

**NEVADA CITY COUNCIL AND MANAGEMENT TEAM**  
**STRATEGIC PLANNING RETREAT - Revised**  
**Wednesday, February 7, 2018 – City Hall, 317 Broadway Street, Nevada City**

**8:00 Continental Breakfast**

**8:30 Welcome, Purpose of the Retreat and Public Comment – Duane Strawser, Mayor**

**Consent Item:**

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:** City Of Nevada City To Authorize The Mayor To Sign A Letter Of Support On Behalf Of Nevada City For Bear Yuba Land Trust And Partners Pines To Mines Trail

**Recommendation:** Authorize the Mayor to sign a letter of support for Bear Yuba Land Trust and Partners Pines to Mines Trail.

**B. Subject:** Rescind Resolution No. 2017-87 And Approve Resolution 2018-04 The City Council Of The City Of Nevada City, California Calling A Municipal Election For June 5, 2018; Submitting A Cannabis Business Tax Ordinance To The Voters At That Election; Requesting The Assistance Of The County Of Nevada In Connection With That Election; And Requesting Consolidation Of That Election With Any Other Election Held On That Date

**Recommendation:** Rescind Resolution No. 2017-87 and approve Resolution 2018-04 submitting a cannabis business tax ordinance to the voters at the June 5, 2018 election, request for assistance of the County of Nevada in connection with that election and request for the consolidation of that election with any other election held on that date.

**Opening Remark and Introduction of the Facilitator and Recorder – Catrina Olson, City Manager**

**Role of the Facilitator, Recorder, Group and Public; Strategic Planning Elements; Agenda – Marilyn Snider, Facilitator – Snider and Associates**

**Introductions of the Group**

**Nevada City:**

- **Mission/Purpose Statement**
- **Vision Statement**
- **Core Values/Guiding Principles**
- **Three-Year Goals (2016-2019)**

**What Are the Strengths and the Accomplishments of the City of Nevada City since the August 18, 2017 Strategic Planning Retreat?**

**What Are the City's Current Internal Weaknesses/Challenges?**

**What Are the External Factors/Trends (e.g., political, economic, social, technological) that Will/Might Have an Impact on the City of Nevada City in the Coming Year:**

- **Positively (opportunities)?**
- **Negatively (threats)?**

**Review and Revise, if Needed the Three-Year Goals (what the City of Nevada City needs to accomplish)**

**Identify Six-Month Strategic Objectives (how the goals will be addressed – by when, who will be accountable, for what specific, measurable results) for Each of the Three-Year Goals**

**Next Steps/Follow-Up Process (including setting a date in 6 months to update the strategic plan)**

**Summary of the Retreat and Closing Remarks**

**3:30 Adjourn**

**Please come at 8:00 for informal conversation and continental breakfast. The meeting will begin promptly at 8:30 a.m. There will be a mid-morning and a mid-afternoon break with a group lunch at 12:15. Please limit use of cell phones, laptops and tablets to the breaks.**

**PLEASE BRING YOUR CALENDAR.**

**Certification of Posting of Agenda**

I, Loree' McCay, Deputy City Clerk for the City of Nevada City, declare that the foregoing agenda for the February 7, 2018 Special Strategic Planning Meeting of the Nevada City City Council was posted February 2<sup>nd</sup>, 2018 at the entrance of City Hall. The agenda is also posted on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov).

Signed February 2<sup>nd</sup>, 2018 at Nevada City, California

---

Loree' McCay, Deputy City Clerk



# City of Nevada City

---

February 7, 2018

Steve Schweigerdt  
Pacific Forest and Watershed Lands Stewardship Council  
3300 Douglas Blvd Ste. 250  
Roseville, CA 95661

Dear Mr. Schweigerdt:

Pines to Mines Trail is an ambitious effort – an 80-mile non-motorized, multi-use trail of the grandest proportions, running from the pine trees of Truckee to the historic mining towns of Nevada City and Grass Valley – and through the PG&E Yuba and Bear River Watersheds. The Trail will have breathtaking scenery, exhilarating terrain, and provide users with a trail experience that will be an international draw.

The City of Nevada City endorses this amazing trail project and the recreational opportunities that it will provide. The mission of Nevada City's Parks & Recreation Department is to provide a system of parks, trails, recreational facilities, programs and services that will enrich the lives of our citizens. The Pines to Mines trail would not only enrich the lives of our citizens, but also the many people who visit Nevada City.

Pines to Mines Trail addresses unmet demand for regional recreation and economic development. In the entire Sierra Nevada Range of California, no single, non-motorized, multi-use long-distance trail exists that runs from the Sierra Crest westward, and that allows both bicycles and horses. Backpacking, endurance running, and long-distance mountain bike rides are increasing in popularity among outdoor recreationalists.

The City understands that the project to be completed is on PG&E land, at Lake Spaulding. This section requires a slight rerouting of the trail and improvements of existing physical features, but are significant barriers to many users. A grant for a new multi-use compatible bridge to make passage safe at all times, as well as excavation work to enable equestrians to lead horses under the penstock will resolve these issues and make the dream of the Pines to Mines Trail a reality.

Bear Yuba Land Trust along with its partners at the Pines to Mines Trail Alliance: Bicyclists of Nevada County, Gold Country Trails Council, and Truckee Trails Foundation, have deep experience in building and operating trails in this watershed for their constituents. The City of Nevada City is fully in support of the Pines to Mines Trail and the Alliance.

Sincerely,

Duane Strawser  
Mayor

# REPORT TO CITY COUNCIL

City of Nevada City  
317 Broad Street  
Nevada City, CA 95959  
[www.nevadacityca.gov](http://www.nevadacityca.gov)

February 7, 2018

**TITLE:** Rescind Resolution No. 2017-87 And Approve Resolution 2018-04 The City Council Of The City Of Nevada City, California Calling A Municipal Election For June 5, 2018; Submitting A Cannabis Business Tax Ordinance To The Voters At That Election; Requesting The Assistance Of The County Of Nevada In Connection With That Election; And Requesting Consolidation Of That Election With Any Other Election Held On That Date

**RECOMMENDATION:** Rescind Resolution No. 2017-87 and approve Resolution 2018-04 submitting a cannabis business tax ordinance to the voters at the June 5, 2018 election, request for assistance of the County of Nevada in connection with that election and request for the consolidation of that election with any other election held on that date.

**CONTACT:** Catrina Olson, City Manager

## **BACKGROUND / DISCUSSION:**

February 2, 2018 the Elections office advised the City of a new law requiring that the 75 word ballot question must begin with "Shall the Measure" and end with "be adopted". With the information provided by elections the wording has been revised but has not changed the intent or content of the original question. The elections office needed an approved and signed resolution before the next regular council meeting on February 14<sup>th</sup>, 2018.

Amended Wording:

<del>To Shall the measure of the City of Nevada City to tax cannabis businesses</del> funding general municipal expenses such as police, fire, streets and recreation, <del>shall the City of Nevada City enact a tax on cannabis (marijuana) businesses</del> at annual rates not to exceed \$7.00 per canopy square foot for cultivation (adjustable for inflation), 8% of gross receipts for retail cannabis businesses, and 6% for all other cannabis businesses; generating approximately \$120,000 to \$135,000 annually to be levied until repealed by <del>the</del> <u>the</u> voters or the City Council <u>be adopted</u> ?	YES	
	NO	

## **FISCAL IMPACT:**

Not Applicable

## **ATTACHMENTS:**

- ✓ Resolution 2018-04 – With Markup from Rescinded Resolution 2017-87
- ✓ Resolution 2018-04

RESOLUTION NO. ~~2017-XX87~~2018-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA CALLING A MUNICIPAL ELECTION FOR JUNE 5, 2018; SUBMITTING A CANNABIS BUSINESS TAX ORDINANCE TO THE VOTERS AT THAT ELECTION; REQUESTING THE ASSISTANCE OF THE COUNTY OF NEVADA IN CONNECTION WITH THAT ELECTION; AND REQUESTING CONSOLIDATION OF THAT ELECTION WITH ANY OTHER ELECTION HELD ON THAT DATE**

**WHEREAS**, Sections 37101 and 37100.5 of the California Government Code authorize the City to levy a license tax, for revenue purposes, upon business transacted in the City; and

**WHEREAS**, as a result of recent voter-approved changes to state law, there has been a very strong interest by cannabis businesses to open in the City; and

**WHEREAS**, cannabis businesses are likely to create demands upon City services, and the City does not currently impose any taxes upon cannabis businesses, aside from generally applicable municipal taxes;

**WHEREAS**, the City Council desires to seek impose a supplemental license tax upon cannabis businesses, to be known as the "Cannabis Business Tax"; and

**WHEREAS**, the Cannabis Business Tax cannot be imposed without voter approval; and

**WHEREAS**, the City Council desires to submit a Cannabis Business Tax measure to the voters of the City at an election to be held on Tuesday, June 5, 2018, and to be consolidated with any other election to be held on that date; and

**WHEREAS**, the election will be consolidated with the general municipal election, which has not yet been called, but is scheduled to occur on that same date; and

**WHEREAS**, newly adopted AB 195 amended Elections Code 13119 to require specific ballot language to be included in local government tax measures submitted to the voters for approval, and therefore, staff has made minor changes to the ballot language previously approved by the City Council in Resolution 2017-87 to comply with this new state law; and

**WHEREAS**, the proposed Cannabis Business Tax is more completely described in the ordinance attached hereto as Attachment "A" and incorporated herein by reference (the "Tax Ordinance").

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEVADA CITY AS FOLLOWS:**

~~Section 1. Amended Resolution 2018-04 includes amended ballot question language required by AB195, election code 13119 and rescinds Resolution 2017-87 is hereby rescinded.~~

Formatted: Font: Not Bold

~~Section 2.~~ **Section 2. Recitals.** The City Council hereby finds and determines that the foregoing recitals are true and correct.

~~Section 3.~~ **Section 3. Proposal.** The City Council hereby proposes the Cannabis Business Tax as set forth in the ordinance (the "Tax Ordinance") attached hereto as Exhibit "A" and incorporated herein by reference.

~~Section 4.~~ **Section 4. Election.** The City Council hereby calls an election for Tuesday June 5, 2018 (the "Election") and orders, pursuant to Section 9222 of the Elections Code, that the Tax Ordinance be submitted to the voters at that election.

~~Section 5.~~ **Section 5. Ballot Question.** The question submitted by Section 3 of this Resolutions shall appear on the ballot as follows:

<del>To Shall the measure of the City of Nevada City to tax cannabis businesses funding</del> general municipal expenses such as police, fire, streets and recreation, <del>shall the City of Nevada City enact a tax on cannabis (marijuana) businesses</del> at annual rates not to exceed \$7.00 per canopy square foot for cultivation (adjustable for inflation), 8% of gross receipts for retail cannabis businesses, and 6% for all other cannabis businesses; generating approximately \$120,000 to \$135,000 annually to be levied until repealed by <del>the</del> voters or the City Council <del>be adopted</del> ?	YES	
	NO	

~~Section 6.~~ **Section 6. Approval.** Pursuant to Section 2(b) of Article XIII A of the Constitution, this measure requires approval by a majority of those casting ballots on the measure.

~~Section 7.~~ **Section 7. Consolidation.** Pursuant Section 10400 et seq. of the Elections Code, the Board of Supervisors of Nevada County is requested to consolidate the Election with other elections held on the same day in the same territory or in the territory that is in part the same.

~~Section 8.~~ **Section 8. Canvass.** The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

~~Section 9.~~ **Section 9. Conduct of Election.** Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County Clerk to render all services specified by Section 10418 of the Elections Code relating to the

election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

~~Section 9-~~**Section 10. Filing with County.** The City Clerk shall file a certified copy of this Resolution with the County Clerk.

~~Section 10-~~**Section 11. Analysis and Argument.** The City Attorney shall prepare an impartial analysis of the measure. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. Rebuttal arguments shall be permitted pursuant to applicable law.

~~Section 11-~~**Section 12. Effective Date.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED** this ~~13<sup>th</sup>~~-7<sup>th</sup> day of ~~December~~-February 2018~~7~~, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

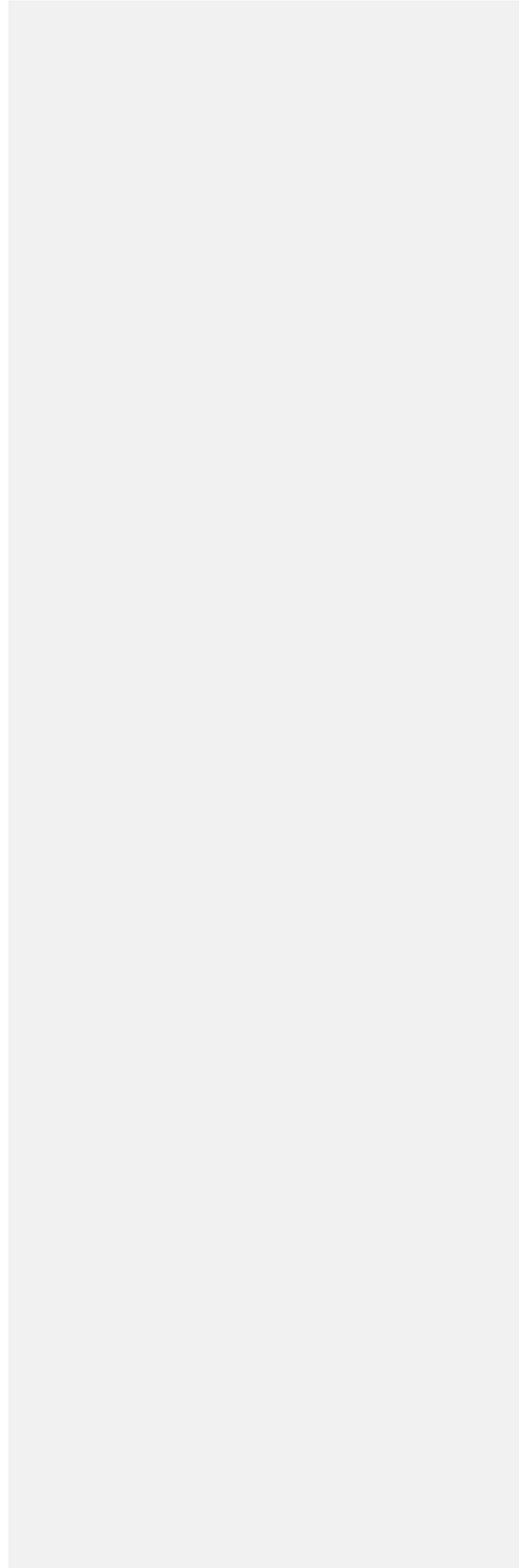
**APPROVED:**

\_\_\_\_\_  
**Duane Strawser, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Niel Locke, City Clerk**

**EXHIBIT A**



**RESOLUTION NO. 2018-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY, CALIFORNIA CALLING A MUNICIPAL ELECTION FOR JUNE 5, 2018; SUBMITTING A CANNABIS BUSINESS TAX ORDINANCE TO THE VOTERS AT THAT ELECTION; REQUESTING THE ASSISTANCE OF THE COUNTY OF NEVADA IN CONNECTION WITH THAT ELECTION; AND REQUESTING CONSOLIDATION OF THAT ELECTION WITH ANY OTHER ELECTION HELD ON THAT DATE**

**WHEREAS**, Sections 37101 and 37100.5 of the California Government Code authorize the City to levy a license tax, for revenue purposes, upon business transacted in the City; and

**WHEREAS**, as a result of recent voter-approved changes to state law, there has been a very strong interest by cannabis businesses to open in the City; and

**WHEREAS**, cannabis businesses are likely to create demands upon City services, and the City does not currently impose any taxes upon cannabis businesses, aside from generally applicable municipal taxes;

**WHEREAS**, the City Council desires to seek impose a supplemental license tax upon cannabis businesses, to be known as the "Cannabis Business Tax"; and

**WHEREAS**, the Cannabis Business Tax cannot be imposed without voter approval; and

**WHEREAS**, the City Council desires to submit a Cannabis Business Tax measure to the voters of the City at an election to be held on Tuesday, June 5, 2018, and to be consolidated with any other election to be held on that date; and

**WHEREAS**, the election will be consolidated with the general municipal election, which has not yet been called, but is scheduled to occur on that same date; and

**WHEREAS**, newly adopted AB 195 amended Elections Code 13119 to require specific ballot language to be included in local government tax measures submitted to the voters for approval, and therefore, staff has made minor changes to the ballot language previously approved by the City Council in Resolution 2017-87 to comply with this new state law; and

**WHEREAS**, the proposed Cannabis Business Tax is more completely described in the ordinance attached hereto as Attachment "A" and incorporated herein by reference (the "Tax Ordinance").

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEVADA CITY AS FOLLOWS:**

**Section 1.** Resolution 2017-87 is hereby rescinded.

**Section 2. Recitals.** The City Council hereby finds and determines that the foregoing recitals are true and correct.

**Section 3. Proposal.** The City Council hereby proposes the Cannabis Business Tax as set forth in the ordinance (the "Tax Ordinance") attached hereto as Exhibit "A" and incorporated herein by reference.

**Section 4. Election.** The City Council hereby calls an election for Tuesday June 5, 2018 (the "Election") and orders, pursuant to Section 9222 of the Elections Code, that the Tax Ordinance be submitted to the voters at that election.

**Section 5. Ballot Question.** The question submitted by Section 3 of this Resolution shall appear on the ballot as follows:

Shall the measure of the City of Nevada City to tax cannabis businesses funding general municipal expenses such as police, fire, streets and recreation at annual rates not to exceed \$7.00 per canopy square foot for cultivation (adjustable for inflation), 8% of gross receipts for retail cannabis businesses, and 6% for all other cannabis businesses; generating approximately \$120,000 to \$135,000 annually to be levied until repealed by the voters or the City Council be adopted?	<b>YES</b>	
	<b>NO</b>	

**Section 6. Approval.** Pursuant to Section 2(b) of Article XIII A of the Constitution, this measure requires approval by a majority of those casting ballots on the measure.

**Section 7. Consolidation.** Pursuant Section 10400 et seq. of the Elections Code, the Board of Supervisors of Nevada County is requested to consolidate the Election with other elections held on the same day in the same territory or in the territory that is in part the same.

**Section 8. Canvass.** The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

**Section 9. Conduct of Election.** Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County Clerk to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

**Section 10. Filing with County.** The City Clerk shall file a certified copy of this Resolution with the County Clerk.

**Section 11. Analysis and Argument.** The City Attorney shall prepare an impartial analysis of the measure. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. Rebuttal arguments shall be permitted pursuant to applicable law.

**Section 12. Effective Date.** This Resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED** this 7<sup>th</sup> day of February 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

---

**Duane Strawser, Mayor**

**ATTEST:**

---

**Niel Locke, City Clerk**

**EXHIBIT A**