands and herein agrees to the general provisions, special provisions and conditions of the encroachment permit, and to indemnify and hold harmless the State, its officers, directors, agents, employees and each of them (Indemnitees) from and against any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, judgments, losses and liabilities of every kind and nature whatsoever (Claims) arising out of or in connection with the issuance and/or use of this encroachment permit and the placement and subsequent operation and maintenance of said encroachment for: 1) bodily injury and/or death to persons including but not limited to the Applicant, the State and its officers, directors, agents and employees, the Indemnitees, and the public; and 2) damage to property of anyone. Except as provided by law, the indemnification provisions stated above shall apply regardless of the existence or degree of fault of Indemnitees. The Applicant, however, shall not be obligated to indemnify Indemnitees for Claims arising from the sole negligence and willful misconduct of State, its officers, directors, agents or employees.

An encroachment permit is not a property right and does not transfer with the property to a new owner.

COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990: All work within State Highway right-of-way shall be conducted in compliance with all applicable Federal, State and Local Access laws, regulations and guidelines including but not limited to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Public Rights-of-Way Guidelines (PROWG), the Department's current Design Information Bulletin 82, "Pedestrian Accessibility Guidelines for Highway Projects", the Department's Encroachment Permits Manual and encroachment permit.

DISCHARGES OF STORM WATER AND NON-STORM WATER: All work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department, to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the start of any work. Information on the requirements may also be reviewed on the Department's Construction Website at:

<http://www.dot.ca.gov/hq/construc/stormwater>

25. NAME OF APPLICANT OR ORGANIZATION

City of Nevada City

ADDRESS OF APPLICANT OR ORGANIZATION WHERE PERMIT IS TO BE MAILED (Include City and Zip Code)

317 Broad Street

E-MAIL ADDRESS

bryan.mcalister@nevadacityca.gov

PHONE NUMBER

530 265-2496 x126

FAX NUMBER

26. NAME OF AUTHORIZED AGENT / ENGINEER (A "Letter of authorization" is required if different from #25)

Bryan McAlister, City Engineer

IS A LETTER OF AUTHORIZATION ATTACHED?

 YES NO

ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City and Zip Code)

E-MAIL ADDRESS

PHONE NUMBER

FAX NUMBER

27. NAME OF BILLING CONTACT (Same as #25 Same as #26)

BILLING ADDRESS WHERE INVOICE(S) IS/ARE TO BE MAILED (Include City and Zip Code)

E-MAIL ADDRESS

PHONE NUMBER

FAX NUMBER

28. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT**29. PRINT OR TYPE NAME**

BRYAN McALISTER

30. TITLE

CITY ENGINEER

31. DATE

11/21/18

NEVADA CITY PLANNING DEPARTMENT
317 Broad Street
Nevada City CA 95959
INITIAL DISTRIBUTION / PROJECT DESCRIPTION

DATE: December 18, 2018

| | |
|--|---|
| To: Nevada City Engineer – B. McAlister | US Fish & Wildlife (Sent 12/27) |
| Nevada City Public Works – B. Highsmith | CA Fish & Wildlife |
| Nevada City Police – J. Leal | Nevada City Parks and Rec.– D. Zydonis |
| Nevada City Fire – S. Goodspeed | Friends of Nevada City |
| Nev. Co. Planning Dept. – B. Foss | N. Sierra Air Quality Mgt. Dist. |
| CalTrans – S. Zanchi | Sierra Streams Institute |
| Transportation Commission/Airport Manager | Cal-Fire –Forestry Division |
| Native American Heritage Foundation | Water Quality Cntrl. Bd. (Central Valley) (Sent 12/27) |
| Nevada City Rancheria Tribal Council | City Manager – C. Olson |
| FREED | City Attorney – H. DeGraw |

This project is being distributed to you for your review and comment. Your comments and/or conditions must be received, *in writing*, no later than **Friday, January 18, 2019**. Please e-mail a digital copy to the City Planner. If you need additional information to complete your review, please contact the City Planner before the comment deadline.

PLEASE NOTE: The following supplemental documents are available on the Planning Department page of the Nevada City website at NevadaCityCA.gov under the “current projects” heading. This list will be updated as maps and studies are revised or added for the duration of project processing:

1. *Sugarloaf Trail Improvement Plans*
2. *Geotechnical Engineering Feasibility Study*
3. *Cultural Resource Survey*
4. *Biological Inventory*
5. *Sugarloaf Master Plan*
6. *Approved Trail Route*

Please contact the Planner below if you would like hard copies of the plans or of any of the supplemental material.

PROJECT: A proposed multi-use trail construction project within the Nevada City limits on a 30.59-acre open space parcel (APN 036-020-026) that encompasses all but the northern flank of Sugarloaf Mountain, with easements through two private parcels (APNs 005-310-009 & 005-310-10) and along the right-of-way of State Highway 49. The goal of the trail project is to connect downtown Nevada City to the top of Sugarloaf Mountain. The trail route will be approximately one mile in length. It will commence at the corner of State Highway 49 and North Bloomfield Road, and terminate at a point along an existing gravel access road that goes to the top of Sugarloaf from an entrance on upper Coyote Street. The new trail will also connect to an existing graveled excavated area, approximately 0.10 acre in size that will be improved to accommodate trail parking for approximately eight vehicles. The parking area will connect via an existing informal, user-created trail, which will be minimally improved (brush clearing and tread improvement for drainage and loose rock removal). The proposed trail also offers connection to Hirschman Trail and Tobiassen Park via a recently established County trail that runs west from North Bloomfield Road to the Nevada County Government Center.

The first 1/3 mile of the trail will run east from the northeast corner of State Hwy 49 and North Bloomfield Road, within the State Hwy 49 right of way to a 20-foot wide private easement that traverses the west side of APN 005-310-009 (currently leased by US Forest Service) and through the west side of APN 005-310-010. From there, the trail enters the City's Sugarloaf property, continues in a northeasterly direction, before aligning primarily to the north and ultimately connecting to the existing Sugarloaf Trail access road.

All new trails will be constructed in accordance with USFS trail construction standards and best management practices (BMPs). The total disturbance area will be approximately 1/2 acre. The trail will be narrow, not to exceed four feet in width in order to encourage slower travel speeds. Vegetative clearings up to 10-feet wide may occur every 200-feet in order to accommodate winter vegetative burn piles during trail construction and for continued trail maintenance. Trail grades will typically be close to 8% throughout the project, except where physical constraints require a steeper grade to avoid irregular topography, rock outcrops, large trees or other environmental concerns. In no case will grades exceed 15%. Trail tread width will vary from 36 to 48 inches, depending on location, and physical constraints. On steep, rocky slopes, the trail width will be narrow to minimize disturbance and to reduce trail construction costs. The trail will be built using a mini excavator, chainsaws, and a variety of hand tools. On site materials used include rock for retaining walls and fill, and soil for grading will be used for construction of the trails.

The proposed trail is located in the lower montane coniferous forest zone of the northern Sierra Nevada foothills at elevations of 2,600 to 3,000 ft. The trail will traverse an unnamed intermittent stream that parallels the western boundary of the Sugarloaf property. The intermittent stream is approximately 30-inches wide and will be crossed via a 15-foot span wooden bridge within the State Hwy 49 right-of-way. A rock retaining wall will also be necessary to stabilize an area of the proposed trail along a portion of the private easement through APN 005-310-010.

APPLICANT: City of Nevada City and Bear Yuba Land Trust

OWNER: City of Nevada City; California Department of Transportation; Coyote Street Property, LLC; Gary and Patricia Tintle

APNs: 005-310-009, 005-310-010, 036-020-026

LOCATION: Sugarloaf Mountain, east of Coyote Street, north of State Highway 49

General Plan: OS **Water:** Nevada Irrigation District

Zoning: OS **Sewage:** City (none proposed)

Flood Map: Panel 369, Zone X **Fire:** Nevada City Fire Dist.

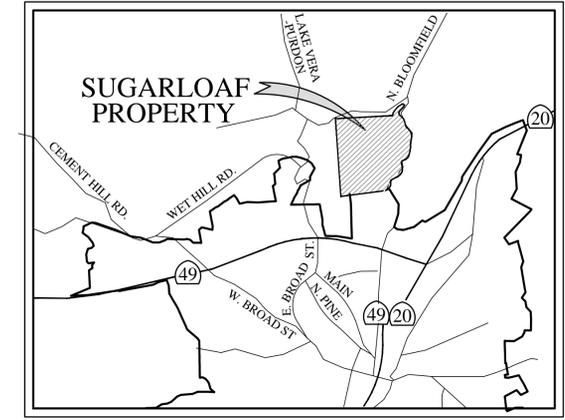
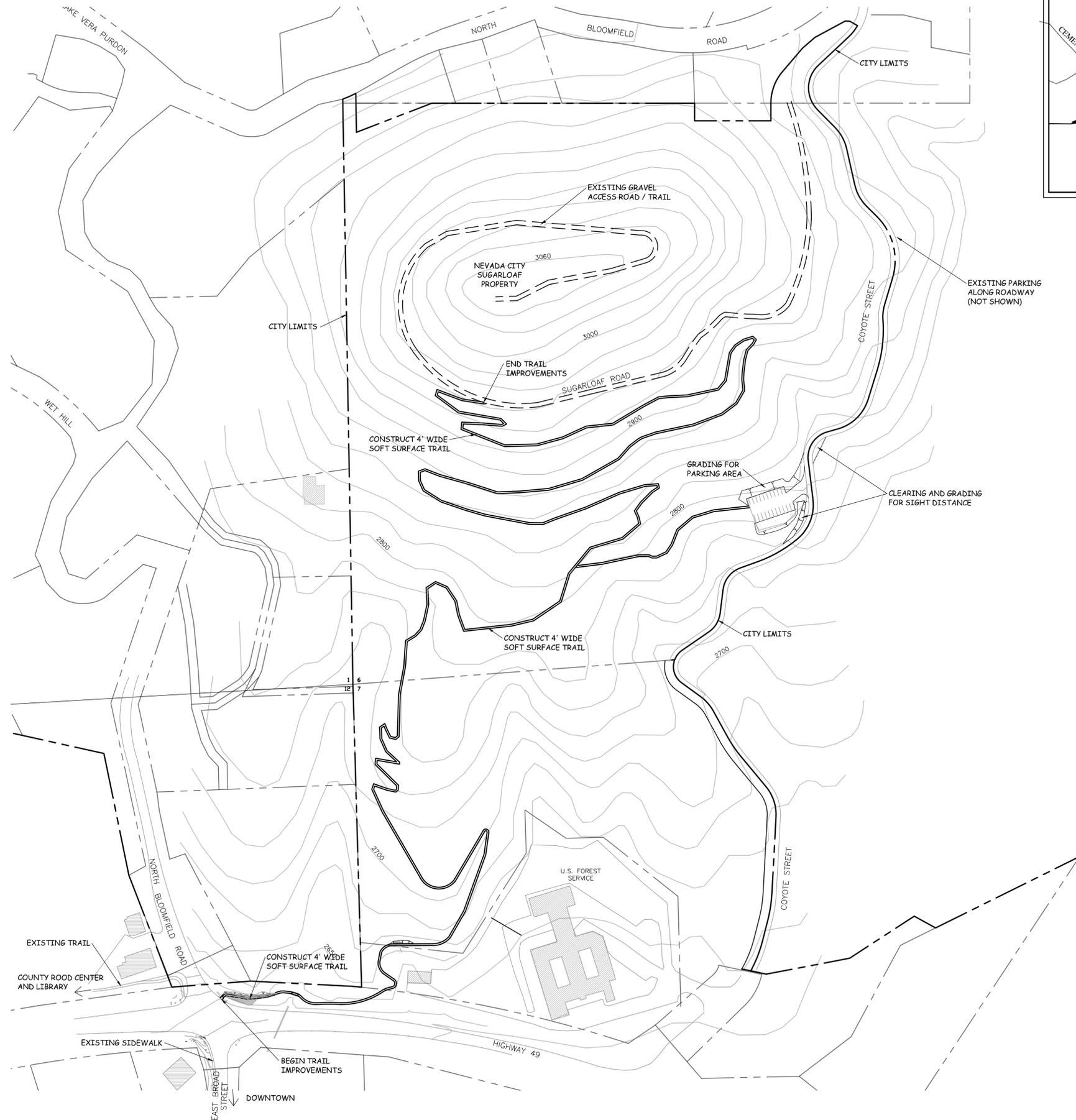
ParcelSize: 30.59 ac. **Schools:** Nevada City School Dist

Prev. File #(s): **Recreation:** Nevada City Park & Rec District

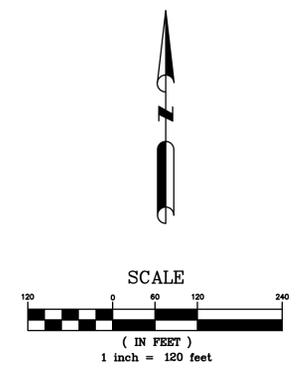
DateFiled: December 2018

PROJECT PLANNER: Amy Wolfson, City Planner
(530) 265-1496 x130 Email: amy.wolfson@nevadacityca.gov

CITY OF NEVADA CITY IMPROVEMENTS FOR: SUGARLOAF TRAIL CONNECTION



LOCATION MAP
N.T.S.



DATE SIGNED: 11/13/2018

| NO. | REVISIONS | DATE | DESIGNED: WJF / BKM DRAWN: BKM PROJ. NO: DWG: trail sugarloaf DATE: Nov, 2018 |
|-----|-----------|------|---|
| | | | |

SUGARLOAF TRAIL CONNECTION

OVERALL SITEPLAN

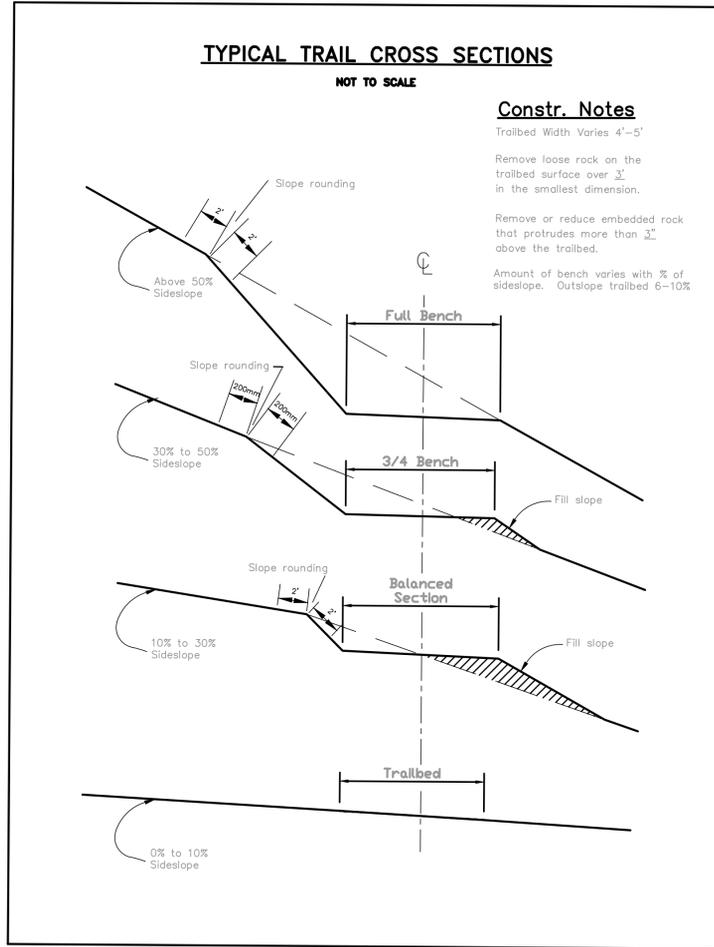
NEVADA CITY CALIFORNIA

CITY OF NEVADA CITY
 317 BROAD STREET
 NEVADA CITY, CALIFORNIA 95669
 (530) 265-2496

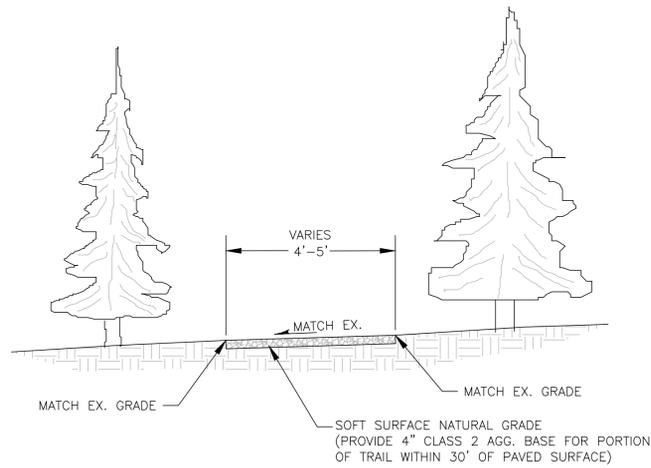
C1

1 OF 4

© SIERRA LAND SOLUTIONS, INC. 2018



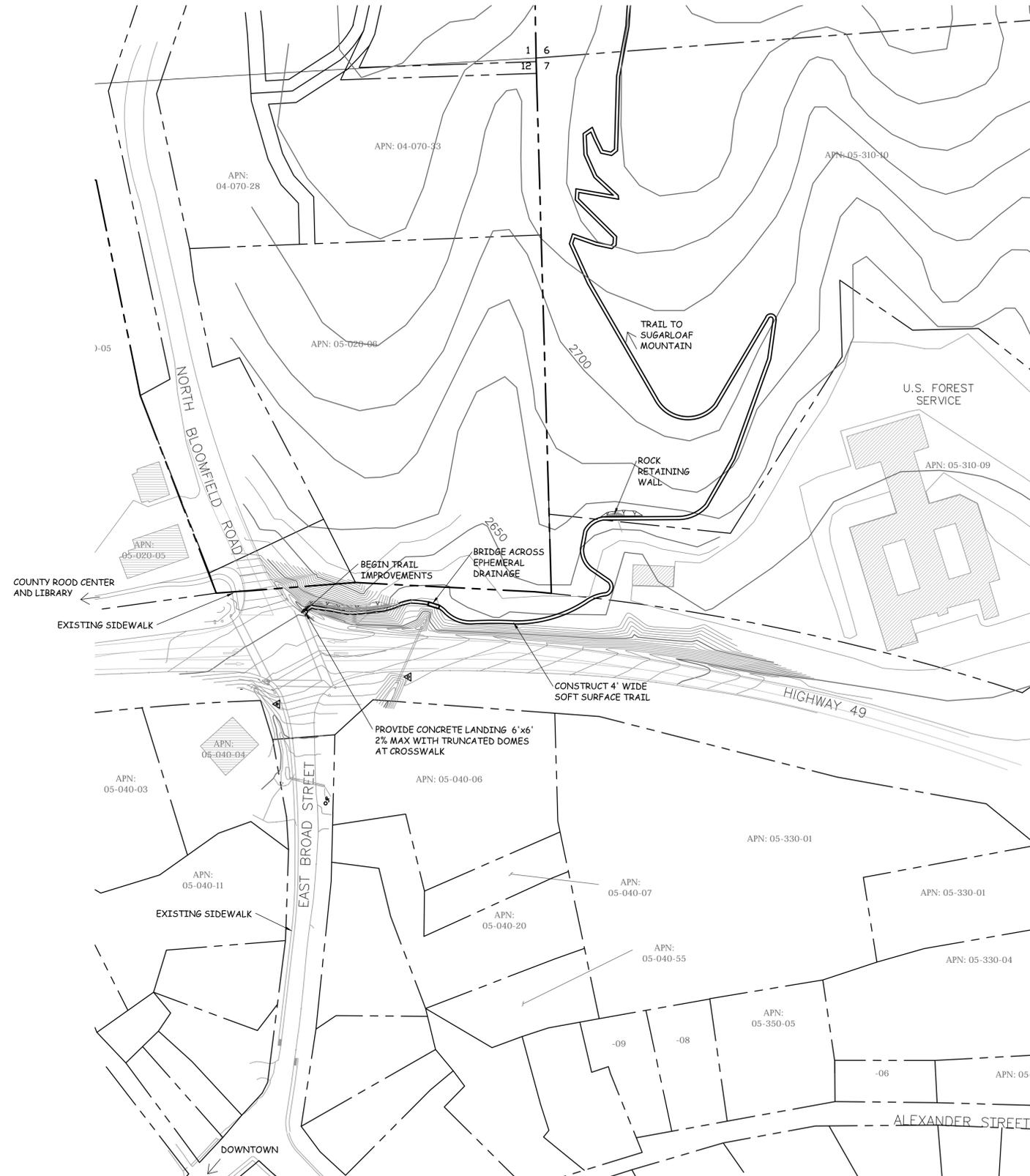
Constr. Notes
 Trailbed Width Varies 4'-5'
 Remove loose rock on the trailbed surface over 3" in the smallest dimension.
 Remove or reduce embedded rock that protrudes more than 3" above the trailbed.
 Amount of bench varies with % of side slope. Outslope trailbed 6-10%



TRAIL CONSTRUCTION NOTES
 1. Remove roots that protrude above the trailbed.
 2. Remove or reduce embedded rock over 3" above the trailbed.

SOFT SURFACE TRAIL

SCALE: 1"=2'

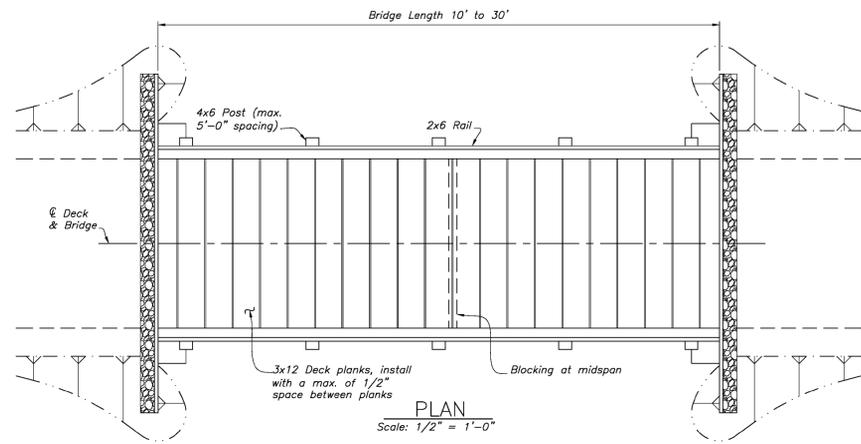


DATE SIGNED: 11/13/2018

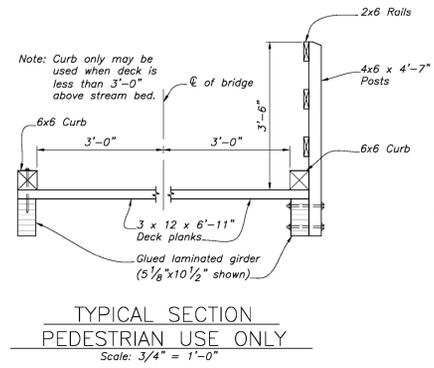
| |
|----------------------|
| DESIGNED: WJF / BKM |
| DRAWN: BKM |
| PROJ. NO: |
| DWG: trail sugarloaf |
| DATE: Nov, 2018 |

NO. REVISIONS
 DATE
 CALIFORNIA
SUGARLOAF TRAIL CONNECTION
 ENLARGED SITEPLAN
 NEVADA CITY

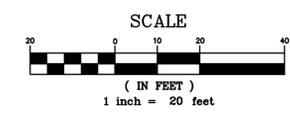
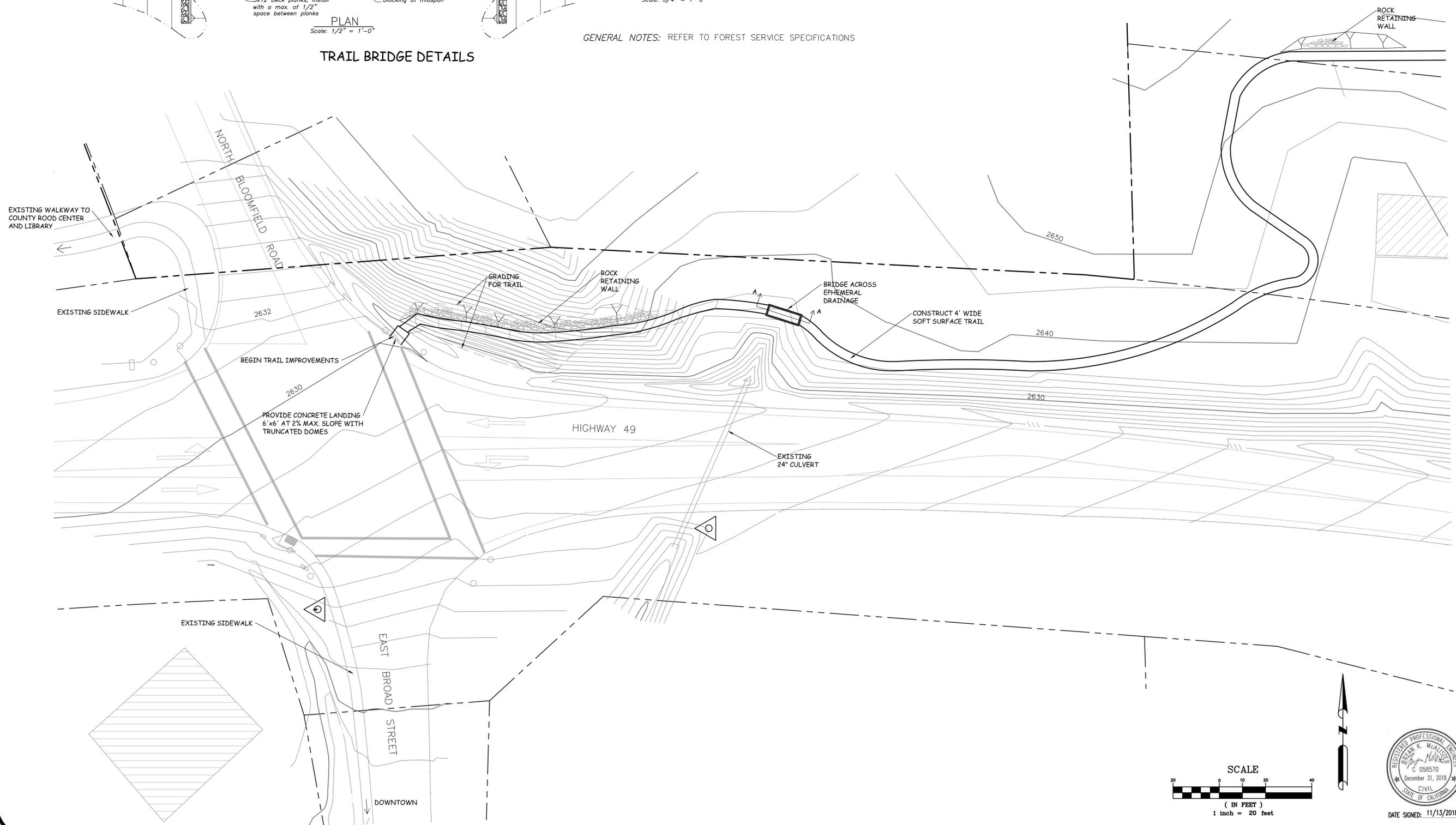
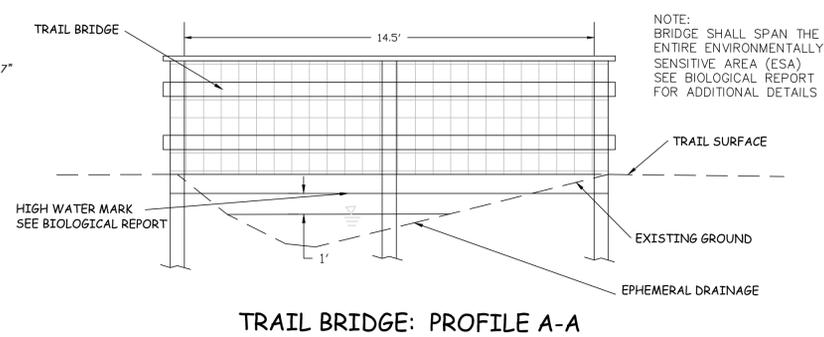
CITY OF NEVADA CITY
 317 BROAD STREET
 NEVADA CITY, CALIFORNIA 95969
 (530) 265-2496



TRAIL BRIDGE DETAILS



GENERAL NOTES: REFER TO FOREST SERVICE SPECIFICATIONS



DATE SIGNED: 11/13/2018

| | | | | |
|----------------------|------|---------------|---|--|
| DESIGNED: WJF / BKM | DATE | NO. REVISIONS | CALIFORNIA | |
| | | | ENLARGED SITEPLAN | |
| DRAWN: BKM | | | NEVADA CITY | |
| PROJ. NO: | | | SUGARLOAF TRAIL CONNECTION | |
| DWG: trail sugarloaf | | | CITY OF NEVADA CITY | |
| DATE: Nov, 2018 | | | 317 BROAD STREET NEVADA CITY, CALIFORNIA 95969 (530) 265-2496 | |
| | | | C3 | |
| | | | 3 OF 4 | |

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Provide Staff Direction Regarding how to Proceed with Staff Suggested Cannabis Ordinance Amendment in Adding a Moratorium on the Issuance of any Additional Cannabis Permits Associated with the Volatile Extraction Method.

RECOMMENDATION: Provide staff direction regarding proceeding in adding an amendment to the Cannabis Ordinance associated to placing a moratorium on issuing any further cannabis permits to volatile extraction method manufacturing applicants.

CONTACT: Chad Ellis, Police Lieutenant
Amy Wolfson, City Planner

BACKGROUND / DISCUSSION:

At the onset of the cannabis permitting process for the City of Nevada City there were two potential manufacturing business types to license (volatile and non-volatile). During the initial phases of the application process it was unknown if the State of California was going to consider the ethanol extraction method as volatile or non-volatile. In order to proceed with the application and permit process the City of Nevada City decided to allow the issuance of permits for both volatile and non-volatile businesses. The intent of this was to allow the ethanol extraction method to be permitted in the City of Nevada City whether the State of California deemed ethanol extraction volatile or non-volatile.

The application process began in Nevada City and permits were being reviewed and approved for both volatile and non-volatile cannabis businesses. The State of California later deemed that ethanol extraction was to be classified as non-volatile. With this classification for ethanol being listed as non-volatile, it left two cannabis permits in the City of Nevada City in the volatile license category (Sky Farms and The Searls Group). Further research and education revealed the dangers of the volatile extraction method. These volatile extraction methods utilize toxic chemicals and a very high pressure system. They are known to be extremely flammable and incidences throughout the country have shown a very high probability of explosion. With this new information and state licensing, it may be in the best interest of the City to add an amendment to the current Cannabis Ordinance placing a moratorium on the issuance of any further volatile cannabis manufacturing business permits.

FISCAL IMPACT: None.

ATTACHMENTS: None.

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: An Ordinance of the City of Nevada City Adding Chapter 8.06 of the Nevada City Municipal Code Addressing Unlawful Panhandling

RECOMMENDATION: Waive reading of Ordinance, read title only and introduce for second reading and final adoption of the Ordinance.

CONTACT: James Leal, Interim Police Chief
Catrina Olson, City Manager
Hal DeGraw, City Attorney

DISCUSSION:

At the October 10, 2018 City Council meeting staff was directed by the City Council to return with an Ordinance addressing aggressive panhandling in light of the increasing number of complaints about such behavior.

During that City Council meeting, it was pointed out in the Report to City Council that the majority of the complaints, especially Downtown and in the Historic District, as well as, in local shopping centers, stemmed from aggressive behavior from panhandlers. Complaints reported that they actively pursue citizens into stores, approach them near their vehicles and enter into or block public roadways causing traffic congestion and safety hazards; public fear and intimidation; and has negatively impacted both businesses and the general quality of life in Nevada City.

Staff sought direction on drafting an Ordinance to address unlawful and aggressive panhandling in the City because existing Ordinances do not adequately address the problem. Staff has reviewed regulations of such behavior in other cities and prepared the attached Ordinance prohibiting unlawful panhandling in the City. As drafted, the Ordinance does not attempt to ban all panhandling but rather to constitute reasonable time, place, manner and regulation of objectively defined behavior beyond the bounds of constitutionally protected freedoms of speech and expression.

Staff brought forward and Ordinance for a first reading at the December 12, 2018 meeting. The Ordinance is being brought forward for the second and final reading for adoption.

ENVIRONMENTAL CONSIDERATIONS: None.

FINANCIAL CONSIDERATIONS: Unknown. Potential sales/use tax from greater patronage of businesses due to a more welcoming/safer environment.

ATTACHEMNTS:

- ✓ Ordinance No. 2018-XX, An Ordinance of the City of Nevada City Adding Chapter 8.06 to Title 8 of the Nevada City Municipal Code Addressing Unlawful Panhandling, attached Exhibit A

ORDINANCE NO. 2019-XX

**AN ORDINANCE OF THE CITY OF NEVADA CITY ADDING CHAPTER 8.06
TO TITLE 8 OF THE NEVADA CITY MUNICIPAL CODE ADDRESSING
UNLAWFUL PANHANDLING**

WHEREAS, the City Council members, City Manager and the Police Department have received an increasing number of complaints in the past several years related to abusive panhandling throughout the City, especially in the Downtown area and the Historic District as well as in local shopping centers; and

WHEREAS, the reported behavior not only causes traffic delays, congestion and safety hazards, but also causes residents and visitors to fear for their safety and negatively impacts both businesses and the general quality of life in the City; and

WHEREAS, such complained of behavior exceeds any exercise of constitutionally protected free speech and expression, necessitating reasonable time, place, manner regulation to protect the public health, safety and welfare;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada City as follows:

SECTION I:

Title 8 (Health and Safety) of the Nevada City Municipal Code is hereby amended to add a new Chapter 8.06 (Unlawful Panhandling) adopted to read as set forth in Exhibit "A", attached hereto and incorporated herein by such reference.

SECTION II:

STATUTORY CONSTRUCTION & SEVERABILITY: It is the intent of the City Council of the City of Nevada City to impose reasonable time, place, and manner restrictions to supplement applicable state and federal law and not to duplicate or contradict such law and this ordinance shall be construed consistently with that intention. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Nevada City hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION III:

CEQA EXEMPTION: The City Council finds and declares that this Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant the general rule exemption in subsection (b)(3) of section 15061 of the CEQA Guidelines.

SECTION IV:

This Ordinance shall become effective thirty (30) days after the adoption date thereof and within fifteen (15) days of the passage of this Ordinance, the City Clerk shall publish this Ordinance in The Union, a newspaper of general circulation.

PASSED AND ADOPTED this ____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

David Parker, Mayor

ATTEST: _____
Niel Locke, City Clerk

EXHIBIT “A”

Chapter 8.06

UNLAWFUL PANHANDLING

Sections:

| | |
|-----------------|--|
| 8.06.010 | Purpose |
| 8.06.020 | Definitions |
| 8.06.030 | Prohibited Act – Unlawful Panhandling |
| 8.06.040 | Violation - Penalty |
| 8.06.050 | Severability |

8.06.010 Purpose

The purpose of this chapter is to allow citizens and visitors to enjoy public spaces in the City free from fear, harassment, and intimidation; to preclude disruption of local businesses; and to avoid disruption of pedestrian and vehicular traffic caused by **unlawful** panhandling that goes beyond Constitutionally protected free speech and freedom of expression.

8.06.020 Definitions

As used in this chapter, the following words shall have the following meanings, unless the context clearly indicates otherwise:

“Panhandling”, “panhandle” or any variation thereof, shall mean asking for money or objects of value with the intention that the money or object be transferred at that time, and at that place. Panhandling shall include using the spoken, written, or printed word, bodily gestures, signs, or other means with the purpose of obtaining an immediate donation of money or other thing of value.

“Public place” shall mean a place where a governmental entity has title, or to which the public or a substantial group of persons has access, including, but not limited to, any street, alley, highway, sidewalk, path, trail, parking lot, transportation facility or vehicle, building entrance, school, playground, plaza, or park.

“Unlawful panhandling” shall include any and all of the following:

1. Intentionally approaching, speaking to, gesturing or following of a person, before, during, or after panhandling, in such a manner that is likely to cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person, or upon property in the person’s immediate possession or to otherwise be intimidated into giving up money, goods, or other things of value, or
2. Intentionally approaching an occupied vehicle by entering into the roadway when traffic is either stopped or moving, before, during, or after panhandling; or
3. Intentionally knocking on the window of, or physically reaching into an occupied vehicle before, during or after panhandling; or

4. Continuing to solicit from a person after the person has given a negative response to such panhandling; or
5. Intentionally touching or causing physical contact with another person without that person's consent before, during, or after panhandling; or
6. Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including causing a pedestrian or vehicle operator to take evasive action to avoid physical contact before, during, or after panhandling; or
7. Using violent or threatening gestures toward a person before, during, or after panhandling; or
8. Using profane, offensive, or abusive language that is likely to provoke an immediate violent reaction, before, during, or after panhandling.

8.06.030 Prohibited Act – Unlawful Panhandling

It is prohibited and a public nuisance for any person to engage in unlawful panhandling as defined in this chapter in any public place.

8.06.040 Exemptions

Nothing contained in this chapter shall be deemed to prohibit constitutionally protected freedom of speech and expression, picketing or protesting.

8.06.050 Violation - Penalty

Any violation of this chapter shall be a misdemeanor punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

8.06.060 Severability

If any section, sentence, clause, or phrase of this chapter is declared invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this chapter.

REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: Designated Smoking Areas Pilot Project

RECOMMENDATION: Provide staff direction in proceeding with a designated smoking area six-month pilot project within the Historic District, as determined by City Council.

CONTACT: Catrina Olson, City Manager
James Leal, Interim Police Chief
Bryan McAlister, City Engineer

BACKGROUND / DISCUSSION:

Municipal Code Section 8.24.135 prohibits smoking in certain unenclosed areas including streets, sidewalks and municipal parking lots within the Historic District. At the City Council meeting on March 9, 2016 there was a three month designated smoking area pilot project proposed by City Staff. See sections below from the staff report of March 9, 2016:

On February 24, 2016, the City Council reviewed receptacle designs for two previously approved designated smoking areas in the Historic District. At the meeting, the City Council authorized City staff to move forward with the receptacle design but also requested staff relocate the two designated smoking areas as follows:

- 1) *Relocate the previously approved Commercial Street Parking Lot designated smoking area (shown in the attached Commercial St. map) to the location of the bench adjacent to the fence.*
- 2) *Relocate the previously approved designated smoking area in the Nevada Street parking lot to the Spring Street parking lot.*

The City Engineer has toured the Commercial Street parking lot and identified a few challenges with the requested modification. In order to properly adhere to Americans with Disabilities Act (ADA) requirements, it would be necessary to remove a significant amount of concrete to provide a safe at-grade smoking area accessible by wheelchair near the bench location. The City Engineer has indicated this will be much more expensive than the original location because of concrete removal and the need to construct a new curb closer to the fence. Additionally, the bench location is near a Family Child Care Home where children are present, which presents concerns about second hand smoke exposure.

The City has also received a significant amount of correspondence from residents and merchants near the Spring Street parking lot expressing concerns about the presence of a designated smoking area near their property. Staff has identified a location adjacent to the freeway that would be as minimally impactful to businesses/residents as possible (see attached Spring St. map).

However, based on the above considerations, staff is recommending the City Council consider authorizing a limited three-month pilot project in the Commercial Street parking lot's original location which can be implemented without concrete modifications. Following the three-month pilot, Staff will provide the Council with a report on how the designated area worked including impact on litter, loitering, compliance, etc. This will

provide the Council with the opportunity to evaluate whether to continue with the Commercial Street designated smoking area and location, and whether or not to consider adding additional locations in the future.

After modest research staff found that the proposed pilot program was never implemented. The City has continued to receive regular complaints about the littering of cigarettes and public smoking, and has received repeated requests to designate an area/areas that the merchants and their employees, out of town visitors and residents can be directed to if they would like to smoke.

Staff have reviewed previous proposed areas and have identified what pros and cons they may have. Police Chief Leal and Lt. Ellis in conjunction with the City Engineer, Bryan McAlister have new proposed areas that would not be intrusive/offensive to Nevada City patrons. See the attached map exhibit with suggested locations.

Staff re-introduced the idea of a designated smoking area pilot project during the September 26, 2018 City Council meeting. Staff was directed to move forward in drafting and proposing a plan for a designated smoking area pilot project and to bring it back to City Council for review. Also, requested was that staff provide notice to all businesses in the proposed areas of the pilot project. This has been done. Staff is seeking Council discussion/approval on the proposed designated smoking area pilot project. Staff will provide the Council with a report on how the designated area worked including impact on litter, loitering and compliance. This will provide the Council with the opportunity to evaluate whether to continue with the designated smoking areas and location, and whether or not to consider adding additional locations in the future.

ENVIRONMENTAL CONSIDERATIONS:

Establishing designated smoking areas with properly designed fire resistant receptacles and the placement of receptacles in various locations assists in cleaning the environment in the immediate area, reducing the amount of toxic waste entering the drains ultimately ending up in Deer Creek and other streams, reducing the fire dangers associated with the careless discarding of cigarettes, and reducing second hand smoke exposure.

FISCAL IMPACT: Potential savings to the PD for staff time, issuing tickets, processing them, and going to court.

ATTACHMENTS:

- ✓ Exhibit – Map with designated smoking areas

City of Nevada City

Exhibit of Proposed Designated Smoking Areas within Downtown Historic District, for City Council consideration to be discussed at January 9th Meeting 6:30PM

for questions or comments call 265-2496 x126

AREA 1



AREA 2

AREA 3



REPORT TO CITY COUNCIL

City of Nevada City
317 Broad Street
Nevada City CA 95959
www.nevadacityca.gov

January 9, 2019

TITLE: An Ordinance Deleting Subsection B.4 of Section 9.22.120 of Chapter 9.22. of the Nevada City Municipal Code Relating to Labeling of the Products of Cannabis Manufacturing Businesses

RECOMMENDATION: Waive reading of the Ordinance, read title only and introduce for a first reading.

CONTACT: Hal DeGraw, City Attorney

BACKGROUND / DISCUSSION:

In discussion from the public leading up to adoption of Ordinance No. 2018-10 removing the medical-only restriction for permitting cannabis businesses in the City, it was noticed that the Ordinance presented for the second reading carried forward a packaging and labeling requirement for cannabis manufacturing businesses that stated in Subsection B.4 of Section 9.22.120:

“A warning that the item is a medication and not a food must be clearly legible on the front of the package.”

As pointed out by the public, this restriction is no longer necessary in light of the Council’s adoption of an adult use cannabis ordinance under which businesses are no longer limited to medical-only. However, this change could not be made at a second reading, so the Ordinance was adopted as it was presented, with staff being directed to return with an amendment to delete the aforementioned requirement.

ENVIRONMENTAL CONSIDERATIONS: None.

FINANCIAL CONSIDERATIONS: None.

ATTACHMENTS:

- ✓ Exhibit A – Ordinance No. 2019-XX (updating original Ordinance No. 2018-10)

ORDINANCE NO. 2019-XX

AN ORDINANCE OF THE CITY OF NEVADA CITY DELETING SUBSECTION B.4 OF SECTION 9.22.120 OF CHAPTER 9.22 RELATING TO LABELING OF PRODUCTS OF CANNABIS MANUFACTURING BUSINESSES

WHEREAS, the City Council passed and adopted Ordinance No. 2018-10 on December 12, 2018, comprehensively re-enacting Chapter 9.22 to allow adult use cannabis businesses in addition to the medical-only businesses previously allowed; and

WHEREAS, as adopted Section 9.22.120 – Additional Requirements for Cannabis Manufacturing Businesses carried forward a packaging and labeling requirement in subsection B.4 that “A warning that the item is a medication and not a food must be clearly legible on the front of the package.” and

WHEREAS, that restriction is no longer necessary after the medical-only restriction on cannabis businesses has been removed.

THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada City as follows:

SECTION I:

Subsection B.4 of Section 9.22.120 of Chapter 9.22 of the Nevada City Municipal Code is hereby repealed and deleted.

SECTION II:

In all other respects Chapter 9.22 shall remain unchanged and in full force and effect, currently excluding any cultivation except for personal medical cannabis cultivation allowed in Chapter 17.140.

SECTION III:

This Ordinance shall become effective 30 days after its final adoption and a copy of this ordinance shall be published in The Union, a newspaper of general circulation, within fifteen (15) days of the date of its passage.

PASSED AND ADOPTED this ___ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Parker, Mayor

ATTEST:

Niel Locke, City Clerk