



GRASS VALLEY

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

Tuesday, October 24, 2023 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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

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 7:00 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

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. For any items not on the agenda, and within the jurisdiction or interest of the City, please come to the podium at this time. 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).*

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.*

1. Approval of the Regular Meeting Minutes of October 10, 2023.

Recommendation: Council approve minutes as submitted.

2. Approval of the Town Hall Meeting Minutes of October 10, 2023.

Recommendation: Council approve minutes as submitted.

3. Local Emergency Proclamation (Winter Storm of February 2023)

CEQA: Not a project

Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency

4. Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Project.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

5. Job Description for Pop-Ups Coordinator

CEQA: Not a Project.

Recommendation: That Council approve a job description for a Pop-Ups Coordinator.

6. Downtown Streetscape Improvements Project - Budget Amendment

CEQA: Exempt - Not a Project

Recommendation: That Council authorize the Finance Director to execute a budget amendment to reallocate \$150,000 in funds to the Downtown Streetscape Improvements Project

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

7. Consider Resolution No. 2023-62 of the City Council of the City of Grass Valley calling an election on March 5, 2024, to consider a transactions and use tax for Fire Resiliency and Vegetation Management

CEQA: Not a Project.

Recommendation: That Council adopt Resolution No. 2023-62 of the City Council of the City of Grass Valley calling a special election on March 5, 2024, to consider a transactions and use tax, requesting to consolidate the elections with other elections the Registrar of Voters is to administer on March 5, 2024, and authorizing the City Clerk to perform all other acts necessary or required by law to implement this Resolution and related to the Special Election.

8. Electric Vehicle Charging Stations

CEQA: Not a Project

Recommendation: That Council 1) receive an update on the City's efforts to date on procuring electric vehicle (EV) charging stations; and 2) provide direction to staff on proceeding with a request for proposals.

BRIEF REPORTS BY COUNCIL MEMBERS

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, October 24, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, October 19, 2023.

Taylor Day, City Clerk



GRASS VALLEY

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

Tuesday, October 10, 2023 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

E-Mail: info@cityofgrassvalley.com

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MINUTES

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

CALL TO ORDER

Meeting called to order at 7:04PM.

PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Mayor Arbuckle.

ROLL CALL

PRESENT

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

AGENDA APPROVAL

Motion to approve the agenda as submitted made by Councilmember Branstrom, Seconded
by Vice Mayor Hodge.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice
Mayor Hodge, Mayor Arbuckle

REPORT OUT OF CLOSED SESSION

No reportable action on items one and two. Item three was pulled and not considered.

INTRODUCTIONS AND PRESENTATIONS

PUBLIC COMMENT

Robin Galvin-Davies, Karen, Matthew Coulter.

CONSENT ITEMS

Clerical change to item 7.

Motion made to approve the consent as submitted by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

1. Approval of the Special Meeting Minutes of September 6, 2023.
Recommendation: Council approve minutes as submitted.
2. Approval of the Regular Meeting Minutes of September 26, 2023.
Recommendation: Council approve minutes as submitted.
3. Approval of the Special Meeting Minutes of October 3, 2023.
Recommendation: Council approve minutes as submitted.
4. Local Emergency Proclamation (Winter Storm of February 2023)
CEQA: Not a project
Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency
5. Local Emergency Proclamation (Drought Conditions)
CEQA: Not a Project.
Recommendation: Drought Conditions proclamation declaring a Local State of Emergency
6. Resolution to apply for CalRecycle grants including SB 1383 Local Assistance Grant Program
CEQA: Not a Project
Recommendation: Adopt resolution No. 2023-60, which includes the following action:1) Authorizes the City Manager to submit a SB 1383 Local Assistance Grant Program application and conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment request, which may be necessary for the completion of the Grant Scope.
7. Grass Valley Management & Supervisory Professional & Confidential Employees - Unit 1 - Memorandum of Understanding for July 1, 2023 - June 30, 2024
CEQA: Not a project
Recommendation: Adopt Resolution No. 2022-61 approving the Labor Memorandum of Understanding for a one-year period beginning July 1, 2023, through June 30, 2024, between the City of Grass Valley and the Grass Valley Management / Supervisory Professional & Confidential Employees Group (Unit 1).
8. Approval of Cost of Living Adjustment (COLA) and Executive Contract Appendix
CEQA: Not a project
Recommendation: That Council 1) approve the a 3% Cost of Living Adjustment for all Executive Contract Employees, an option to pay into State Disability Insurance (SDI), and an adjustment to the Police Chief, Fire Chief, Deputy Administrative Services Director and Deputy Police Chief Salary range; 2) review the proposed Amendment to

the Employment Agreements (including Appendix A) with Department Directors, City Clerk, and Deputy Directors; 3) authorize the City Manager to execute the agreements subject to legal review; 4) authorize the Finance Director or the City Manager's designee to make any necessary budget adjustments and/or amendments to complete this action.

9. 2018 Wastewater Treatment Plant Improvements Project - Final Acceptance

CEQA: N/A - Project is Complete

Recommendation Motion: That Council 1) accept the 2018 Wastewater Treatment Plant Improvements Project as complete, 2) authorize the City Engineer to process final payment to the contractor, and 3) Authorize the City Engineer to file a Notice of Completion with the County Recorder.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

10. Public Works Department Restructuring

CEQA: Not a Project

Recommendation: That Council 1) approve the proposed reorganization of the Public Works Department; and 2) approve the job descriptions and associated salary schedules for the Utilities Superintendent and Treatment Plant Superintendent.

Utilities Director, Trever Van Noort, gave presentation to Council.

Council asked about the necessity of an additional supervisor and asked if this position would help with employee safety.

Public Comment: Matthew Coulter.

Motion made to approve the proposed reorganization of the Public Works Department and approve the job descriptions and associated salary schedules for the Utilities Superintendent and Treatment Plant Superintendent. by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

11. A meeting to continue the discussion of Fire Resiliency and Vegetation Management and an acceptable level of risk relating to wildfires and extreme weather conditions.

CEQA: Not a Project.

Recommendation: That Council 1) receive additional information from staff relating to Fire Resiliency and Vegetation Management including responses to some of the questions raised to date; 2) present and receive Council input on the conceptual expenditure plans for a potential sale tax; 3) gain additional input from the Council and community on Fire and Vegetation Management and a potential tax; and 4) review a schedule of next steps with City Council.

City Manager, Tim Kiser, gave brief presentation to Council.

Councilmember Ivy asked to hear from arborists and the Fire Safe Council and stated he felt more comfortable with a November election. Mayor Arbuckle mentioned that Nevada City is putting a special fire tax on the March 2024 ballot and reiterated that if this tax was to be put on the November 2024 ballot, the tax would not go into effect until 2025, losing an entire fire season. Councilmember Hodge did not feel as though there was not enough community engagement or feedback to feel comfortable moving forward with the March 2024 election. Councilmember Caravelli would prefer the .38cent tax.

Public Comment: Robin Galvin-Davies, Karen, Matthew Coulter.

Council decided to move forward with the .38cent tax on the November 2024 ballot and asked Staff to create draft expenditure plans for the interim.

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Ivy attended the Pioneer Community Energy meeting and will be meeting with a Biomass facilities expert. Councilmember Branstrom attended the Food Bank ribbon cutting for their expansion, an ERC meeting, a Penn Valley/Nevada County Consolidated Fire meeting, Locals for Locals event, Sierra Stages "Drowning Girls", Nancy Palmer celebration of life and celebrated 10 years as a Grass Valley resident and his mothers 101st birthday. Councilmember Caravelli met with the Mayor of Nevada City, attended the 60/40 business mixer at Olive Groove, the Sierra Harvest luncheon, ERC Board meeting, and a wreath making class at Lola and Jack. Vice Mayor Hodge attended the Celtic festival, presented a program on Beethoven to 400 school aged children through a grant and Music in the Mountains. Mayor Arbuckle acknowledged breast cancer awareness month and the Pink Patch project. She attended the Food Bank ribbon cutting, Grass Valley Chamber and GVDA meeting, Fleetwood Mac cover band at the Center for the Arts, Swan Levine House plaque, Monday with the Mayor.

ADJOURN

Meeting adjourned at 8:27PM.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Adopted on: _____

Miranda Bacon

From: Rona [REDACTED]
Sent: Saturday, October 7, 2023 1:12 PM
To: Public Comments
Subject: Fwd: Fire prevention

You don't often get email from [REDACTED]. [Learn why this is important](#)

Sent from my iPhone

Begin forwarded message:

From: Rona Seabrook [REDACTED] >
Date: October 7, 2023 at 1:06:37 PM PDT
To: public@cityof-grassvalley.com
Subject: Fire prevention

Good Afternoon,

I read Bob Branstrom's Union Newspaper article.

My thoughts are.....

Over the years, Grass Valley has wasted funds on development and projects that decreased monies for more important needs.

City approval for increased density (increasing fire evacuation problems) such as Guilded Springs, Brunswick, RV site on Mc Courtney should not have happened.

Living in town (three digit addresses) means evacuation is key. Firewise communities in town are not realistic and pretty worthless. Yes, perhaps a fire starting in town might be slowed, but as we have seen, it doesn't take much for a firestorm. Lahaina fire moved at a mile a minute.

Key to prevention and slowing fire is vegetation management outside of town and in rural areas. Hopefully thought, consideration and planning will include the well-being of animals inhabiting our area; This is very important during birthing springtime.

As others have mentioned, parcel owner education with labor and or financial support is necessary. Enforcement would be a last resort.

Thank you for your work on this important matter.

Sincerely,
Rona Seabrook
136 Carpenter St. 95945

Miranda Bacon

From: Pam Jung [REDACTED] >
Sent: Tuesday, October 10, 2023 11:26 AM
To: Public Comments
Subject: Comments for tonite's council meeting

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Thanks for taking my comments about fire and possible tax.

- Before we resort to a tax alone, have we explored other options, such as partnering with such organizations as the Fire Safe Council, existing Firewise Communities, volunteers in general? That they might be able to help in some way, especially with vegetation mitigation.
- another engine and 3 fire fighters to each engine is the national standard...but we aren't slaves to that. That strikes me as "top cabin"...minimizing risk as much as is possible. Maybe a step down is enough: reasonably minimizing risk.
- if a tax is the absolute only way may I suggest 1/4 (not 1/2), with Option 2...with a sunset clause of 5 years (10 is way too long). A special tax would be perfect, but I understand the reasoning behind calling it a general tax. But have oversight committee meet quarterly and publish the results; maximum transparency.

Thanks for your consideration.

Pam Jung
800 Freeman Lane
Grass Valley

Miranda Bacon

From: DIAL GINGER <[REDACTED]>
Sent: Friday, October 6, 2023 10:29 AM
To: Public Comments
Subject: Voice Mail (1 minute and 17 seconds)
Attachments: audio.mp3

Hello, my name is Bill Dial. I live off on Lee Lane off of Idaho, Maryland. I just read the article What do you think in the paper? I would like to let you know what I think. I would like to know why you folks aren't addressing what starting these fires in the 1st place and do something about that. Let's look at some of the fires we've had down here at the Bennett St. fire, Dorsey, Sutton Way, Banner, Overpass twice, Brunswick, Idaho, Maryland fire last year, The fires on Plaza, yes, and even the River Fire. I know this area real good. I know what's going on down there along the river. I know there was homeless down there. I would like to know, is it not politically correct to do something about these homeless people and what they're doing out in the woods? I'm the one that pays over \$8000 a year in property taxes, over \$4000 a year in homeowners insurance. So I have some rights too. Anyway, I think it's about time you folks did something about this. All you got to do is look at the police blotter in the paper every day and you'll see the police are spending most of their time chasing homeless people around. I think it's time for you people to do something about it. Thank you for letting me give my comments.

You received a voice mail from [DIAL GINGER](#).

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

[Set Up Voice Mail](#)

October 7, 2023

To:

- Bob Branstrom
- Copies to all Council; Tim Kiser

From:

Terry Lamphier, Grass Valley resident; past GV planning commissioner and Nevada County Supervisor, District 3

Response to Bob Branstrom's "What do you think?" Union column
re: fire risk mitigation proposals

"I hear you, Bob"

Kudos for Branstrom's outreach via his recent Union column. To me, this is leadership (Mr. Branstrom, caution. I was fired as GV planning commissioner for a newspaper column I wrote after a City council mandate required me to disclose that I was writing as a private citizen, "as only the mayor could speak for the City". Previous Union publisher Jeff Ackerman removed my disclaimer, hence putting me in violation and, ultimately, termination).

1) Proposed fire tax

a) Support a well-defined measure, with community input, put forth as a "special tax". Trust voters to support this, as Nevada City voters have done.

b) As an option, put forth identical "special/general" tax measures and allow citizens to vote for either or both, with the "special tax" superseding "general tax" if both pass.

c) Any clauses addressing mitigations should be written as advisory and voluntary, not as mandates, for any private properties that are in-town, small lot single family residences, with exceptions for unmaintained vacant lots and properties with absentee landlords.

d) Existing tax Measure E was passed with the understanding a portion of the revenue was to be used for our fire department. Reallocate Measure E revenues to prioritize fire mitigation, as, by State law, this "general tax" can be used for anything.

e) Should fire hazard mitigation become a requirement, any mandates should include subsidies for low-income homeowners with no liens on properties.

f) Any mandatory fire hazard mitigation on private properties should include analysis of affects on property values and, if impaired, mandate a proportionate reduction in property taxes.

g) Any fire mitigation measures should be "best practice", mandating habitat impact reduction as well as mitigation of loss of carbon sequestration, increased "heat sink" effects, etc.

h) Mitigated properties should receive some sort of official "fire safe" declaration that could be recognized in setting future fire insurance rates.

2) General fire-related policies

a) Before hiring more fire fighters, do an analysis of actual past firefighter responses, with the goal of determining how many events actually called out for full responses. Given past history, it appears by actual experience that present practices and staffing have proven adequate, via utilization of joint support from other stations and agencies. Prove the need for more firefighters.

b) Pursue policies to increase efficient use of existing staff.

b) The Loma Rica development plan included an additional fire station, with significant funding from the developers. What is the status of this? How does this affect fire fighting needs and funding?

c) A recent fire on Highway 20 near the fairgrounds had a huge emergency response (good, but maybe excessive) with little to no traffic controls on very nearby streets (bad), leading to large nearby traffic jams and delays. Explore better distribution of response teams in the event evacuations are required.

d) There is no reason that potentially available fire mitigation and related grants cannot be pursued concurrent with other measures and, indeed, should be.

e) Reprioritize use of existing general funds while exploring other options. Fire safety should be the highest priority for Grass Valley's City Council. Council can do this next January when establishing 2024 goals and priorities – plenty of time before our next fire season.

f) Re: ADU policies, evaluate evacuation status of existing residential streets for negative safety impacts of adding density and pursue new legislation as necessary to constrain such developments.

For a good example, visit North Church Street and Doris Drive, both of what are essentially one-way streets serving as evacuation routes for dozens of homes. This area – "Slide Ravine" – has been identified by fire personnel as a fire danger, yet the City continues to approve more housing in this area. Police Chief Alex Gammelgard can give more information.

Finally, slow down on new housing developments until their impacts on fire safety and evacuation challenges can be mitigated. Crying a "fiscal emergency" – it's not - for a new tax measure erodes public trust. Stop minimizing tax impacts – total aggregated taxes would approach 10%. Be honest, make a good case and trust the public to do the right thing. Thank you.



GRASS VALLEY
Special City Council Meeting

Monday, October 16, 2023 at 6:00 PM

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

MINUTES

CALL TO ORDER

Meeting called to order at 6:02PM.

PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Mayor Arbuckle.

ROLL CALL

PRESENT

Councilmember Bob Branstrom

Councilmember Haven Caravelli

Councilmember Tom Ivy

Vice Mayor Hilary Hodge

Mayor Jan Arbuckle

AGENDA APPROVAL

Motion made to approve the agenda as submitted by Councilmember Caravelli, Seconded by Councilmember Branstrom.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

PUBLIC COMMENT

Robin Galvin-Davies.

ADMINISTRATIVE

1. Fire Resiliency and Vegetation Management approving an expenditure plan and Resolution No. 2023-57 of the City Council of the City of Grass Valley declaring a Fiscal Emergency relating to combating wildfires and extreme weather conditions.

CEQA: Not a Project.

Recommendation: That Council 1) review and approve the draft expenditure plan; 2) declare a fiscal emergency due to the lack of necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions as stated in Resolution No. 2023-57; and 3) discuss next steps with City Council.

City Manager, Tim Kiser, and Fire Chief, Mark Buttron, gave a presentation to Council.

Public Comment: Susan Rogers, Chrissy Freeman, Steve Piziali, Robert Wallis, Robin Galvin-Davies, Virginia Whitehead, Matthew Coulter.

Council asked what Staff would expect to happen after the 7 year sunset clause ended and for clarification on the costs associated with the March 2024 ballot vs. the November 2024 ballot. Council asked for clarification on long-term green waste solutions, addressed comments about using Measure E funds for fire resiliency, and asked about campaigning and the role the City and Council would play in that.

Motion made to declare a fiscal emergency due to the lack of necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions as stated in Resolution No. 2023-57 by Councilmember Branstrom, Seconded by Vice Mayor Hodge.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

BRIEF REPORTS BY COUNCIL MEMBERS

ADJOURN

Meeting adjourned at 6:52PM.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Adopted on: _____

Miranda Bacon

From: [REDACTED]
Sent: Monday, October 16, 2023 6:00 PM
To: Public Comments
Subject: Ballot measure for sales tax increase to fund fire mitigation

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Council members,

I support that the City of Grass Valley is a ballot measure that would increase sales tax in Grass Valley to fund vegetation removal and personnel to remediate fire hazards. As you consider how best to finalize this budget measure, I request that you ensure that these efforts support research-based best practices for vegetation management for fire mitigation. Here are some specific elements that would make a local vegetation management more effective and build a better community in the long run:

- **Use mechanical means when necessary, but use hand crews whenever possible.** Mechanical means causes the loss of many desirable plant species and the compaction of native soil. Such actions pave the way for invasive species, such as Himalayan blackberry, Scotch broom, and other highly flammable species.
- **Thin trees (and remove dead trees) rather than clearcutting trees.** This will reduce the flammability of the weaker, more closely packed trees, while encouraging healthier and fewer trees, with more distance between trees, which will slow fire progression. Such thinning will also result in less competition for water among plants, greater fire resistance because trees are less dry, and reduced tree death in future droughts.
- **Concentrate on removal of highly flammable invasive species.** Left untreated, such species rapidly create continuous fuel in a wide area, under trees, along roadways, and stretching from forests to homes.
- **Support livestock grazing (particularly goats) to reduce ladder fuel.** "According to the U.S. Forest Service, the cost for goats to remove ladder fuel is \$400 to \$500 per acre, compared to \$1200 to \$1500 per acre for mechanical removal." <https://www.accessscience.com/content/briefing/aBR0124201>
- **Provide incentives to residents to do home hardening,** working with the FireSafe Council.
- **Protect roadways from fire (thus keeping evacuation routes open!)** by thinning trees and shrubs, and annually treating grasses and other dry understory plants (by cutting or by prescribed fire).
- **Recognizing that research has shown that many native plant species are particularly resistant to fire,** motivate landowners and landscape professionals to **remove the most flammable non-native trees in select areas most at risk for fire. Restore those areas with more naturally fire-resistant native trees and plants.**

Here is some background on such approaches:

- Mimic what CalFire does. Their own vegetation management program is "**focuses on the use of prescribed fire, and some mechanical means,** for addressing wildland fire fuel hazards and other resource management issues...Hazardous fuel reduction generally requires the reduction of surface and ladder fuels. It may also require thinning out dense tree stands, preserving mature sized trees. It can be accomplished using fire, biological methods, chemical and/or mechanical treatments to remove or modify fuels in wildland areas." (<https://www.fire.ca.gov/what-we-do/natural-resource-management/vegetation-management-program#main-content>)
- The University of California Agriculture and Natural Resources program (UCANR) emphasizes that trees should usually be thinned rather than completely cleared. "**Thin trees to reduce competition and create openings so shade-intolerant trees can grow.**"

- Per CalTrans, "The model highway roadside adapted to wildfire risk will have a more open appearance, with broader spacing between individual mature trees, acres of thinned brush with an understory of new growth shaded by the overhead canopy. <https://dot.ca.gov/programs/public-affairs/mile-marker/issue1-2022/fire-prep>
- Research on flammability of native plants. "The more drought-tolerant the plant, the longer it took to ignite. And unwatered natives fared better than watered nonnatives; a watered apple and a watered common lilac burned faster than many manzanitas. Manzanitas as a group were quite variable, and watered samples were not necessarily lower to ignite than unwatered ones. Ceanothus species were relatively hard to burn; a light dust-off by overhead watering every two weeks made them really hard to burn." (https://cnps.org/wp-content/uploads/2018/03/Fremontia_Vol38-No2-3.pdf)
- Article by California Native Plant Society on local vegetation management, under the direction of a CalFire Battalion Chief who was born in Grass Valley and still lives locally. <https://www.cnps.org/flora-magazine/restoring-fire-19131>

I can provide more information on any of these topics, if you like. I'm in attendance at the Council meeting this evening, October 16, and hope to speak for a little bit.

Sincerely,

Chrissy Freeman (c 650-393-9246)

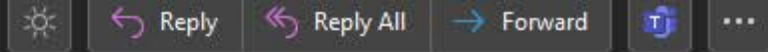
Resident of Nevada County

Active in Master Gardeners and in local Redbud Chapter of California Native Plant Society



Brett Schreiber

To ● Public Comments



Tue 10/10/20

Item # 2.

We removed extra line breaks from this message.

[You don't often get email from [redacted]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello bob read your article and have some thoughts ,first the city cannot do any more ,financially ,how can the city help hundreds mabe thousands of people with defensiveable space ,money and manpower ,it would be nice to help elderly of course but unfortunately there are too many and with large parcels,THEcity should 100 percent have Enforcement of a code , brush and grass specifically That makes cleaning of there property a must or heavy fines with leans ,I know this didn't work before but things change ,it is not if we will have a major 🔥 but when .Pennvalley ,is even worse I live here ,unfortunately it's not important enough for 30-40 percent of res clean there property ,this is not a financial issue as much as stubborn ,and ignorance .please don't print this ,this has been on my mind a long time I keep my twen cleaned like a park ,it costs a lot but is but I can good knowing I did the right thing my neighbors not very much Sent from my iPad

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**City of Grass Valley
City Council
Agenda Action Sheet**

Title: Local Emergency Proclamation (Winter Storm of February 2023)

CEQA: Not a project

Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 10/24/2023

Date Prepared: 10/19/2023

Agenda: Consent

Background Information: Due to conditions of extreme peril to the safety of persons and property have arisen within the City of Grass Valley, caused by the winter storm February 24th, 2023 to March 1st, 2023 which cut power, downed trees, blocked roads and created other hazards to health and human safety commencing at which time the City Council of the City of Grass Valley was not in session. The city found it necessary to proclaim the existence of a local emergency throughout the city.

On March 2nd, Tim Kiser, the Emergency Services Director, proclaimed an existence of a local emergency. On March 8th, 2023, at a special City Council Meeting council adopted Resolution 2023-07 confirming the Emergency Services Director's proclamation of a local emergency.

Council Goals/Objectives: This resolution executes portions of work tasks towards achieving/maintaining Strategic Plan - Public Safety. The City of Grass Valley is devoted to providing a safe Place to Live, Work, and Play.

Fiscal Impact: The City will be requesting reimbursement for repair costs from the California Office of Emergency Services. If approved, costs would be reimbursable around 75% and sufficient General Funds exist to cover any shortfall.

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



**City of Grass Valley
City Council
Agenda Action Sheet**

Title: Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Project.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 10/24/2023

Date Prepared: 10/19/2023

Agenda: Consent

Background Information: On May 10, 2021, Governor Newsom modified a State of Emergency Proclamation that declared that a State of Emergency to exist in California due to severe drought conditions to include 41 counties, including Nevada County. The Proclamation directed state agencies to partner with local water suppliers to promote conservation through the Save Our Water campaign, a critical resource used by Californians during the 2012-2016 drought. Some municipalities have already adopted mandatory local water-saving requirements, and many more have called for voluntary water use reductions.

Nevada Irrigation District (NID) declared a drought emergency throughout the District's service area on April 28, 2021, which includes portions of the City of Grass Valley, and requested that customers conserve 10 percent of their normal water usage. Both NID and Nevada City have now mandated at least 20% conservation requirements.

On June 22, 2021, City Council approved Resolutions No. 2021-41 declaring a local emergency due to drought conditions and No.2021-42 mandating water conservation. All treated Water Customers are required to reduce water use by 20%.

Council Goals/Objectives: This resolution executes portions of work tasks towards achieving/maintaining Strategic Plan - Water and Wastewater Systems and Underground Infrastructure. The City of Grass Valley is devoted to providing a safe Place to Live, Work and Play.

Fiscal Impact: The Fiscal Impact to the Water Fund should be minor, but if the drought continues for several years the impact could be more significant.

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



**City of Grass Valley
City Council
Agenda Action Sheet**

Title: Job Description for Pop-Ups Coordinator

CEQA: Not a Project.

Recommendation: That Council approve a job description for a Pop-Ups Coordinator.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: October 24, 2023 **Date Prepared:** October 19, 2023

Agenda: Consent

Background Information: A proposed action has been put forward to create a job description for a seasonal/part-time position that focuses on creating, planning and implementing a year-round calendar of small Pop-Ups for the City. Pop-Ups are small, short events that typically last for less than two hours (not including set up or takedown) and are small in size (less than 400 square feet of total area), which benefit downtown merchants and the community. The position would collaborate with the Grass Valley Downtown Association, the Greater Grass Valley Chamber of Commerce, and the Center for the Arts to create the theme and brand of each pop-up, define their purpose and outcomes, and ensure their effectiveness. This position would handle all aspects of pop-up planning, from production and coordinating communications to overseeing logistical details and creating and monitoring budgets to support merchants in small pop-ups to help stimulate business.

The proposed job description is attached for City Council consideration.

Council Goals/Objectives: The execution of this action attempts to achieve Strategic Goal #5 - High-Performance Government and Quality Service.

Fiscal Impact: The fiscal impact is less than \$24,000 per year as this position should work less than 900 hours per year and sufficient funds are available in the budget.

Funds Available: Yes

Account #: General Fund

Reviewed by: Tim Kiser, City Manager

Attachments: Job Description

**City of Grass Valley
JOB DESCRIPTION**



Pop-Ups Coordinator

Department: Administrative Department

FLSA Status: Non-Exempt

Reports To: City Manager or their designee

Unit: TBD/Part-Time

Adopted:

SUMMARY OF JOB PURPOSE

Working under the City Manager or their designee, the Pop-Ups Coordinator (Coordinator) plans and implements a year-round calendar of small Pop-Ups for the City. Pop-Ups are small, short events typically less than 2 hours in length (not including setup or takedown), small in size (less than 400 sf of total area), and/or both benefiting the downtown merchants and the community. The position collaborates with the Grass Valley Downtown Association, the Greater Grass Valley Chamber of Commerce, and the Center for the Arts to create the theme and brand of each pop-up as well as define the purpose, and outcomes for gatherings as well as effectiveness. This position handles all aspects of pop-up planning from production, coordinating communications, overseeing logistical details, and creating and monitoring budgets to support merchants in small pop-ups to help stimulate business.

This classification is assigned to specific functional areas; duties and assignments may overlap depending on the operational needs of the department and staffing levels.

SUPERVISION RECEIVED AND EXERCISED

Under the overall direction of the City Manager or their designee, direct supervision is provided by the City Clerk. The incumbent exercises no supervisory responsibilities.

ESSENTIAL DUTIES AND RESPONSIBILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily.

- Manage the overall development, planning, and coordination of pop-ups.
- Negotiate terms and conditions of contracts.
- Oversee contracted pop-up labor/personnel/volunteers.
- Ensure that appropriate branding and messaging objectives are met, and provide information for the website, promotional literature, and social media.
- Develop and maintain a timeline for pop-ups duties.
- Develop budgets, pop-up layouts, and operational needs.
- Work with vendors, volunteers, community groups, and other City departments to further pop-ups objectives.

This job description indicates in general the nature and levels of work, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. The City of Grass Valley is an EQUAL OPPORTUNITY EMPLOYER.



Pop-Ups Coordinator

-
- Write, edit, and produce scripts for pop-ups productions (i.e. flyers, posters, media releases, etc.).
 - Prepare requisition for supplies and equipment related to pop-ups production.
 - Oversee procurement of supplies and equipment related to a pop-up production.
 - Assist with special events (GVDA, Greater Grass Valley Chamber, Center for the Arts, etc.)
 - Identify, and recruit performing artists.
 - Research grant funding and sponsorship opportunities.
 - Assist with RFPs and RFQs for contracts related to pop-ups.
 - Perform related duties as assigned.

OTHER DUTIES AND RESPONSIBILITIES

- Coordinate pop-ups with departments.
- Adapt to changing technologies.
- Work as a team member.
- Follow oral and written instructions.
- Perform all work and activities in a safe manner.
- Communicate clearly, concisely, and effectively, both orally and in writing.
- Maintain cooperative working relations with the general public, GVDA, Greater Grass Valley Chamber, Center for the Arts, etc.

KNOWLEDGE OF

- Communications: Techniques and methods of communication, including alternative ways to inform via written, oral, and various other media.
- Project Management: How to employ effective techniques to plan pop-ups, as well as prepare work plans to address long-term goals and needs.
- Marketing: Principles and methods involved in advertising/promotions
- Office Software: Current word processing, presentation, spreadsheet, and database programs used by the City; particularly, the Microsoft Office Suite, One Drive, and Teams.

SKILLS AND ABILITIES IN

- Written and Oral Expression: Communicating information and ideas in writing, as well as through speech, so others will understand.

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Pop-Ups Coordinator

-
- **Budget Management:** Developing plans and budgets; and comparing them against actual activity.
 - **Multi-tasking:** Managing multiple projects at the same time.
 - **Cooperation:** Establishing and maintaining positive working relationships with others.
 - **Negotiation:** Bringing others together to reconcile differences.
 - **Creativity:** Developing innovative ideas and identifying creative pop-up types of events
 - **Interpreting and complying with provisions of applicable codes, ordinances and regulations enforceable by the City.**

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

Education and Experience:

Any combination of education and experience that would demonstrate the knowledge, skills and abilities as outlined above is qualifying. A typical way to obtain the knowledge and skills is:

1. Equivalent to an Associate Degree but a Bachelor's Degree is preferred from an accredited college or university with major course work in Public Relations; Marketing; Parks and Recreation Management; Parks, Recreation, and Sport, or a closely related field.
And
2. At least two (2) years of relevant experience.

Certificates, Licenses, Registrations

Must have a valid Class C California Driver's License with an acceptable driving record.

Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

LANGUAGE SKILLS

Ability to read, write, and communicate in English at a level required for successful job performance.

MATHEMATICAL SKILLS

Ability to use and understand basic mathematical concepts such as: adding, subtracting, multiplying, dividing, simple fractions, and percentages.

This job description indicates in general the nature and levels of work, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. The City of Grass Valley is an EQUAL OPPORTUNITY EMPLOYER.

City of Grass Valley
JOB DESCRIPTION



Pop-Ups Coordinator

REASONING ABILITY

Ability to understand and carry out instructions furnished in written, oral, or diagram form; analyze and resolve problems involving circumstances and/or pop-ups using standardized methods or procedures.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job the employee is regularly required to stand, walk, sit, drive, use hands and fingers, handle or feel, reach with hands and arms, grasp, hold, and manipulate tools, and talk and hear. The employee is occasionally required to climb, balance, stoop, kneel, crouch, or crawl and must frequently lift and/or carry up to 25 pounds alone, and up to 50 pounds with assistance. Hear in the normal audio range with or without correction specific vision ability required by this job includes close vision, color vision, peripheral vision, depth perception, and the ability to adjust focus with or without ocular aids. The employee must be able to work in variable temperatures and weather conditions and have the ability and willingness to work around and tolerate unpleasant odors and objectionable substances common to the field.

WORKING ENVIRONMENT

While performing the duties of this job the employee is regularly exposed to outside conditions, wet and/or humid conditions, rain, snow, and heat; moving mechanical parts; fumes or airborne particles and toxic or caustic chemicals. The employee is occasionally exposed to the risk of electrical shock and vibration, and the noise level in the work environment is usually loud.

GENERAL

The City reserves the right to revise or change classification duties and responsibilities as the need arises. This description does not constitute a written or implied contract of employment.

I have read and understand the contents of this job description, and I have received a copy of this job description for my records.

Print Name: _____

Signature: _____

Date: _____

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This job description indicates in general the nature and levels of work, skills, abilities and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. The City of Grass Valley is an EQUAL OPPORTUNITY EMPLOYER.



City of Grass Valley City Council Agenda Action Sheet

Title: Downtown Streetscape Improvements Project - Budget Amendment

CEQA: Exempt - Not a Project

Recommendation: That Council authorize the Finance Director to execute a budget amendment to reallocate \$150,000 in funds to the Downtown Streetscape Improvements Project

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 10/24/2023

Date Prepared: 10/19/2023

Agenda: Consent

Background Information: On April 26, 2022, Council authorized the award of a contract for the Downtown Streetscape Improvement Project to Sierra Foothills Construction Company in the amount of \$6,741,000. The contract was executed with a change order changing the scope of work to reduce the project contract to \$5,283,268. Project work included the transformation of Mill Street (from Neal to West Main Street) to create a pedestrian friendly, town square atmosphere, allowing restaurants and retail businesses to expand operations into the city right of way and lighting and landscaping improvements to Main Street between Church and Bennett.

The project was to be funded with a combination of available Measure E funds, American Rescue Plan Act (ARPA) Funding, Special Project Funds, General Funds and Water Rate Funds (for the water line replacement portion of the project). On November 11, 2022, Council authorized a contract amendment in the amount of \$122,450 for costs associated with custom planter construction and for adding a second work shift to expedite construction time. This addition brought the project contingency amount to \$650,776.80.

Staff has issued fifteen change orders for this project. The first change order issued with the contract was for a credit of \$1,457,732. The subsequent fourteen change orders were for construction conflicts/issues or design changes that resulted in increased costs (such as the change to the concrete steel wrapped planters with the integrated seating, lighting upgrades, and the change from utilizing integrated color in the stamped concrete to having the concrete stained and sealed). These fourteen change orders total \$793,353.73 which is approximately \$150,000 over the available contract contingency and previously approved budget amendment. Staff is requesting a budget adjustment to add \$150,000 to the Downtown Streetscape Improvements Project.

Council Goals/Objectives: The Downtown Streetscape Improvements Project executes portions of work tasks towards achieving/maintaining Strategic Plan Goal #1 -

Community and Sense of Place, Goal #4 - Economic Development and Vitality and Goal #7 - Water & Wastewater Systems & Underground Infrastructure.

Fiscal Impact: \$150,000 of available funds would be utilized for this contract.

Funds Available: Yes

Account #: 300-406-66005

Reviewed by: _____ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: Consider Resolution No. 2023-62 of the City Council of the City of Grass Valley calling an election on March 5, 2024, to consider a transactions and use tax for Fire Resiliency and Vegetation Management

CEQA: Not a Project.

Recommendation: That Council adopt Resolution No. 2023-62 of the City Council of the City of Grass Valley calling a special election on March 5, 2024, to consider a transactions and use tax, requesting to consolidate the elections with other elections the Registrar of Voters is to administer on March 5, 2024, and authorizing the City Clerk to perform all other acts necessary or required by law to implement this Resolution and related to the Special Election.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: October 24, 2023

Date Prepared: October 18, 2023

Agenda: Administrative

Background Information: On October 16th, 2023, the City Council approved a plan to implement a general sales tax of 0.375% (.00375). The proposed sales tax will have a sunset clause of 7 years and a citizen oversight committee. The Council also approved a Resolution, declaring a fiscal emergency as a necessary step to place an item on the ballot on March 5th, 2023.

The final step in the process of considering the sales tax is to approve Resolution 2023-49, which calls for an election and the associated ordinance defining the proposed tax as a general fund tax at 0.375%. If the City Council adopts the proposed Resolution, they will call for a special election on March 5th, 2023, and consider the following 3/8 cent or 0.375% transactions and use tax measure.

Measure __

Shall the measure for general governmental uses such as reducing the risk associated with catastrophic wildfire and extreme weather by funding additional firefighters, vegetation management, and emergency evacuation planning by adopting a general, 3/8-cent (0.375%) sales tax raising about \$2.55 million yearly, with yearly audits and a citizens' oversight committee, effective for 7 years unless voters end it sooner, be adopted?	Yes <input type="checkbox"/>
	No <input type="checkbox"/>

The proposed resolution and ordinance are attached for the Council's review and consideration. The expenditure plan is also attached for informational purposes.

Council Goals/Objectives: The execution of this action attempts to achieve Strategic Goal #5 - High Performance Government and Quality Service.

Fiscal Impact: Fiscal Impact would be limited to paying for the Special Election, which should be less than \$30,000, but there are sufficient funds in City reserves if the City Council deems this issue to be a fiscal emergency.

Funds Available: Yes **Account #:** General Fund Reserves

Reviewed by: Tim Kiser, City Manager

Attachments: Resolution 2023-62 and proposed Ordinance 826

RESOLUTION No. 2023-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY CALLING A SPECIAL ELECTION ON MARCH 5, 2024 TO CONSIDER A TRANSACTIONS AND USE TAX

WHEREAS, the City Council desires to submit a general transactions and use tax ordinance (the “Ordinance”) for voter approval; and

WHEREAS, the Ordinance imposes a general tax (“Tax”), the revenues from which can fund firefighting personnel, wildfire risk land management, other fire safety measures, or any other lawful purpose of the City; and

WHEREAS, the City Council desires to hold a special municipal election on March 5, 2024 (the “Election”); and

[WHEREAS, on October 16, 2023, the City Council adopted by unanimous vote Resolution No. 2023-57 declaring a fiscal emergency under article XIII C, section 2, subdivision \(b\) of the California Constitution to allow the City to call the Election on the Tax; and](#)

WHEREAS, Article XI of the Grass Valley City Charter provides that all elections shall be governed by the provisions of the Elections Code for the holding of elections in general law cities except as otherwise provided by the City Charter; and

WHEREAS, the City Council requests services from the Nevada County Clerk for the conduct of that election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

1. **CALL OF SPECIAL MUNICIPAL ELECTION.** Pursuant to Article XI of the City Charter and the laws of the State of California applicable to general law cities, the City Council of the City of Grass Valley hereby calls and notices a Special Municipal Election to be held on Tuesday, March 5, 2024, to consider the following measure:

Measure __

Shall the measure for general governmental uses such as reducing the risk of catastrophic wildfire and extreme weather by funding additional firefighters, vegetation management, and emergency evacuation planning by adopting a general, 3/8-cent	Yes <input type="checkbox"/>
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(0.375%) sales tax raising about \$3.4 million yearly, with yearly audits and a citizens' oversight committee, effective for 7 years unless voters end it sooner, be adopted?	No <input type="checkbox"/>
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This question requires the approval of a simple majority (50% plus 1) of those voting and the referenced Ordinance is attached hereto as Exhibit 1 and incorporated in this Resolution by this reference.

2. REQUEST TO CONDUCT ELECTION AND CANVASS

RETURNS. The Nevada County Board of Supervisors is hereby requested to authorize the Nevada County Registrar of Voters to render services necessary for the conduct of the Special Municipal Election this Resolution calls. Pursuant to Elections Code section 10402, the City Council hereby requests that the Nevada County Board of Supervisors consolidate the Special Municipal Election with any other election the Registrar of Voters is to administer on March 5, 2024 and order the Special Municipal Election to be conducted by the Nevada County Registrar of Voters. The City Council acknowledges and requests that the consolidated election be held and conducted in the manner prescribed in Elections Code section 10418. The ballots to be used in the election shall be in form and content as required by law.

The City Clerk is authorized and directed to work with the Nevada County Registrar of Voters and to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia as needed to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections. Pursuant to Elections Code section 10002, the City will reimburse Nevada County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due.

The notice of the time and place of holding the election is hereby given, and the City Clerk and Nevada County Registrar of Voters are authorized to give further notice of the election, as required by law, and the City Clerk shall forward a certified copy of this resolution to the Clerk of the Nevada County Board of Supervisors not later than 88 days before March 5, 2024.

3. IMPLEMENTATION. The City Clerk is directed to file certified copies of this Resolution with the Nevada County Board of Supervisors, with a copy to the Nevada County Registrar of Voters, pursuant to Elections Code section 10402. The City Clerk is further authorized and directed to perform all other acts necessary or required by law to implement this Resolution and related to the Special Election.

4. IMPARTIAL ANALYSIS. That the City Council directs the City Clerk to transmit copies of the measures to the City Attorney. The City Attorney shall prepare an impartial analysis of each measure showing the effect of the measure on the existing

law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk.

5. **BALLOT ARGUMENTS.** Members of the City Council are hereby authorized to prepare a written argument, not to exceed 300 words, in favor of the measure on behalf of the City Council, as specified in section 9282 of the California Elections Code.

Arguments against the Measure may not exceed 300 words and must be submitted to the City Clerk in compliance with sections 9282 and 9283 of the California Elections Code by the deadline established by the City Clerk.

Rebuttal arguments are authorized and may not exceed 250 words and must be submitted to the City Clerk as specified in section 9285 of the California Elections Code.

~~7. **FISCAL EMERGENCY.** The Council finds that unless it takes urgent action by placing this general tax measure on the ballot at the March 5, 2024 special election, the Grass Valley Fire Department will lack necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions and to fund other City services. Accordingly the City Council hereby declares an emergency pursuant to the California Constitution, article XIII C, section 2, subdivision (b).~~

~~8.6.~~ **CEQA.** The adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”). The calling and noticing of a Special Municipal Election is not a project within the meaning of CEQA Guidelines section 15378, subsection (b)(4) [funding of unspecified projects] and section 15061, subsection (b)(3) [common sense exemption]. While some expenditures of the -proceeds of the tax might have impacts on the environment, it would be unduly speculative to identify and evaluate those impacts now. That analysis will be more meaningful when the projects to be funded are selected and defined.

~~9.7.~~ **CERTIFICATION.** The City Clerk of the City of Grass Valley shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

~~10.8.~~ **SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The City Council of the City of Grass Valley hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

11.9. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption as a measure affecting an election.

PASSED AND ADOPTED ~~by a unanimous vote of all members of the City Council of the City of Grass Valley present as required California Constitution, article XIII C, section 2, subdivision (b) and~~ by a two-thirds vote of all its members as required by Revenue & Taxation Code section 7285.9, on this October 24, 2023, by the following vote:

- AYES: Councilmembers
- NOES: Councilmembers:
- ABSENT: Councilmembers:
- ABSTAIN: Councilmembers:

Jan Arbuckle, Mayor

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney

ORDINANCE NO. 826

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY IMPOSING A 3/8-CENT TRANSACTIONS AND USE TAX FOR GENERAL GOVERNMENTAL USE TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, SUBJECT TO THE VOTER APPROVAL

THE PEOPLE OF GRASS VALLEY, CALIFORNIA, DO ORDAIN AS FOLLOWS:

SECTION 1. TITLE.

This ordinance shall be known as the 2023 Grass Valley Transactions and Use Tax Ordinance. The City of Grass Valley hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

SECTION 2. OPERATIVE DATE.

"Operative date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance.

SECTION 3 PURPOSE.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

SECTION 4. CONTRACT WITH STATE.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SECTION 5. TRANSACTIONS TAX RATE.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.375% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

SECTION 6. PLACE OF SALE.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

SECTION 7. USE TAX RATE.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of 0.375% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SECTION 8. ADOPTION OF PROVISIONS OF STATE LAW.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

SECTION 9. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

SECTION 10. PERMIT NOT REQUIRED.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

SECTION 11. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his or her agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a

declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

SECTION 12. TERM.

The tax imposed by this ordinance shall be effective until 7 years after it is first collected, unless sooner repealed by voters.

SECTION 13. AMENDMENTS.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

SECTION 14. INDEPENDENT OVERSIGHT; EXPENDITURE PLAN.

- A. The City Council shall establish a five-member Independent Citizens' Advisory Committee, which shall meet annually to review the expenditure of revenues generated by the tax imposed by this Ordinance and to make recommendations to the City Council regarding those expenditures. The City Council shall appoint committee members to one or ore terms of not more than 4 years each. The Committee shall meet publicly at least quarterly to review all revenues and expenditures of the transactions and use tax imposed by this Ordinance, review annual audit reports related to the tax, and make at least one written annual report to the City Council at a public meeting summarizing the Committee's findings and including any appropriate recommendations. The minutes of the meetings of Independent Citizens' Advisory Committee shall be provided to the City Council and placed on the next available regular City Council meeting agenda for informational purposes.
- B. The City Council shall adopt after a noticed public hearing a plan to expend the proceeds of the tax imposed by this Ordinance. the Independent Citizens' Advisory Committee shall review the plan at least annually and recommend any changes to the City Council which shall consider them in conjunction with the City's annual budget. Once adopted, the City shall maintain the current plan on its website.

SECTION 15. AUDIT AND REVIEW.

The proceeds of the tax imposed by this Ordinance, as well as the expenditure thereof, shall be audited annually by an independent accounting firm. The City Council shall discuss the results of such audit at a meeting of the City Council that is open to the public. The report of such audit shall be posted on the City's website.

SECTION 16. ENJOINING COLLECTION FORBIDDEN.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SECTION 17. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 18. EFFECTIVE DATE.

This Ordinance shall take effect 10 days after the date the vote is declared by the City Council.

SECTION 19. CERTIFICATION; PUBLICATION.

Upon approval by the voters, the City Clerk shall certify to the passage and adoption of this ordinance and shall cause it to be published according to law and transmitted to the California Department of Tax and Fee Administration.

PASSED AND ADOPTED by the City Council of the City of Grass Valley, State of California, on Month XX, XXXX, by the following vote:

AYES:

NOES:

ABSENT:

Jan Arbuckle, Mayor

Attest:

Taylor Day, Deputy City Clerk

Approved as to Form:

Michael G. Colantuono, City Attorney



City of Grass Valley City Council Agenda Action Sheet

Title: Electric Vehicle Charging Stations

CEQA: Not a Project

Recommendation: That Council 1) receive an update on the City's efforts to date on procuring electric vehicle (EV) charging stations; and 2) provide direction to staff on proceeding with a request for proposals.

Prepared by: Tim Kiser, City Manager

Council Meeting Date: October 24, 2023

Date Prepared: October 18, 2023

Agenda: Administrative

Background Information: Electric vehicles (EVs) have emerged as a promising solution to reduce greenhouse gas emissions and combat climate change. With advancements in battery technology and a growing awareness of environmental concerns, EV adoption has been on the rise worldwide. However, the success of electric vehicles heavily depends on the availability and accessibility of charging infrastructure. This infrastructure, often referred to as EV charging stations or electric vehicle charging points, is a critical component of the EV ecosystem. These stations provide a means for EV owners to recharge their vehicles' batteries, allowing for longer journeys and reducing "range anxiety," a common concern among potential EV buyers.

Public EV charging stations can be found in a variety of locations, including public parking lots, shopping centers, workplaces, and along major highways. They come in different forms, including Level 1 (120V), Level 2 (240V), and Level 3 (DC fast-charging), offering different charging speeds. Level 1 chargers are typically found at home and provide slow charging, while Level 2 chargers are more common in public areas and are suitable for overnight charging. Level 3, or DC fast-chargers, are capable of providing rapid charging and are often located along highways for quick top-ups. The availability of these stations plays a crucial role in addressing "range anxiety" and making EVs a practical and viable choice for consumers. The development and distribution of public EV charging stations have become a focal point for governments, automakers, and private companies aiming to accelerate the transition to electric mobility and reduce the carbon footprint of transportation.

Staff will discuss what steps have been taken so far unsuccessfully in bringing Level 3 chargers to our downtown area, and discuss options on moving forward with a Request for Proposals to solicit a turn-key solution for the City. Level 3 charging stations and infrastructure are not cheap at around \$80,000 per charging station when you account

for all of the infrastructure costs. EV drivers look at charging speeds amongst other things when searching for chargers as even the fast chargers still take at least 45 minutes to charge an EV. As the City considers EV chargers for cars, should we also look at chargers for electric bicycles for our downtown area?

Council Goals/Objectives: The execution of this action attempts to achieve Strategic Goal #5 - High Performance Government and Quality Service.

Fiscal Impact: The fiscal impact for the City is minimal to draft and procure services through a RFP process. To install level three charges you could be looking at \$80K to \$100K per charger in addition to a maintenance and software contract.

Funds Available: Yes, upon contract award

Account #: N/A

Reviewed by: Tim Kiser, City Manager

Attachments: None