



GRASS VALLEY

City Council Regular Meeting, Capital Improvements Authority and Redevelopment "Successor Agency"

Tuesday, September 10, 2024 at 6:00 PM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

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AGENDA

Any person with a disability who requires accommodations to participate in this meeting should telephone the City Clerk's office at (530)274-4390, at least 48 hours prior to the meeting to make a request for a disability related modification or accommodation.

**Mayor Jan Arbuckle, Vice Mayor Hilary Hodge, Councilmember Bob Branstrom,
Councilmember Haven Caravelli, Councilmember Tom Ivy**

MEETING NOTICE

City Council welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 6:00 p.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

This meeting is being broadcast "live" on Comcast Channel 17 by Nevada County Media, on the internet at www.cityofgrassvalley.com, or on the City of Grass Valley YouTube channel at <https://www.youtube.com/@cityofgrassvalley.com>

Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after that will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item.

Agenda materials, staff reports, and background information related to regular agenda items are available on the City's website: www.cityofgrassvalley.com. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Grass Valley website at www.cityofgrassvalley.com, subject to City staff's ability to post the documents before the meeting.

Please note, individuals who disrupt, disturb, impede, or render infeasible the orderly conduct of a meeting will receive one warning that, if they do not cease such behavior, they may be removed from the meeting. The chair has authority to order individuals removed if they do not cease their disruptive behavior following this warning. No warning is required before an individual is removed if that individual engages in a use of force or makes a true threat of force. (Gov. Code, § 54957.95.)

Council Chambers are wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting by calling (530) 274-4390, we are happy to accommodate.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL - *The City Council reserves the right to hear items in a different order to accomplish business in the most efficient manner.*

REPORT OUT OF CLOSED SESSION

INTRODUCTIONS AND PRESENTATIONS

1. Update on the Everhart structure Fire.
2. Grass Valley Animal Control Grant

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 5pm will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. Speaker cards are assigned for public comments that are on any items not on the agenda, and within the jurisdiction or interest of the City. Speaker Cards can be pulled until the opening of public comment at which time sign ups will no longer be allowed. These cards can be found at the City Clerks desk. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item is announced. When recognized, please begin by providing your name and address for the record (optional). Thirty minutes of public comment will be heard under this item in order of the speaker card assigned and the remaining general public comments will be heard at the end of the meeting. We will begin with number one.*

CONSENT ITEMS - *All matters listed under the Consent Calendar are to be considered routine by the City Council and/or Grass Valley Redevelopment Agency 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 and/or Grass Valley Redevelopment Agency votes on the motion to adopt, members of the Council and/or Agency, staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action but Council action is required to do so (roll call vote). Unless the Council removes an item from the Consent Calendar for separate discussion, public comments are invited as to the consent calendar as a whole and limited to three minutes per person.*

3. Approval of the Regular Meeting Minutes of August 13, 2024.

Recommendation: Council approve minutes as submitted.

4. Approval of the Special Meeting Minutes of August 22nd, 2024.

Recommendation: Council approve minutes as submitted.

5. Conflict of Interest Code Update

CEQA: Not a project

Recommendation: That Council approve the City Manager signing of the City of Grass Valley Biennial Notice and adopt the 2024 Conflict of Interest Code and corresponding Resolution 2024-68 approving changes to the code.

6. Pioneer Community Energy JPA Amendment

CEQA: Not a project

Recommendation: Adopt a Resolution of the City of Grass Valley Approving the Revised Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

7. Changing Historical Commission Meeting Times

CEQA: Not a Project

Recommendation: That Council adopt Resolution No. 2024-67 changing the regular meetings of the Historical Commission to 3:00 p.m. on the second Tuesday of each calendar month beginning October 1, 2024.

8. Habitat for Humanity - Approve Parcel Map

CEQA: Categorically Exempt - Class 15 "Minor Land Divisions"

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and 2) approve Parcel Map 24PLN-05; and 3) approve the Resolution 2024-70 accepting the public utility easements.

9. Administrative EMS Coordinator

CEQA: Not a project

Recommendation: That Council 1) approves the job description for Administrative EMS Coordinator, and 2) approves the associated salary schedule and Certificate and Educational Incentive pays for the Administrative EMS Coordinator position.

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND / OR ANY ADDED AGENDA ITEMS

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

10. Appeal of the Planning Commission's denial of Use Permit applications for an exception to the multifamily covered parking requirement established in Section 17.36.040, Table 3-3 of the City of Grass Valley Municipal Code.

Recommendation: Based upon the evidence in the public record, and the Planning Commission's 3:1 denial, staff recommends that the City Council take one of the following actions:

Option 1) Uphold the Planning Commission's denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Deny the appeal and uphold the Planning Commission's denial of the Use Permit applications for a reduction in covered parking requirements;

b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report; c) Uphold the Planning Commission’s finding for denial of the Use Permits, that “insufficient quantitative evidence was provided to document a need for a reduction of the covered parking standard;” and, d) Deny the Use Permits as presented in this Staff Report.

Option 2) Overturn the Planning Commission’s denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Uphold the appeal and overturn the Planning Commission’s denial of the Use Permit applications for a reduction in covered parking requirements; b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Sections 15061(b)(3) and 15301 of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report c) Adopt Findings of Fact as detailed in the June 18, 2024 Planning Commission Staff Report for approval of the Use Permits as presented in the Staff Report; and, d) Approve the Use Permits as presented in this Staff Report.

Option 3) Refer Use Permit applications 24PLN-0008, -0009, and -0010 to the Planning Commission for further consideration based on new or different evidence presented.

11. Supplement to the Final Environmental Impact Report for the Approved Dorsey Marketplace Project

CEQA: Pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (Cal. Code Regs., tit.14, § 15000 et seq.), the City Council, at its April 28, 2020, regular meeting, certified a Final Environmental Impact Report (“EIR”) for the mixed-use development known as the Dorsey Marketplace Project (“Project”).

That City Council action, along with the City Council’s approval of the Project, was subsequently challenged in court, with the ultimate result being that the City needed to make only minor changes to the original 2020 EIR. The required changes are set forth in documents from both the Court of Appeal and the Nevada County Superior Court, namely, a Modified Opinion from the Court of Appeal and a Revised Judgment and Peremptory Writ of Mandate from the superior court. These documents ordered the City to prepare further analysis of the extent to which Project-related traffic added to anticipated 2035 traffic on State Route (“SR”) 20/49 could result in adverse health effects on future Project residents and occupants.

In response to these judicial directives, the City prepared a Supplement to the Final EIR (“SFEIR”). The Draft SFEIR was circulated for public comment, and a Final SFEIR is now ready for City Council consideration and certification.

Recommendation:

1) Conduct the public hearing regarding the Supplement to the Final Environmental Impact Report for the Dorsey Marketplace Project

2) Adopt Resolution No. 2024-66 certifying the updated Final Environmental Impact Report for the Dorsey Marketplace Project, thereby (i) determining that the deficiency in the Final EIR identified in the Modified Court of Appeal Opinion and Revised Judgment has been remedied, (ii) further determining that a new 2024 Final EIR, consisting of (a) the 2020 Final EIR, (b) the Draft FSEIR, and (c) responses to comments on the Draft FSEIR and related

corrections, is legally adequate under CEQA, and (iii) permitting the implementation of any and all previously suspended Project activities and Project Approvals, subject to authorization by the superior court

ADMINISTRATIVE

12. Main St Sealing And Striping - Authorize Bidding and Approve Design

CEQA: Categorically Exempt - Section 15301 “Existing Facilities”

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) provide direction to Staff on several design proposals; and 3) authorize the advertisement for bids.

13. Discussion on City Council Compensation

CEQA: Not a Project

Recommendation: That Council considers the information provided and provides direction to staff on how to proceed.

BRIEF REPORTS BY COUNCIL MEMBERS

CONTINUATION OF PUBLIC COMMENT

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, September 10, 2024 at 6:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, September 6, 2024.

Taylor Whittingslow, City Clerk