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## GRASS VALLEY

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

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Tuesday, April 12, 2022 at 7:00 PM

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

Telephone: (530) 274-4310 - Fax: (530) 274-4399

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## MINUTES

### CALL TO ORDER

Meeting called to order at 7:02 pm.

### PLEDGE OF ALLEGIANCE

Mayor Aguilar led the pledge of allegiance.

### ROLL CALL

#### PRESENT

Council Member Bob Branstrom

Council Member Hilary Hodge

Vice Mayor Jan Arbuckle

Mayor Ben Aguilar

#### ABSENT

Council Member Tom Ivy

### AGENDA APPROVAL -

Motion made to approve agenda by Vice Mayor Arbuckle, Seconded by Council Member Hodge.

Voting Yea: Council Member Branstrom, Council Member Hodge, Vice Mayor Arbuckle, Mayor Aguilar

### REPORT OUT OF CLOSED SESSION

No closed session.

### INTRODUCTIONS AND PRESENTATIONS

### PUBLIC COMMENT -

Attached.

### CONSENT ITEMS -

Motion made to approve consent by Council Member Branstrom, Seconded by Council Member Hodge.

Voting Yea: Council Member Branstrom, Council Member Hodge, Vice Mayor Arbuckle, Mayor Aguilar

1. Approval of the Regular Meeting Minutes of March 22, 2022.

**Recommendation:** Council approve minutes as submitted.

2. Approval of the Special Meeting Minutes of April 5, 2022.

**Recommendation:** Council approve minutes as submitted.

3. Local Emergency Proclamation (COVID-19)

**Recommendation:** Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency

4. Local Emergency Proclamation (Winter Storm of December 27th, 2021)

**Recommendation:** Winter Storm of December 27th, 2021 proclamation declaring a Local State of Emergency

5. Local Emergency Proclamation (Drought Conditions)

**Recommendation:** Drought Conditions proclamation declaring a Local State of Emergency

6. 2021 Annual Street Rehabilitation Project - Final Acceptance

**Recommendation:** That Council: 1) accept the 2021 Annual Street Rehabilitation Project as complete, and 2) authorize the City Engineer to file a Notice of Completion with the County Recorder.

7. 309 Mill Street Parking Lot Project - Approve Settlement Agreement

**Recommendation:** That Council 1) approve a Settlement Agreement with Malou Thompson to mitigate concerns related to the Mill St Parking Lot Project, 2) authorize the City Manager to execute the agreement, and 3) authorize the City Engineer to record an easement grant deed for a permanent access easement across the City property at 309 Mill St (APN# 008-410-007)

8. Adopt Resolution No. 2022-17 Declaring Vehicles of the City of Grass Valley Surplus.

**Recommendation:** that council 1) Adopt Resolution No 2022-17 declaring a police vehicle as surplus and authorize disposition

9. Direction to file annual reports for Landscape and Lighting Districts (LLD) and Benefit Assessment Districts (BAD) for Fiscal Year 2022-23

**Recommendation:** It is recommended that the City Council adopt five Resolutions (2022-10, 2022-11, 2022-12, 2022-13, 2022-14) directing the filing of annual reports for Landscaping and Lighting Districts (LLD) - Annual Assessment for Fiscal Year 2022-23 and Benefit Assessment Districts (BAD) - Annual Assessments for Fiscal Year 2022-23.



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

**REORGANIZATION RELATED ITEMS**

**PUBLIC HEARING**

**ADMINISTRATIVE**

10. Review of comments sent to Nevada County on the Draft Environmental Impact Report for the Idaho-Maryland Mine Project.

**Recommendation:** Informational only, no action required.

Tom Last, Community Development Director, and Jeff Harvy, the City's consultant, gave presentation to the council.

The council discussed implications on the local environment as well as on a global scale, and the next steps in the process that the County will be taking addressing the comments received from the City as well as the public.

Public comment attached.

No action required.

**BRIEF REPORTS BY COUNCIL MEMBERS**

Councilmember Branstrom attended 20th anniversary for the Sierra fund, ERC board meeting, and visited Ananda and the tulips, climate forum at Nevada County Media. Councilmember Hodge attended a climate forum which is available online, and has been enjoying the Mill Street window displays, Music in the Mountain had a concert, and she is encouraging everyone to check out the community calendar. Vice Mayor Arbuckle attended a memorial celebration of life and the League of California Cities Governance meeting. Mayor Aguilar will be attending the Mayoral prayer breakfast on May 5th and he visited Ananda with his family.

**ADJOURN**

Meeting adjourned at 8:01 pm.



Ben Aguilar, Mayor



Taylor Day, Deputy City Clerk

## Taylor Day

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**From:** St. Joseph's Cultural Center <  
**Sent:** Wednesday, April 6, 2022 11:27 AM  
**To:** Public Comments  
**Cc:** saintjosephsculturalcenter@gmail.com; Daniel Ketcham; Jack Linda  
**Subject:** Saint Joseph's Cultural Center/ Grass Valley Museum

Members of the City Council, my name is Dyane Albrecht, I am a board member of Mount Saint Mary's Historical Preservation Committee, HPC, we are responsible for Saint Joseph's Cultural Center/Grass Valley Museum oversight.

At a recent board meeting we had Dan Ketchum, president of Nevada County Historic Society and Linda Jack, chair of Grass Valley Historical Commission speak with us. We were interested in learning how other historical sites in our community are funded and managed. They recommended several steps to increase the communities awareness and suggested we speak at a City Council meeting.

With your permission I would like to present our 'story' at a future council meeting, perhaps in May or June. The intent of our out reach is threefold:

- Increase awareness of our history and significance in our community
- Seek additional board members and docents
- Begin a conversation on funding options for preserving our historic site (#855)

Please direct me as to how I can be scheduled on a future agenda and let me know of any advance materials that might be required.

Thank you,

Dyane Albrecht

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Saint Joseph's Cultural Center  
A Unique Event Venue in Historic Grass Valley California

Historic Rose Garden, Grass Valley Museum, Large Chapel, Ghidotti Room and Artists' Studios.

Event Space for Weddings, Family Events, Private Parties, Concerts, Plays, Banquets, Classes and Artists' Studios.

410 South Church Street  
Grass Valley, CA 94945  
530.272.4725

Visit our website at [saintjosephsculturalcenter.org](http://saintjosephsculturalcenter.org)

## Taylor Day

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**From:** Lian Trowbridge  
**Sent:** Friday, April 8, 2022 3:17 PM  
**To:** Public Comments

Hello Grass Valley City Council, my name is Lian Trowbridge and I live and attend high school in Grass Valley. Our community is of great concern to me, and climate change threatens every aspect of a prosperous future for us and future generations. Please update the General Plan to include Climate Change acceptance, mitigation, and emission reduction measures.

Sincerely,  
Lian Trowbridge

April 4, 2022

To Whom It May Concern:

I am writing this letter of encouragement from the perspective of a longtime volunteer at the Grass Valley/Nevada City Animal Control Shelter. I typically work closely with staff several times a month and have been highly impressed with the level of professionalism, sensitivity to the animals, communication with the public, and management of the day-to-day activities of the Shelter.

City animal shelters are often unsung heroes of their communities. Their duties are many and varied. The overarching goal is to house lost pets and reunite them with their owners as well as find new homes for animals in need. Within this goal, daily duties include enforcing local laws governing animals, responding to concerned calls from the public, working with other law enforcement personnel, providing a safe and healthy environment for the animals currently in the Shelter, and coordinating veterinary care. Our Shelter also provides direct services to the public that include an ongoing intake of new animals, adoptions, animal assessments with follow-up behavioral training, collaboration with other shelters, coordination and training of volunteers, and the provision of educational outreach. Our Shelter is a busy place, indeed.

Our local Shelter was built in the 1950's with some improvements and modifications over the years. However, it sadly remains an old building with outdated infrastructure and kennel arrangement. It is well known that the public's expectation of local shelters has changed considerably over time from a facility of simply managing the local animals within their jurisdiction to an enriched facility that houses animals in pleasant surroundings that promote sound physical health and well-being, provides additional veterinary care, provides additional socialization opportunities and training for challenging animals, interfaces with the public to promote owner responsibility, and provides outreach services to facilitate adoptions and successful pet ownership.

A look at some of the other city and county shelters in the area can give our community new ideas on how to bring the current facility up to modern standards. This might include a major renovation or rebuild on the current site as well as look at all the other options.

Thank you for your time and consideration of how to address the current status of our Grass Valley/Nevada City Animal Control. A more modern facility would undeniably be a sound asset to our communities and allow law enforcement personnel to better provide the enrichment services that Nevada County citizens have come to appreciate and expect.

Sincerely,

Therese Hukill-DeRock

## Taylor Day

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**From:** Joy Waite  
**Sent:** Tuesday, April 12, 2022 12:13 PM  
**To:** Public Comments  
**Subject:** For tonight! Tuesday April 12 Please distribute and review this public comment  
**Attachments:** DEIR 2022.pdf

Hello - I am glad to see that the City Council is ready to be informed about the Rise Gold proposed extractive industrial activity in the middle of a neighborhood.

The attachment is the public comment I submitted to Matt Kelly Senior Planning Nevada County - the lead agency this time. I hope you will have access to all public comments submitted in writing, as well as the in person comments presented at the Nevada County Planning Commission.

I note the prominently displayed Mandatory Water Conservation tab on the City of Grass Valley website. Navigation to that information is much easier to access than the agenda for the upcoming meeting.

In lieu of the concern for water security, I trust the Grass Valley City Council and staff are vehemently opposed to the evacuation of water, contamination, and NID fresh water requirements of this dirty industry that threaten water security locally, and all the way downstream to the Delta!

Please see the attachment for further comment. Thank you. Joy Waite Grass Valley

Matt Kelly  
Senior Planner  
Nevada County

#### Comments on the Rise Gold DEIR.

I am concentrating on water concerns although there are many other of the at least 83 "issues that cannot be mitigated" that concern me.

Concerns about water fall into several categories:

Water follows the path of least resistance. The miles of mine shafts holding incalculable volumes of water has a (DEIR) reported static level at 260 feet below the surface. This volume of water is significant as an underground reservoir. Pumping this water out creates an open space that serves as a path of least resistance. Rise Gold is proposing that the mine would continue to be pumped out for 80 years. Even if we had no concerns about drought, knowing that water was being pumped out of Nevada County at 2500 gallons per minute per the DEIR flies in the face of residents already being periodically asked to reduce water use.

Related to the above is the water security of neighboring home owners. The DEIR admits the relationship between emptying the mine of water and the failure of local wells. The area the DEIR suggests that NID provide a water supply to is minimal (30 homes along East Bennett St). Well failure could be much more widespread (some suggesting 595 or more wells) When Emgold took us through this process (hasn't our community gone through this same process enough times???), residents as far away as Banner Mountain expressed concern about the viability of their wells. The precautionary principle would put the **onus on Rise Gold** to prove that the evacuation of water from the mine did not cause these failures.

The DEIR claims that the water in the mine is clean and qualifies for a "Limited Threat permit". High levels of iron and manganese are the only issues noted. The description of a 40 acre foot settling pond and water treatment plant are very sketchy and lack details. The minimal information provided leaves more questions than answers. This shows that very little effort and thought has been put into this important issue. All we read about the water treatment plant is that there will be one. Nothing about the design or how it would function is specified. Design and specifications for a water treatment plant must be part of the DEIR. At 2500 gallons per minute, 11.05 acre feet of water would be pumped out per day. A 40 acre foot settling pond would reach capacity in less than 4 days. That volume of water negates its use as a settling pond.

The DEIR includes a section on Stormwater detention ponds. There is no plan mentioned for treating the water in these detention ponds despite the volumes of tailings that will be produced and stored on the surface. What about the quality of water being pumped out of the mine after tailings are used underground for "backfill? In addition to water security, our local geology of fractured rock makes the path of water largely a guessing game, how about probable contamination of wells due to mining activity?

The DEIR indicates that an on site septic field system would contain waste water from toilets, sinks, showers, etc. Again, water follows the path of least resistance. How will this water be



kept out of the mine? Specifications on proposed septic systems need to be included in the DEIR.

NID is being asked to provide 5700 gallons per day of potable water, and an undetermined amount of water for myriad other uses such as dust control. One number offered is 42,000 gallons per day from NID. The DEIR admits squandering a current water supply (de watering) and then also sucking up a significant amount of already limited local water.

Our community's water security is of utmost importance and cannot be compromised by dirty extractive industrial operations. History has proven that the wealth of communities has been taken and a mess left behind. The term coined is "toxic mining legacy" here in Nevada County. **We can't afford one day of mine reopening** let alone 80 years and the DEIR suggests further industrial uses after that. Reclamation according to the DEIR is seeding the surface tailings. There is no requirement that the seeds be able to grow. The mine closed in the 1950's and the site is still contaminated. Those who do not learn from history end up repeating it. Haven't neighbor complaints since Rise Gold has been doing "exploration" been proof enough of the devastation that would be wrought by full mining operations?? Please don't open the door to this destructive exploitation of our beautiful community. How easily the incredible arts and culture so cultivated and prized here, and the lovely foothills environment we love could be wrecked...

Joy Waite  
Grass Valley

## Taylor Day

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**From:** Corey Vanderwouw  
**Sent:** Tuesday, April 12, 2022 11:50 AM  
**To:** Public Comments  
**Subject:** Public Comment

Hello Grass Valley City Council,

My name is Corey Vanderwouw. I am a Grass Valley resident, parent and small business owner of a physical therapy clinic. Our community is of great concern to me. The effects of climate change are already apparent in our community. Every year the wildfires have gotten worse. We need meaningful change in our town. Please update the Grass Valley General Plan to include: climate change acceptance, mitigation, and emission reduction measures.

Sincerely,

Corey Vanderwouw

## Taylor Day

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**From:** Evan Vanderwouw  
**Sent:** Friday, April 8, 2022 9:45 PM  
**To:** Public Comments  
**Subject:** Public Comment

Hello Grass Valley City Counsel,

My name is Evan Vanderwouw. I live in, attend high school in, and have my family in Grass Valley. Our community is of great concern to me, and climate change threatens every aspect of a prosperous future for us and future generations. From wildfire to drought, the effects are already evident. Right now the federal, and state governments are failing to make any meaningful level of change. Make our town a climate leader. Update the outdated General Plan to include Climate Change acceptance, mitigation, and emission reduction measures.

Sincerely,  
Evan

## Taylor Day

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**From:** Joyce Hoffman  
**Sent:** Wednesday, April 6, 2022 9:28 AM  
**To:** Public Comments  
**Subject:** Strategic Plan 2022

I am writing in support of the letter written by Susan Rogers about the inclusion of fire safety in the Strategic Plan 2022. There has been little leadership from the city or the county in regard to enforcing the rules of clearing, limbing, and cleaning for fire breaks in all of our neighborhoods.

Wildfires are a prominent concern and more needs to be done to address this. The land owned by Rise Mine experienced a vegetation fire last year and the property is very close to downtown. All residents need to clear and clean and control burns. We need help. This is much more important than creating new parks or neighborhoods.

The likelihood of experiencing not only a wildfire but a lack of water cannot be ignored. These threats are possible today and the city needs to get into overdrive and help get prepared for evacuations and tree trimming.

Dr. Joyce Hoffman  
266 North Auburn Street  
Grass Valley, CA 95945



## Taylor Day

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**From:** WIRELESS CALLER <[REDACTED]>  
**Sent:** Tuesday, April 12, 2022 7:17 PM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 16 seconds)  
**Attachments:** audio.mp3

Hi, I'd like Matthew Coulter Grass Valley. I'd like to comment on the. I think it's number 10 you got going there and about the other Maryland mine project and I think you guys are ill informed. I think that you are playing into the hands of corporate interests which you probably like. So don't get all hot and bothered now or in creamy, but please consider the children that have to live with this Superfund site that we live on top of and have nothing has changed. All the mining waste is here. It's all beneath our feet everywhere 147 large mines around here, close in right on top of where I'm standing, right across from City Hall. Pretty amazing mining history here. I think you guys should need to educate yourself about it and protect our history and stop selling us down the road to corporate interests so you can pad your pockets so you can get a little bit of money for a rainy day and leave us all out in the tsunami. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

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## Taylor Day

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**From:** WIRELESS CALLER [REDACTED]  
**Sent:** Tuesday, April 12, 2022 7:06 PM  
**To:** Public Comments  
**Subject:** Voice Mail (2 minutes and 4 seconds)  
**Attachments:** audio.mp3

Hi, Matthew Coulter standing down here at the end of Stewart Street outside City Hall corner Bank Street. I wouldn't want to get too close to You Beautiful people trying to get to the City Council meeting tonight. My constitutional rights were violated. I did call Friday. I called Monday and I called today and talked in person to Taylor about the run off into the Creek over there at the house you tore down on the corner of Hanson Wayne Coal, Fax Avenue. So you guys are being complete prick 's. I think that's in the dictionary. That P word prick. And there's a lot of other words I'd like to use for you folks, but you're so worthless. I don't want to give you the time, but I'll be back in two weeks. You'll see my bright, shiny face, and I will continue on with my plight to try to freaking save this town from the destruction that is being brought on it by this current City Council. And this retarded thirty is the retarded word, but I think that's what's really going on. There's some kind of retardation of the city manager. He's not dealing with the fire hazard. He's not dealing with the fricking health and safety issues. He's not dealing with really anything that is on the streets on a daily basis. The amount of trash that's on the streets, the amount of runoff into the creeks, our environmental situation here in town, the fact that public works doesn't bend over can't bend over. Maybe they're not allowed to bend over. I want to see their breaking job description to see if there's a clause in there that also into step over traction demo over trash and turn it into mulch in the parks that. That's what they do at videos of him doing it, joins Concerned Citizen on Facebook. Look at the videos I post every day about all this stuff and enjoy them because you guys are highlighted as the clowns that run the circus. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

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