



GRASS VALLEY

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

Tuesday, January 11, 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

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.

VIRTUAL MEETING NOTICE

In response to Governor Newsom's Assembly Bill 361 and Resolution 2020-09 Declaring the Existence of a Local Emergency related to the COVID-19 pandemic, public participation in the City of Grass Valley City Council and other public meetings shall be electronic only, and without a physical location for public participation, until further notice in compliance with California state guidelines on social distancing. City Council welcomes you to attend the meetings electronically, which are scheduled at 7:00 p.m. on the 2nd and 4th Tuesdays 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/channel/UCdAaL-uwdN8iTz8bl7SCuPQ>. Indexed archives of meetings are available via this link as well.

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 of Grass Valley 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.

If you do not have the means to participate in meetings electronically, contact the City at (530) 274-4390 and staff will be happy to identify alternative means for you to participate.

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 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.*

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 (roll call vote).*

1. Approval of the Regular Meeting Minutes of December 14, 2021.

Recommendation: Council approve minutes as submitted.

2. Approval of the Special Emergency Meeting Minutes of December 30, 2021.

Recommendation: Council approve minutes as submitted.

3. Assembly Bill 361 Resolution

Recommendation: Adopt resolution R2022-02 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

4. Local Emergency Proclamation (COVID-19)

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

5. Local Emergency Proclamation (Drought Conditions)

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

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

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

7. Certification of promotional list for Fire Captain.

Recommendation: That Council 1) certify the newly developed promotional eligibility list Fire Captain effective January 11, 2022.

- [8.](#) Second reading of Ordinance No. 811 amending the Prezoning on portions of the Southern Sphere of Influence Planning and Annexation project area, and amending Section 17.28.080, Southeast Industrial District Combining Zone.

Recommendation: That Council conduct the second reading, by title only, of Ordinance 811, which approves the amendments to the Southern Sphere of Influence Planning and Annexation project.

- [9.](#) Recognized Obligation Payment Schedule (ROPS 22-23) for July 2022 through June 2023

Recommendation: It is recommended that the Successor Agency adopt Resolution No. SA 2022-01 approving the Recognized Obligation Payment Schedule (ROPS 22-23) for the time period July 1, 2022 through June 30, 2023

- [10.](#) Approval of the Public Safety Analyst job description and associated pay scale

Recommendation: That Council 1) approve the Public Safety Analyst I/II job description; and 2) approve an updated Unit 3 pay scale which includes the Public Safety Analyst I/II pay scale

- [11.](#) Approval of a Resolution authorizing the submittal of applications for recycling related payment programs and authorizing the Community Development Director to execute all documents to secure these funds.

Recommendation: Approve Resolution 2022-01 which authorizes the City to apply for future recycling grants and authorizes the Community Development Director to submit applications to CalRecycle for all eligible payment programs.

- [12.](#) December 2021 Winter Storm - Authorize Emergency Contracts

Recommendation: That Council adopt Resolution 2022-03 authorizing the City Manager to enter into emergency contracts without advertising for bids and ratifying emergency contract execution relating to recovery from the December 2021 winter storms.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

- [13.](#) Public Hearing and First Reading of an Ordinance Amending Chapter 8.24 (Garbage Collection and Recycling) of the City of Grass Valley Municipal Code to ensure compliance with Senate Bill 1383 mandates.

Recommendation: That Council conduct the public hearing, introduce the ordinance which amends Chapter 8.24, and waive the reading ordinance in its entirety and read by title only.

ADMINISTRATIVE

- [14.](#) Consideration of a budget amendment and contract amendment with Bureau Veritas for building and fire inspection and plan review services.

Recommendation: That Council approve the budget amendment to the contract with Bureau Veritas by \$276,000 and increase the City Budget for the remainder of FY 2021/22 in the amount of \$162,000.

15. Update to the City of Grass Valley Environmental Purchasing Policy to ensure compliance with Senate Bill 1383 mandates.

Recommendation: That Council approve the amendments to the Environmental Purchasing Policy.

16. December 2021 Winter Storm Debris Clean Up

Recommendation: That Council 1) approve storm debris disposal events for the citizens of the City of Grass Valley; 2) authorize the City Manager, as the Director of Emergency Services, to procure the necessary contracts to implement the storm debris disposal events, including the disposal of the material collected; 3) authorize the spending of up to \$85,000 of City General Funds to fund the event; and, 4) authorize the Administrative Services Director to make any necessary budget adjustments and/or amendments to complete this action.

BRIEF REPORTS BY COUNCIL MEMBERS

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a Closed meeting of The City Council, scheduled for Tuesday, January 11, 2022 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, January 7, 2022.

Taylor Day, Deputy City Clerk



GRASS VALLEY

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

Tuesday, December 14, 2021 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

MINUTES

CALL TO ORDER

Called to order at 7:06 pm

PLEDGE OF ALLEGIANCE

___ Led the pledge of allegiance.

ROLL CALL

December 14th, 2021

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 as submitted by Vice Mayor Arbuckle , Seconded by Council Member Branstrom.

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

REPORT OUT OF CLOSED SESSION

None.

INTRODUCTIONS AND PRESENTATIONS

1. Update on Commercial Cannabis Applications

ADJOURN

Meeting was adjourned at 7:32 pm due to power outage.

DECEMBER 15th, 2021 Continuation Meeting**CALL TO ORDER**

Called to order at 7:01 pm

PUBLIC COMMENT -

Attached

CONSENT ITEMS -

Clerical changes made to add Judge Dover's mailing address to Professional Agreement, Unit 2 side letter and Unit 3 MOU were adjusted to reflect the prior agreed upon holiday schedule, and Unit 3 MOU Appendix A had clerical change for the pay of a PSO to be the same as a CSA position not CSO.

Motion made to approve consent with the noted changes by Council Member Branstrom, Seconded by Vice Mayor Arbuckle.

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

2. Approval of the Regular Meeting Minutes of November 23, 2021.

Recommendation: Council approve minutes as submitted.

3. Assembly Bill 361 Resolution

Recommendation: Adopt resolution R2021-66 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

4. Local Emergency Proclamation (COVID-19)

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

5. Local Emergency Proclamation (Drought Conditions)

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

6. City of Grass Valley Unit 3 Labor Group Establishment / Unit 2 Labor Group Side Letter

Recommendation: It is recommended that the City Council approve Resolution 2021-69 that creates the new Unit 3 Labor Memorandum of Understanding for the period July 1, 2021 - August 30, 2022; and approve Resolution 2021-70 forming a Side Letter to the Unit 2 Labor Memorandum of Understanding for the existing contract ending August 30, 2022

7. Resolution No. 2021-68 Authorizing the City Manager to Enter into a Professional Services Agreement for Hearing Officer Services

Recommendation: Adopt Resolution No. 2021-68 Authorizing the City Manager to Enter into a Professional Services Agreement for Hearing Officer Services

8. Cosumnes, American, Bear and Yuba (CABY) - Resolution of Support

Recommendation: Adopt a Resolution supporting the CABY 2021 Integrated Regional Water Management Plan, 2021 Update

9. Downtown Streetscape Improvements Project - Authorization to Bid

Recommendation: That Council 1) authorize the advertisement for bids.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

10. Planning Commission recommendation on amendments to the Southern Sphere of Influence Planning and Annexation Project, which includes an amendment to the sphere of influence, annexation of the project area, General Plan amendment, Prezoning amendments, and amendments to the Southeast Industrial District Combining Zone.

Recommendation: That Council conduct the public hearing and approve the amendments to the Southern Sphere of Influence Planning and Annexation Project through the following actions: 1) adopt Resolution 2021-64, which: a) adopts the Findings of Fact; b) adopts the Statement of Overriding Considerations; c) adopts the Mitigation Monitoring and Reporting Program; d) certifies the Subsequent Environmental Impact Report; e) approves the amendments to the General Plan; and f) approves the sphere of influence amendment and annexation. 2) adopt Resolution 2021-65, the Resolution of Application that requests the Local Agency Formation Commission initiate proceedings and approve the sphere of influence amendment and annexation applications. 3) introduce the ordinance which amends the Prezoning and Southeast Industrial District Combining Zone and waive the reading of the ordinance in its entirety and read by title only.

Tom Last, Community Development Director, gave presentation to council.

Council Member Branstrom, wanted to clarify the loss of housing, the ability for the future property owners to expand on the housing by the amount of acreage of land, and where road access to the one R-2 property on the east side of the annexation.

No public comment.

Motion made to approve the amendments to the Southern Sphere of Influence Planning and Annexation Project through the following actions: 1) adopt Resolution 2021-64, which: a) adopts the Findings of Fact; b) adopts the Statement of Overriding Considerations; c) adopts the Mitigation Monitoring and Reporting Program; d) certifies the Subsequent Environmental Impact Report; e) approves the amendments to the General Plan; and f) approves the sphere of influence amendment and annexation. 2) adopt Resolution 2021-65, the Resolution of Application that requests the Local Agency Formation Commission initiate proceedings and approve the sphere of influence amendment and annexation applications. 3) introduce the ordinance which amends the Prezoning and Southeast Industrial District Combining Zone and waive the reading of the ordinance in its entirety and read by title only by Council Member Branstrom, Seconded by Vice Mayor Arbuckle.

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

ADMINISTRATIVE

11. Close City Hall to the Public the week of 12/27-12/31

Recommendation: That Council approve the motion to close the City Hall office to the public during the week between Christmas and New Years (12/27-12/31) to allow for flexible staff schedules during this period.

Tim Kiser, City Manager, gave presentation to the council.

Council had questions about inspections and emergency services such as water leaks.

Motion made to close the City Hall office to the public during the week between Christmas and New Year's (12/27-12/31) to allow for flexible staff schedules during this period by Vice Mayor Arbuckle, Seconded by Council Member Hodge.

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

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Branstrom was able to attend the last three Cornish Christmas in downtown, league of cities webinars, EV charging requirements webinar, marnora lighting, Center of the Arts performance, and two plan for water NID meetings. Councilmember Hodge downtown association and business are doing an amazing job with the Cornish Christmas and has seen a lot of joy in the community. Vice Mayor Arbuckle attended the last Cornish Christmas, the Country Christmas, league of California Board meeting in Monterey, at which they welcomed Michael Colantuono onto the League board. She attended a Jedi ad hock meeting, the Center for the arts pink martin, and she will be attending the Beal appreciation night on December 17th. Mayor Aguilar has been attending the Cornish Christmas, holiday parties, and is planning on attending the Beal appreciation night as well on the 17th. He is excited that 2021 is ending and we will be starting the new year. He wishes everyone a happy holiday and encourages everyone to enjoy their Family and Friends.

ADJOURN

Meeting was adjourned at 5:45 PM

Ben Aguilar, Mayor

Taylor Day, Deputy City Clerk

Dear City Planning Commission and City of Grass Valley Representatives,

A short while ago I learned about the potential of utilizing the land across from the fairgrounds as an RV Park. I instantly became overjoyed and excited for our community. I would like to share with you why I personally see the benefits of this addition in our town.

I have an aunt who is very allergic to animals. She can rarely visit due to accommodations, even when an Airbnb or hotel says, "No animals allowed" she has been hospitalized after staying in the room one night. Her and my uncle bought a travel trailer but they have found it difficult to book a reservation locally. They were not impressed where they stayed previously as the grounds were not maintained.

Our community hosts many annual events and lodging is difficult for the guests. The Wild and Scenic festival, Draft Horse Classic, World Fest, Nevada County Fair, Bluegrass Festival, Dog Shows, craft shows, etc are all major events that bring people to Nevada County. Hotels and Airbnb's become booked and some guest end up staying out of town and commuting to enjoy the events. Additionally our beautiful county attracts brides and grooms searching for wedding venues. Having the RV park in our community would help with accommodations.

Our beautiful wineries, downtown shopping, and annual events attract guests to visit Nevada County. We should support our businesses' by providing a place for our guest to stay which is equally as beautiful as our surroundings. The future plans for downtown Grass Valley look amazing and I believe will attract more people to visit our community. I am confident that the RV Park will bring more tourism to our community which will have a positive fiscal impact on Nevada County.

Sincerely,

Robin Olsen

Robin Olsen

Taylor Day

From: Cameron Brady
Sent: Tuesday, December 14, 2021 1:52 PM
To: Public Comments
Subject: Public Comment - Grass Valley City Council Meeting - December 14, 2021

Good Evening,

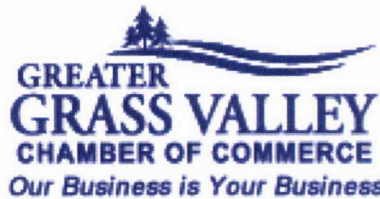
My name is Cameron Brady and I'm a resident of Grass Valley.

I would like to thank the City Staff, City Attorney, City Council, and the Selection Committee for their hours of diligent work relative to the cannabis business screening applications. Your hard work is appreciated!

Thank you and happy holidays!

Best,
Cameron Brady, Esq.

PRIVILEGED COMMUNICATION: The information contained in this transmittal may be an attorney-client communication or may otherwise be privileged and confidential. If the reader of this message is not the intended recipient or if you otherwise suspect that you have received this message in error, any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete this message and all its attachments.



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December 20, 2021

Ben Aguilar, Mayor
 City of Grass Valley
 125 East Main Street,
 Grass Valley, CA 95945

Dear Mayor Aguilar,

The Greater Grass Valley Chamber is in support of the Grass Valley Planning Commission's recommendation on amendments to the Southern Sphere of Influence Planning and Annexation Project, which includes an amendment to the sphere of influence, annexation of the project area, General Plan amendment, Rezoning amendments, and amendments to the Southeast Industrial District Combining Zone.

We respectfully ask Council to adopt the recommendations and approve the amendments to the Southern Sphere of Influence Planning and Annexation Project as outlined in the recommended actions.

Sincerely,

Robin Galvan Davies, CEO

Robert Medlyn, Chair of the Board

Robin Galvan Davies

Robert Medlyn

Taylor Day

From: Michael Cordell
Sent: Tuesday, December 14, 2021 11:10 AM
To: Public Comments
Subject: Grass Valley RV Resort

I support the Grass Valley RV Resort. It would be a great asset to the community providing a central location for people like me that visit often. A social gathering place for all that share love for Grass Valley. Tax revenue, focused land use, social gathering. Please approve this plan. Thank you, Mike Cordell

Sent from my iPhone

Taylor Day

From: Ron Sanchez
Sent: Tuesday, December 14, 2021 9:44 AM
To: Public Comments
Subject: Grass Valley RV Resort

To whom it may concern,

I am writing this in strong support of the proposed Grass Valley RV Resort. This project is the type of low impact vision the area needs to continue leveraging the area as a recreational destination. The biggest asset we have as an area is where we live and the recreational opportunities the area presents.

Mountain biking, hiking, the South Yuba, Rollins, Scotts Flat, Empire State Park, et al, these are the assets we need to leverage as a community to make our area a true outdoor destination as opposed to a pass through to the Tahoe and Lost Sierra regions and a facility like the proposed resort goes a long way towards this end.

The revenue generated, both bed tax and additional commerce at local establishments isn't inconsequential and will further the quality of life for residents with little impact.

I and my family as long time residents of Grass Valley strongly support this type of forward thinking development of our area.

Ron Sanchez



Ron Sanchez | Senior Superintendent

GSE Construction Company Inc.

7633 Southfront Road, Suite 160, Livermore, CA 94551

tel 925.447.0292 • cell 925.260.7118 • fax 925.447.0962

Taylor Day

From: Jacob Griscom
Sent: Monday, December 13, 2021 3:31 PM
To: Public Comments
Subject: support for Grass Valley RV resort

Hello there,

I'm writing to express my support for the new Grass Valley RV Resort project.

Our team knows the gentlemen with the vision and plan to make this happen, and trust it will be tastefully done and bring in additional tourism revenue for our local businesses.

I understand that there are some obstacles being presented for this project to move forward, and as a local business owner, I'd like to understand what those are and why.

Thank you!
Jacob

Jacob Griscom
Chief Business Development Officer
R&B Communications
o: 530.478.1137
w: www.rb-com.com
[LinkedIn](#) | [Facebook](#)

How are we doing for you? Please [Rate Us](#)

Taylor Day

From:
Sent: Monday, December 13, 2021 12:25 PM
To: Public Comments
Subject: WARD - RV Resort is an excellent idea

I just heard about this. This is one of the things Grass Valley really needs. It will make Grass Valley a draw to outside RV'ers. Glen

Glen Ward
President
Ward Ventures Inc.
819 Whispering Pines Ln.
Grass Valley CA 95945
PH: 530-271-1800
glen@wardventures.com

Taylor Day

From: WIRELESS CALLER
Sent: Tuesday, December 14, 2021 5:49 PM
To: Public Comments
Subject: Voice Mail (1 minute and 55 seconds)
Attachments: audio.mp3

Follow Up Flag: Follow up
Flag Status: Completed

Matthew Coulter, Grass Valley public comment. City Council meeting. Calling to comment on the fact that Grass Valley is still done. Nothing with these construction projects that have immense matter mud runoff that were all red tagged during the large rainstorm. We had over a month ago and they haven't been dealt with ever since, and there's still leeching materials into the creeks, turning everything muddy. This is the city's responsibility, not me, but our city engineer, City Manager Planning Commission. So I hope y'all were watching the Board of Supervisors being handed their recall notices. 'cause I'm sure you guys will be next. Your lack of concern for the Community. Your ongoing handouts for the developers. What has been done in Memorial Park is a crime. And if you look into any of these contractors a little bit into their records, you find out that we shouldn't hire them. But you guys aren't doing here research at all. That's a problem. Millstreet needs to be opened back up and the brand new snow plows that are all sitting over at public works need to be assembled so they can be used this winter. Not in a couple of years. Got a bunch of brand new equipment just sitting there. For some reason, millions of dollars worth of snow plows not being used. Brand new no confidence vote. Thank you.

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

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Taylor Day

From: Marni Marshall
Sent: Tuesday, December 14, 2021 5:52 PM
To: Public Comments
Subject: Final Cornish Christmas

Follow Up Flag: Follow up
Flag Status: Completed

Friday December 17th will be busy downtown with the Donation Day Parade in the morning 10am-11:00am, and the final Friday of Cornish Christmas from 5-8pm

For Cornish Christmas:

Downtown Grass Valley will be filled with the sights and sounds of an old fashioned Christmas; carolers, musicians, mulled wine and holiday beverages.

Look for Santa and Mrs Clause, a Snow Queen, the Christmas Tree Lady, and Winter art murals.

The Cornish Choir will perform at the Union Building steps at 5:00pm and 6:00pm.
The California Highway Patrol horses will be visiting by Mill and Main St

Visit www.downtowngrassvalley.com for details

--

Marni Marshall

Grass Valley Downtown Association

Executive Director

530-272-8315 office

530-798-9690

www.downtowngrassvalley.com

Taylor Day

From: wendy todhunter
Sent: Tuesday, December 14, 2021 7:06 PM
To: Public Comments
Subject: Grass Valley RV Resort

Hi –
My name is Wendy Todhunter and I wanted to state that I totally support the new Grass Valley RV Resort that is being planned – which will be located across the street from the fairgrounds.

Grass Valley needs this!!! This will be a really nice place for families to come who are traveling to and through Grass Valley and Nevada City. We don't have anything as nice as this will be.

I live near the fairgrounds off of Brighton Street and I am really excited to have a place where my guests can come and camp.

I think this will be a win win for the Grass Valley RV Resort as well as the City of Grass Valley.

Please allow them to come and make this a place for families to come and enjoy.

Wendy Todhunter

Sent from [Mail](#) for Windows

Taylor Day

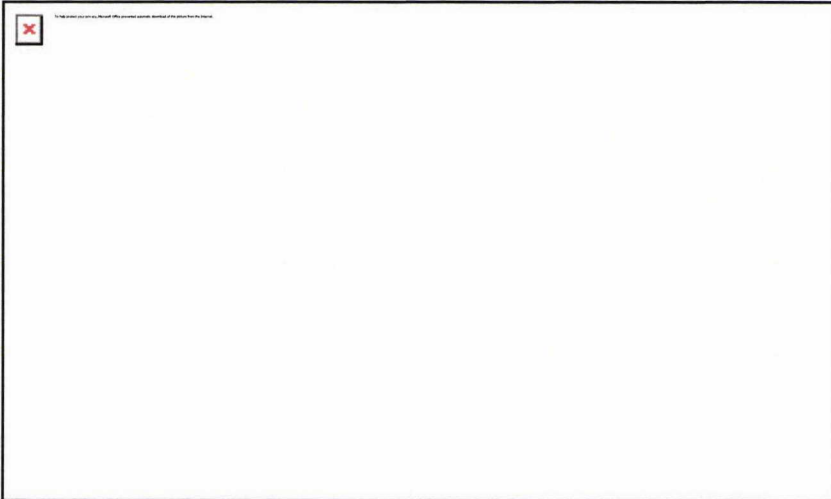
From: Heidi Emmett
Sent: Wednesday, December 15, 2021 9:44 AM
To: Public Comments
Subject: New RV Park

To Whom it May Concern,

My family moved to Grass Valley on January 1st, 1960 (THANK YOU Mom and Dad for having the foresight to get us out of the L.A. area when you did). I had just turned 3 years old. Yes, I have lived here awhile and seen many changes to our community, some good, some bad.

I think the R.V. park is a good idea. We need more jobs and tourism to keep the county going. But PLEASE, use LOCAL contractors for all the work that needs to happen. It is so unfair to see those who live in the county, pay taxes to the county, and whose livelihoods are focused in Nevada County, be left out. It is small businesses that are the BACKBONE of this county and our country.

Thank you for your time.
Sincerely,
Heidi Emmett



Taylor Day

From: Ed
Sent: Wednesday, December 15, 2021 2:02 PM
To: Public Comments
Cc: miloschmidt@comcast.net
Subject: Fwd: RV Park proposal

:

As a long time RV owner I am seeing more and more need for modern and new RV Parks. I think the construction of the proposed RV Park in Grass Valley would be of significant economic value to Nevada County. I support the project.

*Edward Greenwood
15248 Banner Quaker Hill Rd
Nevada City, Ca 95959*

Taylor Day

From: susan tomlin
Sent: Wednesday, December 15, 2021 4:34 PM
To: Public Comments
Subject: RV Park

Dear City of Grass Valley:

I would like to express my interest in and approval of the plans to develop an RV park for the City of Grass Valley. As a member of Golden Empire Good Sams, I think it would be a wonderful asset to the City and to the tourist industry and our local citizens.

Thank you,

Susan Tomlin
19745 Chaparral Circle
Penn Valley, CA 95946

Taylor Day

From: WIRELESS CALLER
Sent: Tuesday, December 14, 2021 6:12 PM
To: Public Comments
Subject: Voice Mail (48 seconds)
Attachments: audio.mp3

This is Matthew Coulter, Grass Valley and calling to comment on the purchase of the land on Old Auburn Rd. Now I think called Auburn Rd for some reason and with the variable interest there in that toxic mining land is shouldn't be used for a park. We've got enough toxicity problems around here as it is, and putting people at play on top of a toxic area is dumb. Other wise thing to do. Tim Kaiser with your plastic ballfields. And I find it hard to believe that variable and trust is in on this, but they have to be because they're in a lot of other things that are crooked too. So good luck on that.

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

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[Set Up Voice Mail](#)



GRASS VALLEY

Special Emergency City Council Meeting

Thursday, December 30, 2021 at 4:00 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

Mayor Aguilar called meeting to order at 4:02 PM.

PLEDGE OF ALLEGIANCE

Mayor Aguilar led the pledge of allegiance.

ROLL CALL

PRESENT

Council Member Bob Branstrom

Council Member Hilary Hodge

Council Member Tom Ivy

Vice Mayor Jan Arbuckle

Mayor Ben Aguilar

AGENDA APPROVAL -

Motion to approve the agenda as submitted by Vice Mayor Arbuckle, Seconded by Council Member Branstrom.

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

PUBLIC COMMENT -

None

ADMINISTRATIVE

1. Resolution 2021-72 a Local Emergency Proclamation for the City of Grass Valley due to a Winter Storm

Recommendation: That Council adopt Resolution 2019-67 a Local Emergency Proclamation for the City of Grass Valley due to a Winter Storm.

Tim Kiser, City Manager, gave overview of the Emergency to Council.

Motion to adopt Resolution 2019-67 a Local Emergency Proclamation for the City of Grass Valley due to a Winter Storm by Vice Mayor Arbuckle, Seconded by Council

Member Hodge.

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

ADJOURN

Meeting adjourned by Mayor Aguilar at 4:27 pm.

Ben Aguilar, Mayor

Taylor Day, Deputy City Clerk



City of Grass Valley City Council Agenda Action Sheet

Title: Assembly Bill 361 Resolution

Recommendation: Adopt resolution R2022-02 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

Prepared by: Taylor Day, Deputy City Clerk

Council Meeting Date: 1/11/2022

Date Prepared: 1/6/2022

Agenda: Consent

Background Information: On March 4, 2020, the Governor of California proclaimed a state of emergency pursuant to government code section 8625. Assembly Bill 361 went into effect October 1st, 2021, it allows legislative bodies to hold public meetings by teleconference without reference to otherwise applicable requirements in the Government Code section 54953(b)(3). The option for teleconferencing is allowed so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met: 1) State or local officials have imposed or recommended measures to promote social distancing. 2) The legislative body (City Council) is holding the meeting for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees. 3) The legislative body (City Council) has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees. This action will allow City Council and all other legislative bodies to continue with virtual meetings as has been done throughout the COVID-19 pandemic. Live streamed meetings will continue to be available via the City's website, as will the option to leave public comments in real time via voicemail or email.

Council Goals/Objectives: Approval of AB 361 Resolution executes portions of City Strategic Goal #6: Public Safety. The City of Grass Valley is devoted to providing a safe Place to Live, Work and Play.

Fiscal Impact: N/A

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager

Attachments: R2022-02

RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL
AND OTHER LEGISLATIVE BODIES OF THE CITY PURSUANT TO GOVERNMENT
CODE SECTION 54953(e)

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the City Council previously adopted Resolution No. 59 on October 26, 2021 finding that the requisite conditions exist for the City Council and other legislative bodies of the City, including the Planning Commission, Development Review Commission, and Historical Commission to conduct teleconference meetings under California Government Code section 54953(e); and

WHEREAS, Government Code section 54953(e)(3) requires the legislative body adopt certain findings by majority vote within 30 days of holding a meeting by teleconference under Government Code section 54953(e), and then adopt such findings every 30 days thereafter; and

WHEREAS, the City Council desires to continue holding its public meetings by teleconference consistent with Government Code section 54953(e), and to authorize other legislative bodies of the City, including the Planning Commission, Development Review Commission, and Historical Commission to do the same.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRASS VALLEY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are Met. The City Council hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The City Council has reconsidered the circumstances of the state of emergency declared by the Governor pursuant to his or her authority under Government Code section 8625; and
2. The state of emergency continues to directly impact the ability of members of the City Council and other legislative bodies of the City to meet safely in person.

Section 3. Meeting Requirements. All meetings held pursuant to Government Code section 54953(e) shall comply with the requirements of that section and all other applicable provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).

Section 4. Regular Findings. Pursuant to Government Code section 54953(e)(3), if the Town Council desires to continue holding its public meetings by teleconference consistently with Government Code section 54953(e), it shall make findings not later than 30 days after the meeting at which this Resolution was adopted, and every 30 days thereafter, as required by that section.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of City of Grass Valley, this 11th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ben Aguilar, Mayor

ATTEST:

APPROVED AS TO FORM:

Taylor Day, Deputy City Clerk

Michael Colantuono, City Attorney



City of Grass Valley City Council Agenda Action Sheet

Title: Local Emergency Proclamation (COVID-19)

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

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 1/11/2022

Date Prepared: 1/6/2022

Agenda: Consent

Background Information: On March 5, 2020 the City Manager, acting as the Director of Emergency Services for the City of Grass Valley and the Disaster Council (Vice Mayor Aguilar and Councilmember Arbuckle), declared a local State of Emergency to ensure emergency personnel can obtain equipment and resources in the most timely and effective manner. In accordance with the Emergency Services Act Section 8630 (b) the governing body must ratify the declared emergency within 7 days for it to remain in effect. On March 10, 2020, at the Grass Valley City Council Meeting, the City Council approved Resolution 2020-09, Proclamation of Local Emergency. The City Council shall review, at its regularly scheduled meeting until the local emergency is terminated, the need for continuing the local emergency.

On March 16, 2020, the City Manager, acting as the Director of the Emergency Services for the City of Grass Valley and the Disaster Council (all five Council Members), declared that all commercial places of public assembly with a Fire Code occupancy limit of 25 or more persons shall no longer operate for commercial purposes. Places of public assembly include, but are not limited to, movie theaters, performing arts venues, and auditoriums. This action does not include restaurants, and/or similar uses, and does not override the First Amendment right of persons to congregate for non-commercial activities. To reduce the spread of COVID-19, the Disaster Council approved, at the Director of Emergency Services' request, waiving the administrative charges for using credit cards to pay utility bills for the next 60 days. For more information, see attached Grass Valley Disaster Council Order 2020-01.

On April 14, 2020, the City Council authorized a local financial emergency and the necessity to layoff multiple city employees to mitigate the economic impacts of COVID-19.

Council Goals/Objectives: Continuance of the proclamation declaring a Local State of Emergency due to prepare against coronavirus COVID-19 executes portions of City Strategic Goal #6: Public Safety. The City of Grass Valley is devoted to providing a safe Place to Live, Work and Play.

Fiscal Impact: The Fiscal Impact is anticipated to be a loss of more than \$940,000 in the General Fund and a loss of \$550,000 in the Measure E Sales Tax fund over the rest of this Fiscal Year and Fiscal Year 2020-21. The changing variants of COVID19 make it very difficult to anticipate the Fiscal Impact moving forward. For FY 2021/22, it appears the impacts will be minimal compared to previous years, but due to the constantly changing impacts of COVID-19 the actual fiscal impact may change.

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager

Attachments: None



City of Grass Valley City Council Agenda Action Sheet

Title: Local Emergency Proclamation (Drought Conditions)

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 1/11/2022

Date Prepared: 1/6/2022

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

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

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 1/11/2022

Date Prepared: 1/6/2022

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 of December 26 and 27, 2021 which has cut power, downed trees, blocked roads and created other hazards to health and human safety commencing on or about 12:00 midnight on the 26th day of December, 2021, 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.

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 Fiscal Impact of the December 2021 Storm is being estimated at \$590,000 for City related property and public right of way. Hopefully, about 75% of these cost should be reimbursable due to the County of Nevada and the State of California declaring a State of Emergency for our area.

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



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

Title: Certification of promotional list for Fire Captain.

Recommendation: That Council 1) certify the newly developed promotional eligibility list Fire Captain effective January 11, 2022.

Prepared by: Mark Buttron- Fire Chief

Council Meeting Date: 01/11/2022

Date Prepared: 01/04/2022

Agenda: Consent

Background Information: The City of Grass Valley conducted promotional testing for Fire Captain on January 10th 2022 to fill three vacant positions. Certification of the promotional list will allow the Fire Department to fill the promotional vacancies immediately.

Council Goals/Objectives: Exceptional Public Safety consistent with the City of Grass Valley Strategic Plan

Fiscal Impact: Funding for the promotions is included in the currently Fiscal Year Budget.

Funds Available: Yes

Account #:

Reviewed by:

Attachments: N/A



City of Grass Valley City Council Agenda Action Sheet

Title: Second reading of Ordinance No. 811 amending the Prezoning on portions of the Southern Sphere of Influence Planning and Annexation project area, and amending Section 17.28.080, Southeast Industrial District Combining Zone.

Recommendation: That Council conduct the second reading, by title only, of Ordinance 811, which approves the amendments to the Southern Sphere of Influence Planning and Annexation project.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 1/11/2022

Date Prepared: 1/04/2022

Agenda: Consent

Background Information: On December 14, 2021, the City Council conducted a public hearing and introduced the ordinance to approve amendments to the Prezoning and Section 17.28.080 of the Development Code. Besides holding the first reading of Ordinance No. 811, the Council approved the following: 1) an amendment to the General Plan land use designations on 237 of the 400 acres; 2) an amendment to add 31 acres to the Grass Valley Sphere of Influence; and 3) the annexation of approximately 400 acres into the City limits. The second reading is required to finalize the project amendments. The prezoning will become effective after the annexation process is completed by the Local Agency Formation Commission and the land is annexed into the City. The amendments to the Development Code become effective in 30 days.

Council Goals/Objectives: This action implements the goals and projects in the Strategic Plan associated with expediting housing projects, improving livability and encouraging economic development, and having a diverse, sustainable economy.

Fiscal Impact: These amendments have been funded with Senate Bill 2 and Local Early Action Program grants related to the housing programs.

Funds Available: SB 2 and LEAP grant funds

Account #: 100-301

Reviewed by: ___ City Manager

Attachments:

Ordinance 811

ORDINANCE NUMBER 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY APPROVING A PREZONING MAP AMENDMENT FOR THE SOUTHERN SPHERE OF INFLUENCE PLANNING AND ANNEXATION PROJECT AND AN AMENDMENT TO THE SOUTHEAST INDUSTRIAL DISTRICT COMBINING ZONE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. The Grass Valley Planning Commission conducted a duly noticed public hearing on November 16, 2021 and recommended the City Council approve the prezoning map amendments (Exhibit "A") on approximately 237 acres of the 400-acre Southern Sphere of Influence Planning and Annexation Project (Project), and to approve the amendments to the Southeast Industrial Combining Zone (Exhibit "B").

SECTION 2. The City of Grass Valley Zoning Map is hereby amended as shown in Exhibit "A" but will not become effective until the Project area is annexed into the City.

SECTION 3. Section 17.28.080 of Chapter 17.28 of Title 17 of the Grass Valley Municipal Code is hereby repealed and replaced as shown in Exhibit "B".

SECTION 4. In compliance with Section 17.94.060(B) of the Grass Valley Development Code, the City Council adopts the following findings in support of this amendment to the Zoning Map:

1. The proposed amendment is consistent with the General Plan. *Rationale: The proposed prezoning amendments include specific zoning designations that are specifically listed as being consistent with the proposed amendments to the General Plan. Since the City has approved the General Plan Land Use Map amendments by Resolution 2021-64, the proposed Zoning Map Amendment will result in consistency with the City General Plan. The amendment is otherwise internally consistent with the General Plan. The proposed amendments to the SEID reflect the objective of protecting and encouraging the heavy industrial activities occurring in the Project area. The amendments to the development standards are intended to encourage new industrial development on vacant lands that both the City and County note are of limited supply.*

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. *Rationale: The proposed rezoning is the appropriate zoning to implement the City's General Plan. Some of the property is fully developed and much of the land is vacant or could be redeveloped with more intensive uses once public wastewater is provided. Future development will need to demonstrate compliance with City development and environmental standards to ensure it will not be detrimental to the public interest, health, safety, convenience, or welfare. As demonstrated in the public record, the proposal will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. Future development in the SEID area will comply with the mitigation measures adopted in Exhibit "B", the Mitigation Monitoring and Reporting Program included in Resolution 2021-64, and other City policy documents.*

3. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. *Rationale: The Project area is located adjacent to the City limits, has access to full public services, and future development will be required to comply with all applicable public service standards. The proposed rezoning amendments reflect the existing uses or will accommodate urban development. Though no development is planned, any future development will need to demonstrate compliance with the City's development and environmental standards to ensure it will not create a hazard or impact the site and neighboring properties. Future development in the SEID area will comply with the mitigation measures adopted in Exhibit "B", the Mitigation Monitoring and Reporting Program included in Resolution 2021-64, and other City policy documents.*

SECTION 5. The City Council amends the Zoning Map as shown in Exhibit “A” and amends the SEID Combining Zone as shown in Exhibit “B” through the approval of this Ordinance.

SECTION 6. CEQA Findings. As noted in Resolution 2021-64, the City Council has certified a Subsequent Environmental Impact Report that addresses this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect 30 days after its adoption under Article VII, § 2 of the Grass Valley City Charter.

SECTION 7. Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read on the 14th day of December 2021

PASSED AND ADOPTED this 11th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ben Aguilar, Mayor

ATTEST:

APPROVED AS TO FORM:

Taylor Day, Deputy City Clerk

Michael Colantuono, City Attorney

PUBLISH DATE: _____

Exhibit A



Exhibit B

17.28.080 – Southeast Industrial District (SEID) Combining Zone

- A. **Purpose.** The Southeast Industrial District (SEID) Combining Zone applies to the area east of La Barr Meadows Road and west of Empire Mine State Park in the vicinity of Amsel Way as depicted in Figure 2-1. This Combining Zone is intended to permit the continuation, intensification and expansion of the uses of properties within the Combining Zone according to the Permitted Uses established for the Combining Zone.

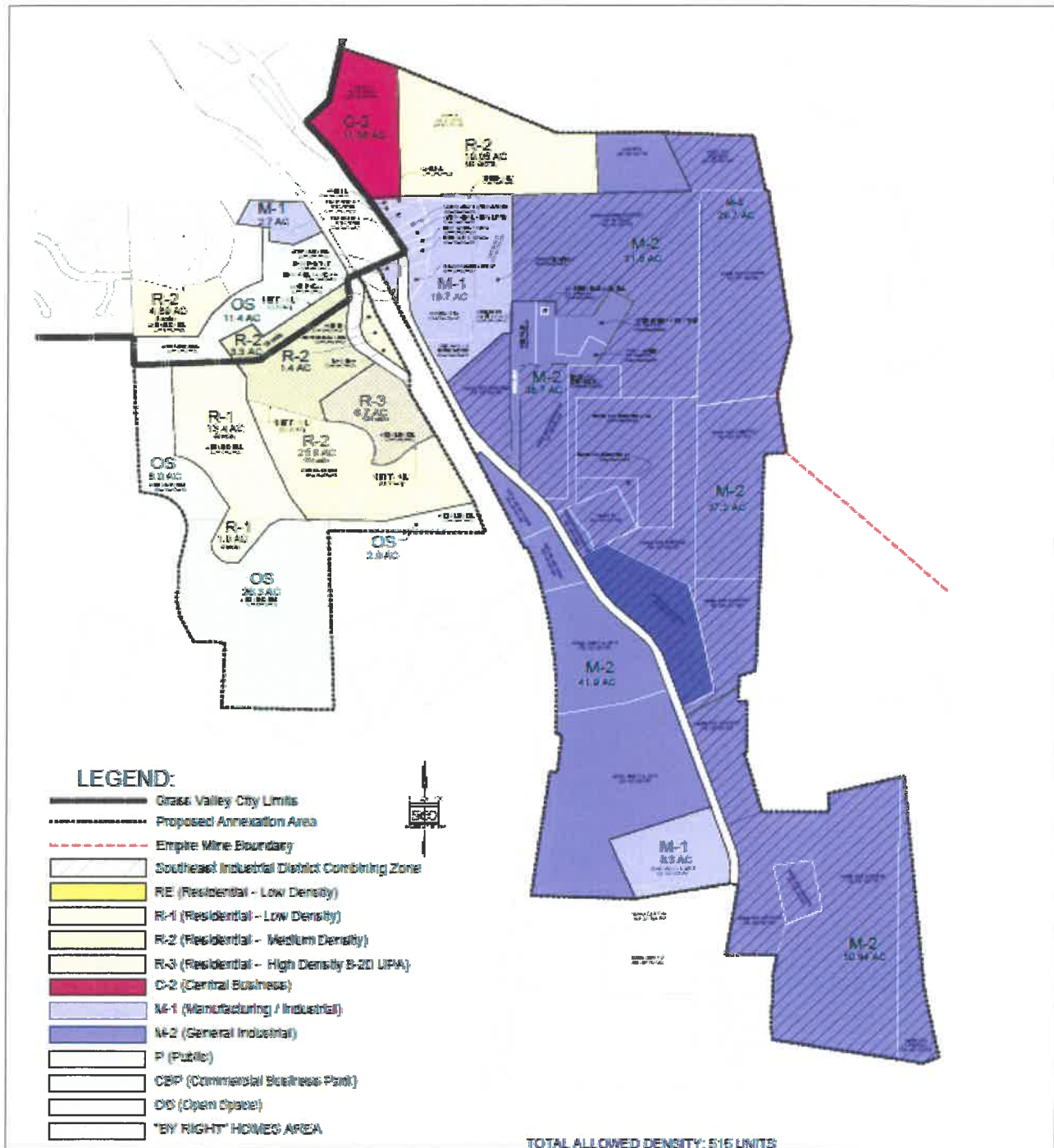


Figure 2-1. Southeast Industrial District

B. Permitted Uses. All uses in Table 2-10 are allowed by right as noted in the M-1 and M-2 Zone of the Development Code as designated by the Grass Valley Development Code Section 17.24.030, with the addition of the following permitted uses, which shall also be allowed by right:

1. Concrete, Gypsum and Plaster Product Manufacturing, including asphalt production.
2. Crushing, sorting and recycling of concrete, asphalt, aggregate, and construction materials.
3. Outdoor storage and sales of building, construction, and landscape materials including the import, export, and storage of aggregate products, rock, dirt, sand and or soil without a grading or stockpile permit.
4. Stump grinding, brush chipping, and the manufacturing, storage and sale of materials incidental to building and landscape materials sales.
5. Incidental burning of stumps, brush, and other dry woody materials.¹
6. Vehicle and equipment services.
7. Manufacturing and Processing- Heavy, including manufacturing of equipment incidental to permitted uses in the Combining Zone.
8. Fuel Dealership.
9. Construction, Farm and Heavy Equipment Sales and Rentals.
10. Bio-mass energy generation.
11. All other uses permitted in the City's C.B.P, M-1 and M-2 Zone without a permit.
12. Storage-Personal Storage Facility.
13. Storage-Outdoor.
14. Communication or Antenna towers.
15. All other existing nonconforming uses and activities in place at the time of adoption of this Combining Zone.

C. Performance Standards Exemption for Existing Uses.

1. Except as provided by State law, development within the SEID Combining Zone shall be subject to the Performance Standards specified in the Grass Valley Development Code Sections 17.30.070 and 17.30.090, except as those Sections are specifically modified by the Performance Standards contained in Section C.2 below ("SEID Combining Zone Performance Standards"). In the event of a conflict between Sections 17.030.070 and 17.030.090 and the SEID Combining Zone Performance Standards, the SEID Combining Zone Performance Standards shall apply.

2. SEID Combining Zone Performance Standards:

a. Setbacks.

i. Building Setbacks. Front and side building setbacks shall be a minimum of fifteen (15) feet from the back of curb.

ii. Parking setbacks. Front and side parking setbacks shall be a minimum of five (5) feet from the curb. Parking shall be allowed in the front setback if separated by a minimum five (5) foot wide landscape area or walkways.

¹ Note: May require a Burn Permit from the Northern Sierra Air Quality Management District.

iii. Creek and riparian setbacks. Buildings must have a minimum setback of thirty (30) feet from creek and riparian zones.

b. Fences, Walls and Screening.

- i. Eight (8) foot chain-link fencing shall be allowed
- ii. Walls over forty-eight (48) inches shall be allowed without benching for retaining walls so that retaining walls over six (6) feet may be allowed. Bunker walls on frontages shall have an eight (8) foot maximum.
- iii. Screening shall not be required for any Existing Uses or future uses.

c. Outdoor Lighting. Existing Uses shall not be required to conform to City standards related to lighting, except as they relate to cut-lighting and/or shielding directing light towards the ground and as necessary to maintain compliance with worker safety requirements under state law.

d. Dust. Developments in the SEID Combing Zone must, at a minimum, comply with NSAQMD requirements.

e. Vibrations. Shall be allowed to continue based on Existing Uses.

f. Odors. Shall be allowed to continue with similar or same as Existing Uses. Asphalt, manure, and other industrial uses and products may be allowed to have an odor that may be noticeable beyond the property line.

g. Solid Waste and Recycling. Solid waste and recycling facilities may be allowed to abut residentially designated properties or uses but must provide a one hundred (100) foot buffer/setback.

h. Signs and flagpoles. Second story and roof signs shall be allowed. Up to three hundred (300) square feet of signage shall be allowed per parcel. No irrigated landscaping shall be required around the base of signs. Existing non-conforming signs may remain and can be maintained or replaced. There shall be no height limit imposed on flagpoles.

i. Outdoor Displays and material storage. Outdoor (rental equipment) displays shall have no maximum height. All outdoor displays shall be allowed in setbacks and anywhere that does not disrupt traffic circulation, parking, or walkways. Cargo containers shall be allowed for rental or sale, but cannot be stacked more than two high. Material storage shall be allowed in non-frontage setbacks, and displayed with no height restrictions.

j. Processing facilities. Processing Facilities shall be allowed to abut residentially designated properties or uses but must provide a one hundred (100) foot buffer/setback. There shall be no maximum number or volume of inbound or outbound shipments, employee traffic, customer traffic or maximum size of the Processing Facilities.

k. Hillside and Ridgeline Development. No building shall be allowed on slopes greater than thirty (30) percent. There shall be no maximum retaining wall height or bench minimum. Grading may be allowed on slopes exceeding thirty (30) percent.

l. Grading. Grading shall be allowed to occur between October 15 and April 15 when weather conditions permit, and adequate Best Management Practices are utilized. Grading must meet requirements of the California Construction General Permit for Stormwater Discharges. All environmentally sensitive areas must be avoided, or mitigation measures must be implemented and therefore grading may occur within thirty (30) feet of environmentally sensitive areas when appropriately mitigated.

m. Subdivision Standards. No traffic calming measure shall be required for subdivisions. No pedestrian walkways or bike paths, or funding for either, shall be required for subdivisions. Parcels shall not be required to have gas, electric or sewer connections if already adequately served by existing utilities or can be served by existing or future private water wells and septic systems. City street names will be selected by the developer and approved by the City Council.

n. Parking.

i. Building and Landscape Material Display and Outdoor Storage shall require: one parking space per every 5,000 square feet of bulk material (bunkers or stockpiles).

ii. On Street Parking (local road/driveway) shall be permitted without director approval and included in the parking space count so long as the road design allows for on street parking.

iii. Rental Equipment Parking: Parking spaces may be gravel.

iv. Vehicle Service Repair: No minimum number of spaces shall be required for existing or proposed truck or equipment maintenance shops.

v. Loading Areas: Loading areas shall be allowed anywhere except where they encroach into stalls or driveways.

o. Noise. Existing Uses or future uses shall not be required to conform to City standards related to noise, except that noise levels may not exceed CalOSHA standards related to worker and public safety.

p. Hours of Operation. There shall be no restriction on hours or days of operations for Existing Uses or future uses.

q. Open Space and Natural Areas. Areas left open or in natural condition shall be planned and included as a buffer between land uses and/or biological mitigation areas and therefore performance standards relating to adequate traffic and circulation, fire protection devices, utility and drainage mapping, trails, benches, lighting, trash receptacles, shall not be required. To reduce fire risks to the region, all open space areas can be maintained by mechanical thinning, clearing, grazing, or hand removal without a permit. All open space and natural areas must comply with any requirements under state law. All open space areas may include onsite waste water disposal and water wells. All wastewater disposal or wells must comply with any requirements under state law.

r. Driveways. There shall be no required modification or alteration of any existing driveway. New driveways shall not be required to conform to City standards regarding driveways, and may be created, altered or modified without City approval.

- D. **Project Review.** Equipment or structures related to manufacturing concrete products or processing landscaping and building materials, including rock crushers, asphalt plants, batch plant structures, repair and fabrication shops, office spaces, or similar equipment or buildings that is customary and incidental to such use, may be installed subject only to the issuance of a building permit. Notwithstanding Subsection C, the addition of all other buildings or structures shall be subject to the standards in Chapter 17.30 and discretionary review by the following individual or body:

1. **Community Development Director.** New buildings or additions to existing buildings of 10,000 square feet or less.
2. **Development Review Committee.** New buildings or additions to existing buildings of between 10,001 and 20,000 square feet.
3. **Planning Commission.** New buildings or additions to existing buildings of more than 20,001 square feet.

- E. **Taxes and Assessments.** The City shall not to impose, levy, or collect any fee, charge, tax or assessment (including, but not limited to, a standby charge) within the SEID Combining Zone related to a City service or utility except in exchange for service requested by and provided to Existing or New Uses within the SEID Combining Zone. In the event that the City provides such a service for an Existing Use, the City charge shall not exceed the standard utility connection fees.
- F. **Financing Public Improvements or Facilities.** The City shall not impose, levy, or collect any fee, charge, tax or assessment (including, but not limited to, a standby charge) from properties within the SEID Combining Zone related to the financing of a public improvement or facility, or the operation or maintenance of a public improvement or facility.
- G. **Dedications of Rights of Way.** The City shall not require the dedication of, or take rights-of-way or other property within the SEID Combining Zone for public use. Notwithstanding the foregoing, the City may request, but shall not require, the dedication of right-of-way as part of the City's Development Review process for any discretionary project, including a new building or an addition to an existing building, of more than 5,000 square feet.
- H. **Existing Legally Non-Conforming Uses.** The City shall not impose any restriction or limitation on the hours of operation, number of employees, the number of vehicle or truck trips, number of customers, noise, dust, lights, odor, vibrations, or the amount or volume of material hauled in or out of existing legal non-conforming uses in place at the time of adoption of this Combining Zone.



City of Grass Valley City Council Agenda Action Sheet

Title: Recognized Obligation Payment Schedule (ROPS 22-23) for July 2022 through June 2023

Recommendation: It is recommended that the Successor Agency adopt Resolution No. SA 2022-01 approving the Recognized Obligation Payment Schedule (ROPS 22-23) for the time period July 1, 2022 through June 30, 2023

Prepared by: Andy Heath

Council Meeting Date: 01/11/2022

Date Prepared: 01/03/2022

Agenda: Administrative

Background Information: The Grass Valley Redevelopment Agency was dissolved on February 1, 2012 pursuant to ABx1 26. On January 10, 2012, the City Council elected to become the Successor Agency to the Redevelopment Agency in order to ensure that projects underway at the time of dissolution were completed, to retain control over the disposition of assets, and to make obligation payments identified in a Recognized Obligation Payment Schedule (ROPS). The ROPS serves to identify all of the enforceable obligations of the former RDA including debt service payments, loans, contracts, projects, employee and other administrative costs, etc. Each ROPS is prepared by the Successor Agency and presented to the City Council and the Oversight Board for approval. The ROPS is then submitted to the State of California Department of Finance (DOF) for approval.

Pursuant to Health and Safety Code Section 34179.7(o)(1), the Successor Agency must submit an Oversight Board-approved annual ROPS to DOF and the County Auditor Controller by February 1st of each year for the following fiscal year. Upon submitting and obtaining ultimate approval of the ROPS, fund distributions to pay enforceable obligations are made by the County in January and June each year.

The ROPS 22-23 has been prepared by staff and provides a list of obligations and amounts due for the period July 1, 2022 through June 30, 2023. The estimated twelve-month funding requirement from the Redevelopment Property Tax Trust Fund (RPTTF) to satisfy identified obligations is \$645,990. In addition, the Successor Agency will be using \$4,662,619 currently held in reserves specifically for Successor Agency Obligations to satisfy the final payment for a bond advance refunding process completed in FY 2019-20.

Obligations listed on the ROPS 22-23 include required debt service for the refunded bonds from late FY 2019-20 and a \$50,000 administrative allocation. Upon approval of ROPS 22-23 by the Successor Agency and Oversight Board, the ROPS 22-23 will be submitted to the DOF and County Auditor Controller for review and approval.

Council Goals/Objectives: The approval of the ROPS 22-23 executes a portion of the work tasks towards achieving Economic Development and Vitality; and High Performance Government and Quality Service.

Fiscal Impact: Approval and submittal of the ROPS 22-23 has no adverse fiscal impact to Successor Agency Funds or the City's General Fund. When approved by the DOF, the ROPS serves as the vehicle pursuant to which property taxes (former redevelopment tax increment) are allocated to the Successor Agency for payment of enforceable obligations.

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments:

Resolution SA 2022-01 - A resolution approving the ROPS for July 1, 2022 - June 30, 2023
Exhibit A - ROPS 22-23 for July 2022 - June 2023

RESOLUTION NO. SA 2022-01**RESOLUTION OF THE GRASS VALLEY SUCCESSOR AGENCY TO THE FORMER
REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION
PAYMENT SCHEDULE (ROPS 22-23) FOR THE PERIOD OF
JULY 1, 2022 - JUNE 30, 2023**

WHEREAS, the State of California State Legislature enacted Assembly Bill x1 26 (the “Dissolution Act”) to dissolve redevelopment agencies formed under the Community Development Law (Health and Safety Code 3300 et seq.); and

WHEREAS, on June 27, 2012, the California State Legislature enacted Assembly Bill 1484 (“AB 1484”) modifying many of the provisions of ABx1 26 and establishing several new procedural deadlines; and

WHEREAS, AB 1484 required the Grass Valley Successor Agency to prepare a Recognized Obligation Payment Schedule (ROPS) prior to each six-month fiscal period; and

WHEREAS, pursuant to Health and Safety Code section 34179.7(o)(1), commencing with the ROPS covering the period from July 1, 2016 through June 30, 2017 and thereafter, agencies shall submit an Oversight Board approved annual ROPS; and

WHEREAS, the ROPS shall be submitted for review to the State Department of Finance and the County Auditor Controller by February 1 each year; and

WHEREAS, the City Council, acting as the governing board of the Successor Agency, now desires to adopt ROPS 22-23, a copy of which is on file with the Successor Agency Secretary and City Clerk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY, as follows:

1. The above recitals are true and correct and are a substantive part of this Resolution.
2. The City Council of the City of Grass Valley, acting as the Governing Board of the Successor Agency and in conformance with Health and Safety Code Section 34179.7(o)(1), hereby adopts ROPS 22-23, attached hereto and incorporated herein by reference as Exhibit A, for the period ending June 30, 2023.
3. Staff is hereby authorized and directed to file, post, mail, or otherwise deliver via electronic mail, internet posting, and/or hardcopy, all

notices and transmittals necessary or convenient in connection with the adoption of ROPS 22-23 pursuant to this Resolution.

ADOPTED as a Resolution of the Grass Valley Successor Agency to the Former Grass Valley Redevelopment Agency at a meeting thereof held on the 11th day of January 2022 by the following vote:

AYES: Board Member
NOES: Board Member
ABSENT: Board Member
ABSTAINING: Board Member

Ben Aguilar, Chair

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael Colantuono, City Attorney

Recognized Obligation Payment Schedule (ROPS 22-23) - Summary
Filed for the July 1, 2022 through June 30, 2023 Period

Successor Agency: Grass Valley

County: Nevada

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	22-23A Total (July - December)	22-23B Total (January - June)	ROPS 22-23 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 4,662,619	\$ -	\$ 4,662,619
B Bond Proceeds	-	-	-
C Reserve Balance	4,662,619	-	4,662,619
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 495,495	\$ 150,495	\$ 645,990
F RPTTF	470,495	125,495	595,990
G Administrative RPTTF	25,000	25,000	50,000
H Current Period Enforceable Obligations (A+E)	\$ 5,158,114	\$ 150,495	\$ 5,308,609

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

Grass Valley
Recognized Obligation Payment Schedule (ROPS 22-23) - ROPS Detail
July 1, 2022 through June 30, 2023

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 22-23 Total	ROPS 22-23A (Jul - Dec)					22-23A Total	ROPS 22-23B (Jan - Jun)					22-23B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$15,796,449		\$5,308,609	\$-	\$4,662,619	\$-	\$470,495	\$25,000	\$5,158,114	\$-	\$-	\$-	\$125,495	\$25,000	\$150,495
18	Administrative Costs	Admin Costs	07/01/2018	12/01/2038	Various	All administrative costs of the agency	Area 1	1,000,000	N	\$50,000	-	-	-	-	25,000	\$25,000	-	-	-	-	25,000	\$25,000
22	2013 Tax Allocation Refunding Bond Debt Service Payment	Bonds Issued After 12/31/10	11/14/2013	12/01/2022	Union Bank	Refunding of 2008 Bond.	Area1	4,662,619	N	\$4,662,619	-	4,662,619	-	-	-	\$4,662,619	-	-	-	-	-	\$-
27	2020 Series A Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	05/01/2020	12/01/2034	MUFG Union Bank	Refunding of prior tax allocation bonds issued	N/A	3,406,100	N	\$263,000	-	-	-	213,100	-	\$213,100	-	-	-	49,900	-	\$49,900
28	2020 Series B Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	05/01/2020	12/01/2028	MUFG Union Bank	Refunding of prior tax allocation bonds issued	N/A	6,727,730	N	\$332,990	-	-	-	257,395	-	\$257,395	-	-	-	75,595	-	\$75,595

Grass Valley
Recognized Obligation Payment Schedule (ROPS 22-23) - Report of Cash Balances
July 1, 2019 through June 30, 2020
 (Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 19-20 Cash Balances (07/01/19 - 06/30/20)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/19) RPTTF amount should exclude "A" period distribution amount.			1,951,348	-	-	This amount represents the beginning cash balance and is implied to include only Debt Service Reserves held for future bond payments. Beginning balances for "Other Funds" and "RPTTF" are implied to be zero.
2	Revenue/Income (Actual 06/30/20) RPTTF amount should tie to the ROPS 19-20 total distribution from the County Auditor-Controller			3,915,064	45,229	479,334	The revenue/income for the reserve balances is the residual of funds required to balance to the ending reserve balance held by the Trustee in escrow to be used as part of the refunding process completed in FY 2019-20.
3	Expenditures for ROPS 19-20 Enforceable Obligations (Actual 06/30/20)			376,045		433,484	
4	Retention of Available Cash Balance (Actual 06/30/20) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)			5,490,367			This is the cash balance to be kept in reserves (held by Trustee) until the escrow portion of the bond refunding is paid off in FY 2022-23.

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 19-20 Cash Balances (07/01/19 - 06/30/20)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
5	ROPS 19-20 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 19-20 PPA form submitted to the CAC		No entry required			45,850	
6	Ending Actual Available Cash Balance (06/30/20) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$45,229	\$-	The cash balances remaining in "Other Funds" can be used to satisfy FY 2022-23 ROPS requests.

Grass Valley
Recognized Obligation Payment Schedule (ROPS 22-23) - Notes
July 1, 2022 through June 30, 2023

Item #	Notes/Comments
18	These are costs for staff; legal; trustee; and other administrative-related costs.
22	These are bonds held in escrow prior to the full refunding which can take place after December 1, 2022
27	
28	



City of Grass Valley City Council Agenda Action Sheet

Title: Approval of the Public Safety Analyst job description and associated pay scale

Recommendation: That Council 1) approve the Public Safety Analyst I/II job description; and 2) approve an updated Unit 3 pay scale which includes the Public Safety Analyst I/II pay scale

Prepared by: Alexander K. Gammelgard, Chief of Police

Council Meeting Date: January 11, 2022

Date Prepared: January 6, 2022

Agenda: Consent

Background Information: On December 14, 2021, the City Council approved a new Memorandum of Understanding (MOU) with the newly created Unit 3 (Office Technical) unit of employees (a split from the previously existing Unit 2).

In the adopted FY21/22 budget, the police department's Senior Admin Clerk position was funded; however, it has remained unfilled, pending the action to create Unit 3 and incorporate the Public Safety Analyst (PSA) job description into the City's available job classes. Attached to this staff report is the PSA job description, which is a flexibly staffed I/II job description. The City Council must approve this job description in order to move forward with recruiting for and filling the position.

In the salary schedule for Unit 3, as adopted on 12/14/2021, the Public Safety Analyst position was only listed by name, without reference to the PSA I and PSA II pay scales. The attached document incorporates both PSA I and PSA II in the comprehensive Unit 3 salary schedule.

The City's labor negotiator has been in contact with Unit 3 and Local 39 representatives, who agree to the job description and salary range for the position.

Council Goals/Objectives: The execution of this action attempts to achieve Strategic Goal #6 - Exceptional Public Safety

Fiscal Impact: The allocated funding in the FY21/22 budget for the Senior Admin Clerk (Vacant/Funded) is sufficient to cover costs related to filling of the PSA I / PSA II

position for the remainder of the fiscal year. The updated costs will be incorporated in the FY22/23 budget.

Funds Available: Yes

Account #: 100-201

Reviewed by:

Attachments:

Public Safety Analyst I/II Job Description

Updated Unit 3 Salary Schedule to include the Public Safety Analyst I/II pay scales



**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

Department: Various

FLSA Status: Non-Exempt

Reports To: Department Director

Unit: 3, Full-time Position

SUMMARY OF JOB PURPOSE

Under direction: plan, organize and implement Police Department records and compliance operations; prepare and compile a variety of analytical work that ranges from moderate to considerable difficulty; and perform a variety of professional and technical level tasks relative to assigned area of responsibility.

The *Public Safety Analyst I* is an entry level classification responsible for many functions of professional support functions to the police department.

The *Public Safety Analyst II* is journey level position and is assigned a greater variety of more difficult tasks and projects. This class is distinguished from the Public Safety Analyst I in that the position is expected to be self-directed, have greater familiarity with City and police department operations, and work on more complex projects and special assignments. Positions in this class may be flexibly staffed and are normally filled by advancement from the Public Safety Analyst I position. Appointment to the higher class requires that the employee be performing the full range of duties for the class and meet qualification standards for the class.

SUPERVISION RECEIVED AND EXERCISED

The *Public Safety Analyst I* class position receives general supervision from the Chief of Police or their designee.

The *Public Safety Analyst II* class works with limited supervision and, within a framework of established procedures, is expected to perform a variety of complex duties with only occasional instruction or assistance from the Police Chief or designee.

ESSENTIAL FUNCTIONS (include but are not limited to listed tasks)

Public Safety Analyst I, Typical Duties:

1. Recommend and assist in the implementation of department goals and objectives; establish schedules and methods for the police department permitting programs; ensure state and federal reporting and compliance; implement policies and procedures.
2. Develop and implement new processes and department workflows by compiling, evaluating, and determining specific needs related to end user requirements
3. Evaluate operations and activities of assigned responsibilities; recommend improvements and modifications to increase work efficiencies and/or enhance service delivery.

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.



**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

4. Accurately report monthly and annual reports to various state and federal agencies (i.e., DOJ and FBI reporting including, but not limited to, UCR/NIBRS crime data, RIPA stop data, CLETS compliance data and reports, etc.)
5. Coordinate personnel applications, testing, hiring, and onboarding functions
6. Research, compile, and prepare reports and documentation on program activities; maintain records of findings and corrective actions; prepare periodic status reports and/or annual public-facing reports.
7. Provide information and direction to the public at the counter, via telephone, e-mail, and written correspondence related to the police departments processes including, but not limited to, evidence, report acquisition, compliance with public records requests, media inquiries, and the like.
8. Review applications, documents, and public requests to assure basic submittal requirements are provided based on established criteria; log-in and coordinate routing of various permits and requests to appropriate departments and outside agencies.
9. Assist with the development of marketing and informational materials.
10. Create, disseminate, and analyze service delivery surveys. Maintain records and suggest new or emerging metrics to survey.
11. Respond to requests for information from the general public, City staff, and other interested parties; research requested information and make recommendations appropriate to resolving inquiries and/or complaints.
12. Perform a variety of responsible customer service duties in support of an assigned area or function including, but not limited to, billing, licensing/permitting, office support, records maintenance, accounting, and cashiering.
13. Receive and processes applications and license renewals; verify accuracy of information on applications, collects fees, and posts payments; route applications to appropriate personnel and/or departments for review and action.
14. Receive and responds to requests for City or department records and documents; convert hardcopy records into digital formats; index digital records into an electronic records system; maintain electronic and hardcopy files; file and retrieve records and route as necessary.
15. Manages accounts payable and receivable; ensures bills and payroll are processed in a timely and accurate manner; and interfaces with vendors and City departments related to day-to-day budget administration matters
16. May serve as custodian of petty cash and checks; assume responsibility for maintaining records of petty cash distributions; reconcile petty cash; ensures ample supply of cash on hand.
17. Monitor work activities to ensure safe practices, quality and accuracy; ensure compliance to applicable rules, policies and procedures.
18. Perform general administrative work as required, including but not limited to preparing reports and correspondence, entering computer data, etc.

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**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

19. Establish and maintain positive working relationships with other City staff, representatives of community organizations, state/local agencies, consultants, contractors, visitors, and the public.
20. Provides exceptional customer service experience for members of the public and visitors to the police department and/or City
21. Perform related other duties as assigned.

Public Safety Analyst II, Additional Duties:

1. Analyze program activities and develop corrective actions in conjunction with police department management staff.
2. Maintain staff directories, personnel files, and other internal confidential files as necessary
3. Prepare correspondence, records, or other responses to civil and criminal court requests, including but not limited to, civil liability cases in federal courts and other discovery requests, including personnel file discovery
4. Interface with the City Attorney's office on questions of court
5. Review applications for accuracy and compliance with pertinent laws.
6. Seek, apply for, and administer grants.
7. Work directly with department vendors to manage customer issues and to improve customer service.
8. Ensure compliance with state and federal mandates related to data reporting; report the same accurately and in a timely fashion
9. Provide training for Public Safety Analysts and other staff.
10. Assist with the management of contracts.
11. Assist police department staff with complex case management, including occasional field-based work.

KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of:

1. Basic principles, procedures, and methods used in the performance of customer service and basic office duties.
2. Operations, services and activities of the police department or function to which assigned.
3. Basic mathematical principles.
4. Methods and techniques of proper phone etiquette.
5. Principles and procedures of record keeping and filing.
6. English usage, spelling, grammar, and punctuation.
7. Business letter writing and basic report preparation.
8. Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases.
9. Pertinent federal, state, and local laws, codes, and regulations.

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**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

10. Basic understanding of state criminal and civil law and ability to locate, read, and understand new or emerging laws and regulations

Skills in:

1. Reviewing, understanding, and implementing provisions of applicable codes, ordinances and regulations enforceable by the City.
2. Applying laws, regulations, codes and departmental policies.
3. Recognizing, prioritizing and accomplishing needed tasks.
4. Researching, preparing and writing clear and concise technical reports.
5. Use of complex computing programs, including Excel formula use, database management, iOS and Android mobile platforms, records management systems, and other emerging or necessary systems.

Ability to:

1. Perform, with some assistance and instruction, a range of varied complex, sensitive, highly responsible, and confidential office administrative, advanced clerical, and routine programmatic support functions of a general or specialized nature in support of assigned programs or division.
2. Plan and organize work to meet changing priorities and deadlines.
3. Understand the organization and operation of the City, police department and of outside agencies as necessary to assume assigned responsibilities.
4. Understand, interpret, and apply general and specific administrative and departmental policies and procedures using good judgement.
5. Understand and apply applicable federal, state, and local laws, codes, and regulations.
6. Perform a variety of customer service tasks in support of assigned function.
7. Perform a variety of contracting, office accounting, fiscal, and statistical record keeping duties including preparing, maintaining, and reconciling a variety of records and files.
8. Perform mathematical calculations quickly and accurately including to add and subtract, multiply and divide, and calculate percentages, fractions, and decimals.
9. Work under steady pressure with frequent interruptions and a high degree of public contact by phone or in person.
10. Read, understand, and review documents for accuracy and relevant information.
11. Operate office equipment including computers and supporting word processing, spreadsheet, and database applications at a speed necessary for successful job performance.
12. Adapt to changing technologies and learn functionality of new equipment and systems.
13. Maintain composure, positive attitude, and exercise good judgment when answering demanding questions.
14. Establish and maintain effective working relationships with those contacted in the course of work.

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**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

15. Participate in researching, compiling, analyzing, and interpreting data – make recommendations based upon same
16. Prepare clear, accurate, and concise letters, reports, and other correspondence.
17. Understand and carry out oral and written directions.
18. Respond tactfully, clearly, concisely, and appropriately to inquiries from the public, press, or other agencies on sensitive issues in area of responsibility.
19. Exercise good judgment and maintain confidentiality in maintaining critical and sensitive information, records, and reports.
20. Utilize public relations techniques in responding to inquiries and complaints.
21. Communicate clearly and concisely, both orally and in writing.
22. Understand basic maps, sketches, drawings, specifications and technical manuals.
23. Understand crime scene and accident diagrams as well as other police reports and diagrams/maps.
24. Organize, prioritize and follow up on work assignments.
25. Work independently and as part of a team.

Public Safety Analyst II, Additional Knowledge, Skills and Abilities:

1. Knowledge of more complex principles, procedures, and methods used in the performance of customer service and office duties.
2. Knowledge of more complex mathematical principles and software programs and systems.
3. Knowledge of practices of budget preparation and administration.
4. Knowledge of methods and techniques of contract negotiation and administration.
5. Knowledge of municipal purchasing processes, including complex acquisitions and capital asset purchases and project administration.
6. Skills in interpreting and complying with provisions of applicable codes, ordinances and regulations enforceable by the City.
7. Ability to independently perform a full range of varied complex, sensitive, highly responsible, and confidential office administrative, advanced clerical, and routine programmatic support functions of a general or specialized nature in support of assigned programs and divisions with only occasional instruction or assistance.
8. Ability to read and interpret maps, sketches, drawings, specifications and technical manuals.
9. Ability to oversee contracts.

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**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily as well as pass a stringent background investigation including a polygraph and/or psychological examination. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

PHYSICAL REQUIREMENTS

1. Must be free from any physical, emotional or mental condition which might adversely affect the ability to perform essential job duties.
2. Must be able to sit at a confined workstation for extended periods or work at a drafting table for extended periods while performing essential duties.
3. On a continuous basis, sit at a desk and in meetings for long periods of time. Intermittently twist to reach equipment surrounding desk, perform simple grasping and fine manipulation, use telephone and communicate through written means.
4. While performing the duties of this job the incumbent 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 incumbent is occasionally required to climb, balance and stoop, kneel, crouch, or crawl and must frequently lift and/or carry up to 20 pounds alone, and up to 40 pounds with assistance. See in the normal visual range with or without correction. Hear in the normal audio range with or without correction.

EDUCATION AND EXPERIENCE

A typical way to obtain the knowledge and skills is:

1. An Associates of Arts degree, or equivalent, from an accredited college or university with major course work in general education, business, accounting, a legal field of study, or a closely related field; and
2. A. Public Safety Analyst I - One year of customer service, specialized clerical, accounting clerical, permitting, or administrative/business experience involving professional work experience and record keeping.
B. Public Safety Analyst II - Three years of customer service, specialized clerical, accounting clerical, permitting, or administrative/business experience involving professional work experience and record keeping.

CERTIFICATES, LICENSES AND REGISTRATIONS

1. Must have an acceptable driving record and possess an appropriate California Driver's License.

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City of Grass Valley
JOB DESCRIPTION

Item # 10.



**Public Safety Analyst I / Public Safety Analyst II
(Flexibly Staffed)**

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: _____

Adopted:

Revised:

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.

Misc. Unit 2 July 1, 2021-June 30, 2022	Hourly					Bi Weekly					Monthly					Annually				
Position	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
Account Clerk I	\$17.34	\$18.20	\$19.11	\$20.06	\$21.06	\$ 1,387.20	\$ 1,456.00	\$ 1,528.80	\$ 1,604.80	\$ 1,684.80	\$ 3,005.60	\$ 3,154.67	\$ 3,312.40	\$ 3,477.07	\$ 3,650.40	\$ 36,067.20	\$ 37,856.00	\$ 39,748.80	\$ 41,724.80	\$ 43,804.80
Account Clerk II	\$19.57	\$20.54	\$21.56	\$22.63	\$23.76	\$ 1,565.60	\$ 1,643.20	\$ 1,724.80	\$ 1,810.40	\$ 1,900.80	\$ 3,392.13	\$ 3,560.27	\$ 3,737.07	\$ 3,922.53	\$ 4,118.40	\$ 40,705.60	\$ 42,723.20	\$ 44,844.80	\$ 47,070.40	\$ 49,420.80
Senior Account Clerk	\$21.50	\$22.59	\$23.72	\$24.93	\$26.16	\$ 1,720.00	\$ 1,807.20	\$ 1,897.60	\$ 1,994.40	\$ 2,092.80	\$ 3,726.67	\$ 3,915.60	\$ 4,111.47	\$ 4,321.20	\$ 4,534.40	\$ 44,720.00	\$ 46,987.20	\$ 49,337.60	\$ 51,854.40	\$ 54,412.80
Senior Admin Clerk	\$20.34	\$21.36	\$22.41	\$23.53	\$24.71	\$ 1,627.20	\$ 1,708.80	\$ 1,792.80	\$ 1,882.40	\$ 1,976.80	\$ 3,525.60	\$ 3,702.40	\$ 3,884.40	\$ 4,078.53	\$ 4,283.07	\$ 42,307.20	\$ 44,428.80	\$ 46,612.80	\$ 48,942.40	\$ 51,396.80
Accounting Tech	\$25.17	\$26.43	\$27.77	\$29.14	\$30.61	\$ 2,013.60	\$ 2,114.40	\$ 2,221.60	\$ 2,331.20	\$ 2,448.80	\$ 4,362.80	\$ 4,581.20	\$ 4,813.47	\$ 5,050.93	\$ 5,305.73	\$ 52,353.60	\$ 54,974.40	\$ 57,761.60	\$ 60,611.20	\$ 63,668.80
CSO I	\$21.19	\$22.25	\$23.36	\$24.52	\$25.75	\$ 1,695.20	\$ 1,780.00	\$ 1,868.80	\$ 1,961.60	\$ 2,060.00	\$ 3,672.93	\$ 3,856.67	\$ 4,049.07	\$ 4,250.13	\$ 4,463.33	\$ 44,075.20	\$ 46,280.00	\$ 48,588.80	\$ 51,001.60	\$ 53,560.00
CSO II	\$23.31	\$24.48	\$25.69	\$26.95	\$28.32	\$ 1,864.80	\$ 1,958.40	\$ 2,055.20	\$ 2,156.00	\$ 2,265.60	\$ 4,040.40	\$ 4,243.20	\$ 4,452.93	\$ 4,671.33	\$ 4,908.80	\$ 48,484.80	\$ 50,918.40	\$ 53,435.20	\$ 56,056.00	\$ 58,905.60
Public Safety Analyst II	\$27.70	\$29.06	\$30.54	\$32.07	\$33.67	\$ 2,216.00	\$ 2,324.80	\$ 2,443.20	\$ 2,565.60	\$ 2,693.60	\$ 4,801.33	\$ 5,037.07	\$ 5,293.60	\$ 5,568.80	\$ 5,836.13	\$ 57,616.00	\$ 60,444.80	\$ 63,523.20	\$ 66,705.60	\$ 70,033.60
Public Safety Analyst II	\$31.85	\$33.43	\$35.12	\$36.88	\$38.70	\$ 2,548.00	\$ 2,674.40	\$ 2,809.60	\$ 2,950.40	\$ 3,096.00	\$ 5,520.67	\$ 5,794.53	\$ 6,087.47	\$ 6,392.53	\$ 6,708.00	\$ 66,248.00	\$ 69,534.40	\$ 73,049.60	\$ 76,710.40	\$ 80,496.00
Finance Tech	\$25.17	\$26.43	\$27.77	\$29.14	\$30.61	\$ 2,013.60	\$ 2,114.40	\$ 2,221.60	\$ 2,331.20	\$ 2,448.80	\$ 4,362.80	\$ 4,581.20	\$ 4,813.47	\$ 5,050.93	\$ 5,305.73	\$ 52,353.60	\$ 54,974.40	\$ 57,761.60	\$ 60,611.20	\$ 63,668.80
Engineering Tech	\$25.46	\$26.72	\$28.06	\$29.47	\$30.94	\$ 2,036.80	\$ 2,137.60	\$ 2,244.80	\$ 2,357.60	\$ 2,475.20	\$ 4,413.07	\$ 4,631.47	\$ 4,863.73	\$ 5,108.13	\$ 5,362.93	\$ 52,956.80	\$ 55,577.60	\$ 58,364.80	\$ 61,297.60	\$ 64,355.20
Sr Engineering Tech	\$27.97	\$29.39	\$30.87	\$32.38	\$34.02	\$ 2,237.60	\$ 2,351.20	\$ 2,469.60	\$ 2,590.40	\$ 2,721.60	\$ 4,848.13	\$ 5,094.27	\$ 5,350.80	\$ 5,612.53	\$ 5,896.80	\$ 58,177.60	\$ 61,131.20	\$ 64,209.60	\$ 67,350.40	\$ 70,761.60
Accountant I	\$27.47	\$28.83	\$30.28	\$31.79	\$33.39	\$ 2,197.60	\$ 2,306.40	\$ 2,422.40	\$ 2,543.20	\$ 2,671.20	\$ 4,761.47	\$ 4,997.20	\$ 5,248.53	\$ 5,510.27	\$ 5,787.60	\$ 57,137.60	\$ 59,966.40	\$ 62,982.40	\$ 66,123.20	\$ 69,451.20
Accounting Spec	\$27.68	\$29.04	\$30.51	\$32.04	\$33.63	\$ 2,214.40	\$ 2,323.20	\$ 2,440.80	\$ 2,563.20	\$ 2,690.40	\$ 4,797.87	\$ 5,033.60	\$ 5,288.40	\$ 5,553.60	\$ 5,829.20	\$ 57,574.40	\$ 60,403.20	\$ 63,460.80	\$ 66,643.20	\$ 69,950.40
AS Knnl & Offc Asst	\$16.39	\$17.21	\$18.07	\$18.96	\$19.91	\$ 1,311.20	\$ 1,376.80	\$ 1,445.60	\$ 1,516.80	\$ 1,592.80	\$ 2,840.93	\$ 2,983.07	\$ 3,132.13	\$ 3,286.40	\$ 3,451.07	\$ 34,091.20	\$ 35,796.80	\$ 37,585.60	\$ 39,436.80	\$ 41,412.80
Animal Cntrl Officer	\$20.87	\$21.93	\$23.04	\$24.18	\$25.38	\$ 1,669.60	\$ 1,754.40	\$ 1,843.20	\$ 1,934.40	\$ 2,030.40	\$ 3,617.47	\$ 3,801.20	\$ 3,993.60	\$ 4,191.20	\$ 4,399.20	\$ 43,409.60	\$ 45,614.40	\$ 47,923.20	\$ 50,294.40	\$ 52,790.40
Sr Animal Cntrl Offr	\$23.00	\$24.14	\$25.34	\$26.63	\$27.93	\$ 1,840.00	\$ 1,931.20	\$ 2,027.20	\$ 2,130.40	\$ 2,234.40	\$ 3,986.67	\$ 4,184.27	\$ 4,392.27	\$ 4,615.87	\$ 4,841.20	\$ 47,840.00	\$ 50,211.20	\$ 52,707.20	\$ 55,390.40	\$ 58,094.40
Parking Enfrcmnt Off	\$19.24	\$20.22	\$21.22	\$22.28	\$23.40	\$ 1,539.20	\$ 1,617.60	\$ 1,697.60	\$ 1,782.40	\$ 1,872.00	\$ 3,334.93	\$ 3,504.80	\$ 3,678.13	\$ 3,861.87	\$ 4,056.00	\$ 40,019.20	\$ 42,057.60	\$ 44,137.60	\$ 46,342.40	\$ 48,672.00
CSA I	\$27.70	\$29.06	\$30.54	\$32.07	\$33.67	\$ 2,216.00	\$ 2,324.80	\$ 2,443.20	\$ 2,565.60	\$ 2,693.60	\$ 4,801.33	\$ 5,037.07	\$ 5,293.60	\$ 5,558.80	\$ 5,836.13	\$ 57,616.00	\$ 60,444.80	\$ 63,523.20	\$ 66,705.60	\$ 70,033.60
CSA II	\$31.85	\$33.43	\$35.12	\$36.88	\$38.70	\$ 2,548.00	\$ 2,674.40	\$ 2,809.60	\$ 2,950.40	\$ 3,096.00	\$ 5,520.67	\$ 5,794.53	\$ 6,087.47	\$ 6,392.53	\$ 6,708.00	\$ 66,248.00	\$ 69,534.40	\$ 73,049.60	\$ 76,710.40	\$ 80,496.00
Senior Planner	\$42.58	\$44.87	\$47.16	\$49.46	\$51.75	\$ 3,406.40	\$ 3,589.60	\$ 3,772.80	\$ 3,956.80	\$ 4,140.00	\$ 7,380.53	\$ 7,777.47	\$ 8,174.40	\$ 8,573.07	\$ 8,970.00	\$ 88,566.40	\$ 93,329.60	\$ 98,092.80	\$ 102,876.80	\$ 107,640.00
Associate Planner	\$35.49	\$37.34	\$39.19	\$41.03	\$42.86	\$ 2,839.20	\$ 2,987.20	\$ 3,135.20	\$ 3,282.40	\$ 3,428.80	\$ 6,151.60	\$ 6,472.27	\$ 6,792.93	\$ 7,111.87	\$ 7,429.07	\$ 73,819.20	\$ 77,667.20	\$ 81,515.20	\$ 85,342.40	\$ 89,148.80
Police Ev/Prop Tech	\$23.33	\$24.50	\$25.70	\$27.00	\$28.35	\$ 1,866.40	\$ 1,960.00	\$ 2,056.00	\$ 2,160.00	\$ 2,268.00	\$ 4,043.87	\$ 4,246.67	\$ 4,454.67	\$ 4,680.00	\$ 4,914.00	\$ 48,526.40	\$ 50,960.00	\$ 53,456.00	\$ 56,160.00	\$ 58,968.00
Police Records Tech	\$20.67	\$21.71	\$22.79	\$23.93	\$25.12	\$ 1,653.60	\$ 1,736.80	\$ 1,823.20	\$ 1,914.40	\$ 2,009.60	\$ 3,582.80	\$ 3,763.07	\$ 3,950.27	\$ 4,147.87	\$ 4,354.13	\$ 42,993.60	\$ 45,156.80	\$ 47,403.20	\$ 49,774.40	\$ 52,249.60



City of Grass Valley City Council Agenda Action Sheet

Title: Approval of a Resolution authorizing the submittal of applications for recycling related payment programs and authorizing the Community Development Director to execute all documents to secure these funds.

Recommendation: Approve Resolution 2022-01 which authorizes the City to apply for future recycling grants and authorizes the Community Development Director to submit applications to CalRecycle for all eligible payment programs.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 1/11/2022

Date Prepared: 1/05/2022

Agenda: Consent

Background Information: Since 2004, the City has received annual \$5,000 grants from the Department of Conservation (now CalRecycle). The City has used these funds to construct trash/recycling enclosures, to fund portions of the City's newsletters, to update the website, to purchase of solar trash/recycling compactors and multiple recycling containers in the City parks and in downtown, to purchase water filling stations, and to assist Waste Management with outreach efforts in the schools.

Since 2016, CalRecycle requires all jurisdictions to adopt a resolution authorizing both the submittal of applications and the appointment of an official to sign all grant documents. These resolutions are good for 5 years. Staff recommends Council continue to authorize the Community Development Director as signatory for these grants.

Council Goals/Objectives: This action implements the goals and projects in the Strategic Plan associated with improving livability and enhancing the character and charm of Grass Valley.

Fiscal Impact: None, the grant will pay for all activities applied for in the future.

Funds Available: Grant Funds

Account #: 100-301

Reviewed by: ___ City Manager

Attachments: Resolution 2022-01

RESOLUTION 2022-01**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS
FOR WHICH THE CITY OF GRASS VALLEY IS ELIGIBLE**

WHEREAS, pursuant to Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Grass Valley authorizes the submittal of application(s) to CalRecycle for all grants for which the City of Grass Valley is eligible; and

BE IT FURTHER RESOLVED that the Community Development Director, or his/her designee is hereby authorized and empowered to execute in the name of the City of Grass Valley all grant documents, including but not limited to, applications, agreements, amendments, and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution (from January 11, 2022, through January 11, 2027).

PASSED AND ADOPTED as resolution at a regular meeting of the City Council of the City of Grass Valley held on January 11, 2022, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAINING: Council Members:

By:

Ben Aguilar, 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: December 2021 Winter Storm - Authorize Emergency Contracts

Recommendation: That Council adopt Resolution 2022-03 authorizing the City Manager to enter into emergency contracts without advertising for bids and ratifying emergency contract execution relating to recovery from the December 2021 winter storms.

Prepared by: Bjorn P. Jones, Assistant City Engineer

Council Meeting Date: 01/11/2022

Date Prepared: 01/07/2022

Agenda: Consent

Background Information: Beginning on December 26, 2021, the City of Grass Valley (the “City”) experienced a significant winter storm that lasted for several days. The winter storm resulted in lost power, downed trees, blocked roads and other hazards to health and human safety which caused conditions of extreme peril to the safety of persons and property in the City. The Director of Emergency Services proclaimed a state of emergency due to the winter storm on December 27, 2021. The City Council ratified the state of emergency on December 30, 2021 through Resolution 2021-72.

There existed, and continues to exist, an immediate need to engage in a variety of repairs to ensure public safety in the wake of the storm. These services include, but are not limited to; snow and debris removal in public roadways, sidewalks, parks and trails; road damage repairs; felling and elimination of hazard trees and limbs in public spaces; repair of damaged fences and railings; collection and disposal of vegetative debris citywide; and other general recovery efforts. Time was of the essence to enact repairs given the risk to public health and safety. Following the normal bidding procedures applicable to City procurement substantially increased ongoing risks associated with storm damages.

Staff is requesting the City Council adopt the attached Resolution 2022-03 for the emergency procurement of the necessary materials and services to complete the recovery work as soon as possible. The resolution authorizes the City Manager, acting in his capacity as City Manager or as Director of Emergency Services, or his designee, to enter into contract for works, supplies, materials, and equipment necessary or convenient to address recovery from the December 2021 winter storm without advertising for bids and subject to review by the City Attorney.

Further, the resolution specifically ratifies the following emergency contracts authorized by the City Manager pursuant to his authority under Grass Valley Municipal

Code section 3.08.150, without advertising for bids and subject to review by the City Attorney:

- Robinson Enterprises, Inc. - Downed and hazard tree removal and disposal, and vegetative debris collection, contract not to exceed \$100,000
- Hansen Bros Enterprises - Debris removal, and street repairs, contract not to exceed \$100,000
- C&D Contractors Inc. - Snow and debris removal, and vegetative debris collection, contract not to exceed \$100,000
- Tim the Tree Man - Hazard tree removal and cleanup, contract not to exceed \$25,000
- Trees Unlimited, Inc. - Hazard tree removal, contract not to exceed \$25,000
- Nevada County Fence, Inc. - Fence and railing repair, contract not to exceed \$30,000

Grass Valley Municipal Code section 3.08.150 authorizes the City Manager to “make, or authorize others to make, emergency procurement of supplies, equipment, services or construction items when there exists a threat to public health, welfare or safety; provided, that such emergency procurement shall be made with sufficient competition as is practicable under the circumstances.” Further, City Charter Article XIII, sections (2)(a) and (2)(b) authorize the City Council by a four-fifths vote to let contracts for public works and for supplies, materials, and equipment without advertising for bids if it deems the work of urgent necessity for the preservation of life, health, or property.

Adoption of the attached resolution authorizes the repair contracts necessary to address the public safety risks of damages from the December 2021 winter storms and expedites the associated recovery efforts.

Council Goals/Objectives: The emergency contracts authorized by this action execute portions of work tasks towards achieving/maintaining Strategic Plan Goals- Transportation, Recreation and Parks, and Public Safety

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

Funds Available: Yes

Account #: N/A

Reviewed by: Tim Kiser, City Manager

Attachments:

1. Resolution 2022-03 Authorizing the City Manager to Enter Into Emergency Contracts Without Advertising for Bids and Ratifying Emergency Contracts Relating to Recovery from the December 2021 Winter Storm
2. Resolution 2021-72 Confirming the Emergency Services Director’s Proclamation of a Local Emergency

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
AUTHORIZING THE CITY MANAGER TO ENTER INTO EMERGENCY
CONTRACTS WITHOUT ADVERTISING FOR BIDS AND RATIFYING
EMERGENCY CONTRACTS RELATING TO RECOVERY FROM THE DECEMBER
2021 WINTER STORM**

WHEREAS, on or about December 26, 2021, conditions of extreme peril to the safety of persons and property arose within the City of Grass Valley as a result of an extreme winter storm, which resulted in significant damage to public property, and attendant risk to public safety, throughout the City; and

WHEREAS, on December 27, 2021, the Director of Emergency Services of the City of Grass Valley proclaimed the existence of a local emergency within the City of Grass Valley pursuant to Grass Valley Municipal Code section 8.12.010 et seq.;

WHEREAS, on December 30, 2021, the City Council adopted Resolution No. 2021-72 proclaiming the existence of a local emergency within the City of Grass Valley, ratifying the proclamation of the Disaster Council of the City of Grass Valley proclaiming the existence of a local emergency within the City of Grass Valley, and declaring that the Disaster Council of the City of Grass Valley and its Director of Emergency Services shall have the powers, functions, and duties prescribed by state law, and by the charter, ordinances, and resolutions of the City of Grass Valley;

WHEREAS, Grass Valley Municipal Code section 8.12.060 provides the powers and duties of the Director of Emergency Services in the event of a proclamation of a local emergency as provided therein, including, but not limited to:

- A. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the City for the fair value of them, and
- B. To execute all of his or her ordinary powers as director, all of the special powers conferred upon him or her as provided therein or by resolution or emergency plan as provided therein, all powers conferred upon him or her by any statute, by any agreement approved by the City Council, and by any other lawful authority including by resolution of the City Council;

WHEREAS, Article XIII, section (2)(a) of the Grass Valley City Charter authorizes the City Council by a four-fifths vote to let contracts for public works without advertising for bids if it deems the work of urgent necessity for the preservation of life, health, or property;

WHEREAS, Article XIII, section (2)(b) of the Grass Valley City Charter authorizes the City Council by a four-fifths vote to let contracts for supplies, materials, and equipment without advertising for bids if it finds the purchase may be made more economically by doing so, or the purchase is of urgent necessity for the preservation of life, health, or property;

WHEREAS, Grass Valley Municipal Code section 3.08.150 authorizes the City Manager to procure supplies, equipment, services, or construction without advertising for bids to address a threat to public health, welfare, or safety;

WHEREAS; Grass Valley Municipal Code section 3.08.165 authorizes the City Council and the City Manager to enter into contracts in any amount during a declared state of emergency without first obtaining a purchase order, professional services agreement, or bidding process;

WHEREAS, the City Council wishes to authorize the City Manager to enter into certain agreements related to recovery efforts from the December 2021 winter storm pursuant to the authorities outlined above and as otherwise provided by law.

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

1. The foregoing statements are true and correct and incorporated herein by this reference.
2. The effects of the December 2021 winter storm represent an immediate threat to the environment and create an urgent necessity for the preservation of life, health, and property within the meaning of Article XIII of the Grass Valley City Charter.
3. The effects of the December 2021 winter storm represent an emergency and a threat to the public health, safety, and welfare within the meaning of Grass Valley Municipal Code sections 3.08.150 and 3.08.165.
4. The City Manager, acting in his capacity as City Manager or as Director of Emergency Services, or his designee, is authorized to contract for works, supplies, materials, and equipment necessary or convenient to address recovery from the December 2021 winter storm without advertising for bids and subject to review by the City Attorney.
5. The City Council ratifies the City Manager's authority, as City Manager and Director of Emergency Services, to execute the following contracts without advertising for bids as necessary to address the effects of the December 2021 winter storm:
 - Robinson Enterprises, Inc. - Downed and hazard tree removal and disposal, and vegetative debris collection, contract not to exceed \$100,000
 - Hansen Bros Enterprises – Debris removal, and street repairs, contract not to exceed \$100,000
 - C&D Contractors Inc. – Snow and debris removal, and vegetative debris collection, contract not to exceed \$100,000
 - Tim the Tree Man – Hazard tree removal and cleanup, contract not to exceed \$25,000
 - Trees Unlimited, Inc. – Hazard tree removal, contract not to exceed \$25,000
 - Nevada County Fence, Inc. – Fence and railing repair, contract not to exceed \$30,000
6. This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15269 of the CEQA Guidelines (Emergency Projects) because it is urgently necessary: (i) to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code, (ii) to repair publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare, and (iii) to prevent or mitigate an emergency. This project is also categorically exempt under CEQA Guidelines sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), 15304 (Minor Alterations to Land), 15307 (Protection of Natural Resources), 15308 (Protection of the Environment), and 15330 (Abatement of Hazardous Materials).
7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Grass Valley at a regular meeting the 11th day of January, 2022, by the following vote:

Item # 12.

AYES:
NOES:
ABSENT:
NOT VOTING:

Ben Aguilar, Mayor
City of Grass Valley

APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, City Attorney
City of Grass Valley

Taylor Day, Deputy City Clerk
City of Grass Valley



City of Grass Valley City Council Agenda Action Sheet

Title: Public Hearing and First Reading of an Ordinance Amending Chapter 8.24 (Garbage Collection and Recycling) of the City of Grass Valley Municipal Code to ensure compliance with Senate Bill 1383 mandates.

Recommendation: That Council conduct the public hearing, introduce the ordinance which amends Chapter 8.24, and waive the reading ordinance in its entirety and read by title only.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 1/11/2022

Date Prepared: 1/04/2022

Agenda: Public Hearing

Background Information: Senate Bill 1383 legislation from the California Department of Resources, Recycling and Recovery (CalRecycle) requires all cities and counties in California to implement mandatory organic waste collection programs. The intent is to dispose of organic waste in other manners rather than in a landfill. Grass Valley must adopt an enforceable ordinance to ensure that all residential and commercial generators are compliant with SB 1383 regulations. It also requires the City to enforce the regulations and assess penalties on noncompliant generators, beginning in 2024.

SB 1383 builds on existing legislation, AB 341 and AB 1826. The stated purpose of SB 1383 is to reduce organic waste disposal, recover edible food from the waste stream, and reduce methane emissions. The State's goal is to reduce organic waste that ends up in the landfill, from 2014 levels, 50 percent by 2020 and 75 percent by 2025. Additionally, there is a requirement to increase the recovery of edible food currently taken to landfills by 20 percent by 2025. The responsibility of compliance rests largely with the City. If the City does not comply with the regulations, it may face penalties or enforcement action imposed by CalRecycle - up to \$10,000 per violation per day.

To achieve the reduction of landfilled organic waste, and to increase recovery, the State has mandated the following:

1. Provide organics collection services to all residents, multi-family complexes, and businesses;
2. Establish edible food recovery programs;
3. Conduct education and outreach to the community;
4. Procure recyclable and recovered organics products; and
5. Monitor compliance and conduct enforcement.

The revised ordinance maintains the same structure as the existing code, but adds and addresses the required elements of SB 1383, including:

Collection Services: Trash, recyclable and organic collection services for all commercial, multi-family and residential accounts are required unless a waiver is granted.

Commercial Edible Food Generator: These generators are required to recover the maximum amount of edible food that would otherwise be disposed in the waste stream and implement related programs. These generators shall maintain and provide record access to City or County staff.

Food Recovery Organizations: Organizations shall maintain and provide record access to City or County staff.

Inspections and Investigations: City or County representatives are authorized to conduct inspections and investigations to confirm compliance. Regulated entities shall provide access and cooperate with City or County staff during the process.

Enforcement: Violation of any provisions of the ordinance shall be a misdemeanor that may be enforced by the City in any manner authorized by law, including, but not limited to, an administrative citation, criminal citation, nuisance abatement action, or civil action.

The City awarded a 20-year franchise agreement to Waste Management of Nevada County for the collection of garbage, recycling, and green waste collection services, which ends on June 30, 2032. To comply with SB 1383, the City is negotiating a contract amendment with WM to provide several of the required services including weekly collection of organics from all covered generators. The amendment will need to include an updated container color and signage, education and outreach, collaboration with inspection and enforcement, reporting, and assistance with other SB 1383 tasks (e.g., edible food recovery, capacity planning) as feasible.

Attached is a redline version of the ordinance that contains the necessary provisions and enforcement mechanisms to ensure that residents and property owners, as well as the City's franchisee, Waste Management of Nevada County, comply with the state law requirements concerning solid waste including SB 1383, Short-Lived Climate Pollutants mandate.

Council Goals/Objectives: This action implements a state unfunded mandate that does not implement any specific goal or project in the Strategic Plan.

Fiscal Impact: These amendments are state unfunded mandates, and the City will need to fund implementation through its General Fund, fees, and/or with fines.

Funds Available: TBD

Account #: TBD

Reviewed by: ___ City Manager

Attachments: Redlined Version of Chapter 8.24

Chapter 8.24 GARBAGE COLLECTION AND RECYCLING

Sections:

Article I. ~~Garbage and Refuse~~ Solid Waste

8.24.010 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

"Act" means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including, but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle.

"Authorized ~~recycling~~ collector" means a person, firm, partnership, corporation or other entity authorized under and by virtue of a contract, franchise, or permit with the city to collect ~~recyclable~~, remove or dispose of solid waste ~~material generated~~ in the city.

"California Code of Regulations" or "CCR" means the State of California Code of Regulations. CCR references in this Ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR). "CalRecycle" means California's Department of Resources Recycling and Recovery, which is charged with implementing and enforcing the Act.

"City" means the City of Grass Valley, the City Manager, or their designee which may include other city employees.

"Collection" shall mean the operation of gathering together and transporting to the point of disposal any garbage or refuse.

"Commercial" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this chapter.

"Commercial Edible Food Generator" includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74).

"Compost" means the product resulting from the controlled biological decomposition of organic solid wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility.

"Construction and demolition debris" or "C&D" means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation or construction clean-up operations on any pavement or structure.

"Container" means a durable, corrosion-resistant, non-absorbent, leak-proof, watertight, odor-proof, rodent-resistant box, barrel, bin, canister, cart, dumpster, receptacle or other approved device used for the purpose of holding solid waste for collection.

"Designated ~~recycling~~ collection location" means curbside or other place designated in the contract between the city and an authorized ~~recycling contractor~~ collector from which the authorized ~~recycling contractor~~ collector has contracted to collect ~~recyclable~~ solid waste material.

~~"Garbage" means dead animals of not more than ten pounds in weight; each accumulation of animal and vegetable matter that attends the preparation, consumption, decay, dealing in, or storage of, meats, fish, fowl, birds, fruits or vegetables. Such term does not include dishwater or waste water.~~

~~"Recyclable waste material" means any one or more, but not limited to, of the following categories of materials collected and recycled or salvaged from within the city: newspapers, aluminum cans and containers, glass, PET, plastic beverage containers. The authorized recycling collector may, in its discretion, designate additional categories of nonhazardous or toxic materials for recycling or salvage.~~

"Designee" means a person or entity that the City designates, contracts with, or otherwise arranges to carry out any of the City's responsibilities of this chapter authorized in 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, a franchised collector, or a combination of those entities.

"Edible Food" means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this chapter or as otherwise defined in 14 CCR Section 18982(a)(18), "Edible Food" is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

"Enforcement Action" means an action of the relevant Enforcement Agency to address non-compliance with this chapter including, but not limited to, issuing abatement notices, administrative citations, fines, penalties, or using other remedies as authorized by Title 1 of the Grass Valley Municipal Code.

"Enforcement Agency" or "Enforcement Agent" means any person or entity authorized or directed by the City Manager to enforce any provision of this code, including any peace officer. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this chapter. Nothing in this chapter authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the City. The City is an Enforcement Agency for all Sections of this chapter. The City may choose to additionally delegate enforcement responsibility for certain sections, to other public entities, including the County of Nevada Environmental Health Department. In addition to any other powers conferred upon him/her by this code or by any other law, an Enforcement Agency shall have the authority to issue a notice to appear, (per Penal Code Section 948), or issue a notice of violation, as described in Title 1 of this code, if the Enforcement Agency has cause to believe that a violation of this code was, or is being, committed or that any nuisance conditions exist.

"Excluded Waste" means hazardous substances, hazardous waste, infectious waste, designated waste, waste that is volatile, corrosive or infectious, medical waste, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the City and its Generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including land use restrictions or conditions, including but not limited to: waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions; waste that in the reasonable opinion of the City or its Designee would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose the City or its Designee to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Single-Family or Multi-Family Solid Waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the Public Resources Code. Excluded Waste does not include used motor oil and filters, or other materials defined as allowable materials for collection through the City's collection programs and the Generator or customer has

properly placed the materials for collection pursuant to instructions provided by the City, Authorized Collector or the Franchised Collector providing service to the Generator.

“Food Facility” has the same meaning as in Section 113789 of the Health and Safety Code.

“Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- (1) A food bank as defined in Section 113783 of the Health and Safety Code;
- (2) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
- (3) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

“Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

“Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

“Food Service Provider” is a Tier 1 Commercial Edible Food Generator and means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

“Food Waste” means Food Scraps and food soiled paper.

“Franchised Collector” means such persons, firms or corporations collecting and delivering for disposal, recycling or processing Solid Waste (other than Solid Waste generated by a permitted building project) originating in the City and doing so under a franchise agreement with the City.

“Garbage” means those elements of the Solid Waste stream designated for the “Garbage Container”, and excludes hazardous waste, Excluded Waste, materials designated for the “Organics Container” or “Recycling Container” or materials which have been separated for reuse.

“Garbage Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

“Generator” means a person or entity that is responsible for the initial creation of Garbage, Organic Waste or Recyclable Materials.

“Grocery Store” is a Tier 1 Commercial Edible Food Generator and means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

“High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed Waste

Organic Collection Stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

“Inspection” means a site visit where an enforcement agent reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this Ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35)

“Multi-Family Residential Dwelling” or “Multi-Family” means for the purpose of implementing this chapter, of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises are considered a distinct type of Commercial Business for the purposes of implementing SB 1383 requirements. Consistent with SB 1383 Regulations, residential premises that consist of fewer than five units are not “Multi-Family” and instead are “Single-Family” for the purposes of implementing this chapter. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses that are not Multi-Family Residential Dwellings.

“Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

“Organic Waste” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to Food Scraps, food soiled paper, landscape and pruning waste, organic textiles and organic carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

“Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(48).

“Person” shall include any individual, firm, company, corporation, or public entity or other organization.

“Premises” means any real property or estate which may be devised or granted by deed.

“Prohibited Container Contaminant” includes all of the following: (i) materials placed in the Recycling Container that are not identified as acceptable Source Separated Recyclable Materials for the City’s Recycling Container; (ii) materials placed in the Organics Container that are not identified as acceptable Source Separated Organic Waste for the City’s Organics Container; (iii) materials placed in the Garbage Container that are acceptable Source Separated Recyclable Materials and/or acceptable Source Separated Organic Waste that can be placed in the City’s Organics Container and/or Recycling Container; and, (iv) Excluded Waste placed in any container.

“Property Owner” means the owner of real property.

“Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials.

“Recyclable Materials” has the same meaning as Source Separated Recyclable Materials below.

“Recycling” means the process of collecting and forming used products into new products by reprocessing or remanufacturing them.

“Rubbish” means wood, leaves, dead trees or the branches of them, chips, shavings, sawdust, woodenware, dodgers, printed matter, paper, pasteboard, grass, rags, shoes, hats and all other combustible matter not included in the term “garbage.”

“Waste matter” means natural soil, earth, sand, clay, gravel, loam, stones, bricks, brickbats, plaster, Portland cement, glass, glassware, ashes, cinders, shells, metals and all other noncombustible materials.

“SB 1383” means Senate Bill 1383, the Short-lived Climate Pollutant Reduction Act of 2016.

“SB 1383 Regulations” means or refers to, for the purposes of this Ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

“Self-hauler” means a generator who transports its own Solid Waste by using a vehicle owned by that generator and driven by the generator or the generator’s employees, rather than the Franchised Collector. Self-hauler also includes a person or entity who back hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the Generator using the Generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 189881(a)(66)(A).

“Single-Family” means, of, from, or pertaining to any residential premises with fewer than five (5) units for the purposes of implementing this chapter.

“Solid Waste” means Garbage, Recyclable Materials, and Organic Waste and has the same meaning as defined in Public Resources Code Section 40191, which defines Solid Waste as all putrescible and non-putrescible solid, semisolid, and liquid wastes, including Garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, C&D wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semisolid wastes, with the exception that Solid Waste does not include any of the following wastes:

- (1) Hazardous waste, as defined in the Public Resources Code Section 40141.
- (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code).
- (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code.

“Source Separated” means materials that have been kept separate from other materials in the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4).

“Source Separated Organic Waste” means those organics that can be placed in a Organics Container for Compost processing, including Food Scraps, food soiled paper and landscaping and pruning waste, and any other items as determined by the City. The franchised collector may, in its discretion, designate additional categories of nonhazardous or toxic materials accepted in the Organics Container.

“Source Separated Recyclable Materials” means the same thing as “Recyclable Materials” and includes those Recyclable Materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City. The franchised collector may, in its discretion, designate additional categories of nonhazardous or toxic materials accepted in the Recycling Container.

“Supermarket” is a Tier 1 Commercial Edible Food Generator and means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

“Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following, or as otherwise defined in 14 CCR Section 18982(a) and as amended:

- (4) Supermarkets with gross annual sales of \$2,000,000 or more, or as defined in 14 CCR Section 18982(a)(71).
- (5) Grocery store with a total facility size equal to or greater than 10,000 square feet, as defined in 14 CCR Section 18982(a)(30).
- (6) Food Service Provider which means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).
- (7) Wholesale food vendor which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 18982(a)(76).
- (8) Food Distributor which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores or as otherwise defined in 14 CCR Section 18982(a)(22).

“Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following, or as otherwise defined in 14 CCR Section 18982(a) and as amended:

- (1) Restaurant which means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64) and which has 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (2) Hotel with an on-site food facility and 200 or more rooms or as otherwise defined in 14 CCR Section 18982(a)(74)(B).
- (3) Health facility with an on-site food facility and 100 or more beds, or as otherwise defined in 14 CCR Section 18982(a)(73)(C).
- (4) Large Venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility, or as otherwise defined in 14 CCR Section 18982(a)(39). For purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.
- (5) Large Event, as defined in 14 CCR Section 18982(a)(38) means an event that serves an average of more than 2,000 individuals per day of operation of the event and either: 1) charges an admission price; or 2) is operated by a local agency.
- (6) A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

(7) A local education agency, which means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40), and which has an on-site food facility.

8.24.020 Detrimental material not allowed in neighborhoods.

It is unlawful and a nuisance, subject to abatement by the police department, for any person or entity to bring onto or place on any residential area, or to allow to be kept thereon, such materials whether on wheels or in place, which of their very nature will have a known physical detrimental effect upon the human senses and general well-being of the people residing in such area. This shall exclude the normal collection of ~~garbage, rubbish and solid~~ waste ~~matter~~ in the exercise of the contract as ~~city garbage~~ franchised collector, provided the collection is done in a sanitary manner and in full compliance with the terms and conditions of the contract.

8.24.030 Littering.

No person or entity shall throw or deposit any ~~garbage, rubbish or solid~~ waste ~~matter~~, or cause the same to be thrown or deposited, upon any street, alley, gutter, park or other public place, or any bus, public conveyance or public building, or throw or deposit the same in or upon any vacant lot or backyard, or store or keep the same otherwise than in cans or receptacles as required by this chapter. It shall be unlawful to have, store, deposit or keep ~~garbage~~ solid waste where rats can have access thereto or feed thereon.

8.24.040 ~~Disposal of garbage~~ Approved containers.

A. Every property owner, tenant, lessee or occupant of any ~~private dwelling house; premise in~~ the ~~keeper of~~ each hotel, restaurant, eating house, boardinghouse or other place where meals are furnished; the owner of every furnished flat or apartment house; and every other person having garbage, city shall ~~provide at his own expense~~ make available and at all times shall keep within such building, or on the lot on which such building is situated, suitable and sufficient watertight ~~cans or receptacles with suitable bales or handles and tight fitting covers~~ containers provided by the franchised collector, for receiving and holding without leakage or escape of odors, and without being filled to within four inches of the top, all the ~~garbage~~ solid waste which would ordinarily accumulate on such premises within one week's time. ~~As an alternative to the cans or receptacles set forth above, containers approved by the city and the city's garbage collector may be leased or rented from the city's garbage collector.~~

B. ~~Every tenant, lessee or occupant of any private dwelling house, hotel, restaurant, eating house, boardinghouse, the owner of every furnished flat or apartment house, the owner or lessee of any commercial business, and every other person having garbage may provide, as an alternative to watertight cans or receptacles, either one yard, one and one-half yard or two yard commercial bins. The bins may be leased from the garbage collection service with whom the city has contracted.~~

8.24.045 Unlawful use of ~~receptacles~~ containers.

- A. It is unlawful for any person to dump or place any material into, or to utilize, any ~~garbage or refuse receptacle, bin or dumpster~~ container without the express consent of the owner or lessee of the ~~receptacle, bin or dumpster~~ container or unless a notice has been placed on the ~~garbage or refuse receptacle, bin or dumpster~~ container denoting that it is for the use of the public.
- B. It is unlawful for any person, without the consent of the owner or lessee of the ~~receptacle~~ container, to enter into ~~a garbage,~~ or ~~refuse receptacle~~ access, a container, whether or not a notice has been placed on such

~~receptacle~~container, for the purpose of salvaging ~~refuse~~garbage, recyclable material or ~~garbage~~organic waste therein or for the purpose of utilizing the ~~receptacle~~container to rest or sleep therein.

8.24.050 Rubbish receptacles required.

Every tenant, lessee and occupant of every private dwelling house and the keeper of every hotel, restaurant, eating house, boardinghouse, apartment house or other building where rubbish shall accumulate shall provide boxes or barrels or other proper receptacles to be kept on such premises, sufficient to collect the rubbish which would accumulate on such premises within one week's time, and all rubbish accumulating on such premises shall be placed in such boxes, barrels or other receptacles. As an alternative, approved receptacles may be leased or rented from the city's garbage collector.

(Prior code § 11-7)

8.24.060 Receptacle Container capacity.

- A. ~~Cans or receptacles~~Garbage containers for garbage from private dwelling houses and from each flat and apartment housesingle-family premises, shall have a capacity of not less than ten gallons nor more than ninety-six gallons; and ~~cans or receptacles for garbage~~containers at all other places including commercial businesses shall each have a capacity of not less than ten gallons.
- B. Generators shall arrange for a size, quantity and collection frequency of containers to adequately store all solid waste generated in connection with the premise between the times designated for collection service. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

8.24.070 Weekly collection.

All ~~garbage and rubbish cans or receptacles~~solid waste containers required by this chapter shall be emptied by the authorized collector at least once each week, or as otherwise directed by the city in the contract with the city's ~~garbage~~franchised collector.

8.24.080 Placement for collection.

- A. Commercial ~~receptacles~~containers required by this chapter for receiving ~~garbage, rubbish or solid~~ waste ~~matter~~ shall be so placed as to be readily accessible for removing and emptying by the collector.
- B. On the day for collection, residential ~~garbage cans~~containers required by the chapter, shall be placed on the portion of the resident's real property nearest the public right-of-way which is readily accessible for removing and emptying by the authorized collector. All persons who are physically unable to place such ~~can or cans~~containers as required in this section shall be exempt from this requirement.
- C. No ~~can or receptacle~~container for receiving ~~garbage, rubbish or solid~~ waste ~~matter~~, shall be placed on any street, alley, sidewalk, footpath, or any public place, except in accordance with rules and regulations established under this chapter, or an arrangement made with the City in consultation with the franchised collector for an alternate collection location. At no time shall such ~~cans or receptacles~~containers in any way be offensive to human senses or a public nuisance.

8.24.090 Mandatory use of ~~receptacles~~ containers.

No person shall keep, place or deposit solid waste including recyclable materials, organic waste or garbage, rubbish or waste matter on any private grounds or premises whatsoever, except in ~~cans or receptacles as designated in accordance with the rules and regulations established under~~ this chapter. Persons approved to self-haul under Section 8.24.280 may keep, place or deposit solid waste including recyclable materials, organic waste or garbage for the purposes of separating recyclable materials and organic waste generated on-site prior to hauling organic waste to a High Diversion Organic Waste Processing Facility.

8.24.100 Contract for ~~garbage~~ solid waste collection.

- A. For the purpose of carrying out the provisions of this chapter, the city council, unless otherwise provided by resolution that the work be done by the city, shall provide for the entering into a contract with any suitable and responsible person for a term of years, not to exceed the maximum term set forth in Article XII of the ~~Charter~~ Grass Valley, ~~California Charter~~, as it may be amended from time to time, for the exclusive right to collect solid waste including recyclable materials, organic waste and garbage, rubbish and waste matter within the city, which person shall be known and designated as the ~~city's~~ garbagefranchised collector.
- B. An authorized collector providing single-family, commercial, organic waste collection service to generators within the City shall meet the following requirements and standards in connection with collection of organic waste and recyclables:
 - (1) Through written notice or written report to the City annually identify the facilities to which they will transport organic waste including facilities for source separated recyclable materials and source separated organic waste.
 - (2) Transport source separated recyclable materials to a facility that recycles those materials and transport source separated organic waste to a facility, operation, activity, or property that recovers organic waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
 - (3) Obtain approval from the City to haul organic waste, which can be through a franchise agreement or contract, unless it is transporting source separated organic waste to a community composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

8.24.110 Collection of fees.

The contract executed pursuant to this chapter shall provide that the ~~new city garbagefranchised~~ collector shall have the right to collect and receive the collection charges and fees provided in this chapter for the collection of garbage, ~~rubbish~~ recyclable material and organic waste ~~matter~~ in the city and no more, as and for his sole compensation.

8.24.120 Exclusivity to contractor.

At such time as there is in force a contract entered into by the city and any person or entity for the collecting and removal of garbage, ~~rubbish~~ recyclable material and organic waste ~~matter~~ in the city, it shall be unlawful for any person or entity other than the contractor having such contract, or his employees, to collect within the city, dispose of or transport, carry or convey through the streets, alleys, or public thoroughfares of the city, any garbage, ~~rubbish~~ recyclable material or organic waste ~~matter~~ or other matter offensive to the sight, or to interfere in any manner with any ~~receptacles or garbage~~ containers, or to remove such ~~receptacles or~~ containers after they

are placed by the lessees or owners thereof. This shall not prevent ~~individual residents or self-haulers in the city~~ ~~(cityCity (City~~ to be the ~~cityCity~~ limits as they exist on ~~June 30, 1988, including newly annexed Morgan Ranch area)~~ ~~1/1/21 and includes any subsequent annexations of land into the city limits~~ from collecting, removing, or transporting their own ~~garbage, rubbish and solid waste matter~~ in accordance with Section 8.24.280, but shall not allow such ~~resident self-hauler~~ to provide such services for pay.

8.24.130 Duty of collector.

It shall be the duty of the ~~city garbage franchised~~ collector to gather, collect and dispose of, by dumping, ~~burning~~, distributing or sale, all ~~garbage, rubbish and solid waste matter~~ within the city in a manner satisfactory to the city council, ~~Section 8.24.100 and applicable laws~~.

8.24.140 Collector to furnish vehicles, equipment.

The ~~city garbage franchised~~ collector shall furnish at his own expense all the vehicles and all other equipment necessary for the collection and removal of ~~garbage, rubbish and solid waste matter~~ in accordance with the provisions of this chapter; provided, that all such vehicles and equipment shall first be approved by the ~~health officer-City~~.

8.24.150 Fees, rates and charges.

All ~~garbage solid waste~~ service collection fees, charges, and rate schedules which are set by the city's ~~garbage franchised~~ collector through the contract for ~~garbage solid waste~~ collection described in subsection 8.24.100, shall not exceed the ceiling for such fees and charges as established and fixed by resolution; such resolution may be amended from time to time, upon majority vote of the city council.

8.24.160 Regulations governing collections.

The ~~health officer-City manager~~, with the approval of the city council, shall have the power to establish sanitary rules and regulations governing the collection of ~~garbage, rubbish and solid waste matter~~ in the city. Such rules and regulations, when published, shall become a part of this chapter, and any person violating any such rules shall be subject to the penalty provided for the violation of this chapter.

Article II. ~~Recycling~~Recyclable Materials, Organic Waste and Edible Food Recovery

8.24.170 Purpose.

- A. The city council finds and determines that a municipal program for the collection and recycling of ~~newspapers, aluminum cans, PET, plastic beverage containers, and glass~~ ~~recyclable materials and organic waste~~ within the city and the licensing of persons engaged therein, is in the public interest and serves to promote the general welfare of the city.
- B. This article is enacted to increase participation rates, improve recyclable material recovery rates, reduce landfill dependency, and ultimately maintain a cost effective overall ~~garbage, rubbish, refuse or recycling~~ ~~recyclable material and organic waste collection service~~ program for the citizens, businesses and institutions of the city.

- C. It is also recognized that the ~~recycling~~recyclable material and organic waste collection service program established in this article may be victimized by unauthorized scavengers and that the theft of recyclable materials before they can be picked up by the authorized collector would be destructive to the economic interest of the city at large, and the citizens, businesses and institutions in particular. It is the additional purpose of this article to define clear ownership of recyclable materials and organic waste and to provide for the protection of those ownership rights.

8.24.180 Container requirements.

- A. Pursuant to the terms and conditions of any exclusive contract between the city and the authorized ~~recycling~~ collector, the authorized ~~recycling~~ collector shall provide suitable and sufficient ~~receptacles~~containers to store ~~segregated~~source separated recyclable materials and source separated organic waste for each ~~residential unit~~premise to be made available for curbside pickup. The color, style and markings of the ~~receptacles~~containers shall be determined by the authorized ~~recycling~~ collector and subject to approval by the City.
- B. All such ~~residential receptacles~~containers shall be and remain the property of the authorized ~~recycling~~ collector, and shall not be used for any purpose other than the ~~segregation~~separation and curbside placement of recyclable ~~waste materials~~ and organic waste. Participating persons relocating out of the city shall leave all ~~residential receptacles~~containers at the premises.
- C. It is the duty of every ~~person participating generator~~ in the ~~city's recycling program~~city to maintain ~~receptacles~~containers in a reasonably safe and secure manner; and all such ~~receptacles~~containers shall be so placed and kept at the designated collection location so as to be readily accessible for removal and collection therefrom and placed such that they will not be a public nuisance or in any degree offensive.

8.24.190 Authority to administer.

The city ~~administrator~~manager is empowered and directed to administer the provisions of this article, subject to such rules and regulations consistent herewith as may, from time to time, be established by the city council. The city ~~administrator~~manager shall further administer the provisions of this article subject to the terms of any agreement entered into by the city pertaining to ~~refuse~~recyclable material and organic waste collection and/or recycling, as such agreements may from time to time be amended. In the event that any provision of any such agreement is inconsistent with any provision of this article, the ~~terms and conditions of the agreement~~provisions of this article and this code shall prevail.

8.24.200 Ownership of ~~waste~~recyclable material and organic waste.

Upon the collection of recyclable ~~waste~~ material and organic waste at a designated ~~recycling~~ collection location by an authorized ~~recycling~~ collector, the recyclable ~~waste~~ material and organic waste shall become the property of the authorized ~~recycling~~ collector.

8.24.210 General requirements.

- A. It is unlawful for any person to keep, deposit, bury or dispose of any recyclable material or organic waste materials, except as in this article provided, in or upon any private or public property, street, alley, sidewalk, gutter, park or upon the banks of any stream or creek in the city, or in or upon any of the waters of it; and every person in the city who disposes of recyclable material or organic waste materials shall dispose of same only in the manner provided in this article.

- B. The City's designated enforcement agency is authorized to administer a SB 1383 permit system to monitor compliance with the requirements of this article. Generators are required to obtain an SB 1383 permit and pay associated application or enforcement fees, should such fees be incurred.

8.24.220 Collection service.

- A. ~~A.~~ A recyclable material and organic waste ~~materials~~ collection service program is established and shall be available to all persons, residents, businesses and institutions in the city for the purpose of providing for the orderly and regular collection of recyclable material and organic waste ~~materials~~ within the city under this program.
- ~~B.~~ B. Every single-family dwelling unit or commercial business (throughout this chapter, commercial business includes multi-family residential dwellings of five (5) or more units, unless otherwise excluded) in the city, except those single-family generators who meet the self-haul requirements contained in Section 8.24.280 of this chapter, shall be required to subscribe with the authorized collector for, recycling container and organics container collection; comply with the relevant sections of this chapter, state law and local ordinances; and to pay for the collection and disposal of such containers, unless commercial business owner receives a waiver as provided in this chapter.
- C. No provision of this chapter shall be construed to prevent any person from self-hauling their own waste in their own vehicles or composting in the rear yard of their residence, provided that such composting does not constitute a nuisance to neighboring property because it is injurious to health or is offensive to the senses. Nor shall any provision of this chapter limit the right of any person to donate or sell recyclable materials.
- ~~B-D.~~ Recyclable material and organic waste ~~materials~~ for donation, sale or collection by or to any person or entity other than the authorized ~~recycling~~ collector, may not be stored or transferred by use of the ~~recycling receptacles~~ containers described in this article, or any other containers used for recycling provided by the authorized ~~recycling~~ collector. Storage of recyclable materials and organic waste at the designated collection location other than for pickup by the authorized ~~recycling~~ collector as defined in this article, is prohibited.

8.24.230 Separation of recyclable materials and organic waste.

- ~~A.~~ A. Generators subject to the requirements of the Act shall fully comply with all applicable requirements of the Act.
- A. All ~~persons participating generators~~ in the ~~city's recycling program shall prepare~~ city, except those that meet self-hauler requirements set forth in this chapter or Commercial Businesses that obtain a waiver pursuant to requirements in this chapter shall:
- (1) Prepare and separate those recyclable ~~waste materials~~ and organic waste that the city has contracted to pick up by the authorized ~~recycling~~ collector from other garbage and ~~refuses~~ solid waste as required in this section, and thereafter have the ~~segregated~~ separated recyclable materials and organic waste placed within ~~receptacles~~ containers as required by this article, or within the designated collection location, which shall be collected by the authorized ~~recycling~~ collector.
- ~~B.~~ No nonrecyclable materials shall be placed in receptacles provided and designated for recyclable materials.
- ~~(2) C.~~ Receptacles containing recyclable waste materials for Participate in the collection services provided by the authorized collector, by placing designated materials in designated containers as described below, and not placing prohibited container contaminants in containers.

Generators shall place source separated organic waste, in the organics container; source separated recyclable materials in the recycling container; and garbage in the garbage container. The franchised collector may, in its discretion, designate the categories of nonhazardous or toxic materials accepted in the organics container, recycling container or garbage container. Generators shall not place materials designated for the garbage container in the organics container or the recycling container.

~~(2)~~(3) Place recycling containers and organics containers for single-family residential units shall be placed premises at curbside for collection by the authorized recycling collector; but shall not be placed at curbside earlier than twelve hours prior to the date and time for scheduled collection, nor left remaining at curbside longer than twelve hours following the date and time for scheduled collection.

~~(4) D. Receptacles containing recyclable materials for multiresidential complexes~~Maintain garbage containers, recycling containers and organics containers in a sanitary condition at all times. Any bulky material must be reduced in size so that it may be placed in the appropriate container not overflowing and with the cover tightly closed and without excessive tamping, so that the container may be easily emptied.

~~(3)~~(5) Recycling containers and organics containers for multi-family, commercial and/or institutional locations shall be of a size and serviceability agreed to by the parties and thereafter placed at the designated collection location. Generators shall arrange for a sufficient number of such containers to adequately store all source separated recyclable materials and source separated organic waste generated in connection with the residence or business between the times designated for collection. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

~~(6)~~ Generators may manage their organic waste by preventing or reducing their organic waste, managing organic waste on site, and/or using a community composting site pursuant to 14 CCR Section 18984.9(c) to the extent permitted by other applicable laws.

~~(7)~~ Organic waste may be fed to animals on the premises where such organic waste is produced, provided that the premises are always kept in a sanitary condition to the satisfaction of the City Manager; and provided further that the keeping and feeding of such animals shall at all times conform to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.

B. In addition to the requirements in Section A above, commercial businesses shall also:

~~(1)~~ Commercial business owners including multi-family, shall provide or arrange for garbage container, organics container and recycling container collection service for employees, contractors, tenants and customers, and supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors as noted in B (2)(a) and (b) or, if self-hauling, in compliance with self-hauling requirements set forth in this chapter.

~~(2)~~ Commercial business that are not multi-family residential dwellings shall provide containers for the collection of source separated organic waste and source separated recyclable materials in all areas where the commercial business provides disposal containers for employees, contractors, tenants, customers and other users of the Premises ("User Disposal Containers"). Such User

Disposal Containers do not need to be provided in restrooms. If a commercial business does not generate, or has a waiver pertaining to, any of the materials that would be collected in one type of User Disposal Container, then the business does not have to provide that particular type of container in all areas where User Disposal Containers are provided. Pursuant to 14 CCR Section 18984.9(b), the User Disposal Containers provided by the business shall have either:

- (a) A body or lid that conforms with the following container colors, with either lids conforming to these color requirements or bodies conforming to these color requirements, or both lids and bodies conforming to these color requirements: gray or black containers for garbage, blue containers for source separated recyclable materials, and green containers for organics containers. Notwithstanding the foregoing, a commercial business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the color requirements of this Section prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first; or
- (b) Container labels that include language or graphic images, or both, indicating the primary materials accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. The container labeling requirements are required on new containers commencing January 1, 2022.

8.24.240 Commercial education and outreach requirements.

All commercial business owners are required to:

- A. Excluding multi-family residential dwellings, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the recycling container, organics container, and garbage container collection service.
- B. Excluding multi-family residential dwellings, periodically inspect recycling containers, organics containers, and garbage containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers.
- C. Including multi-family residential dwellings, annually provide information to employees, contractors, tenants, building residents, and customers about organic waste recovery requirements and about proper sorting of organic waste and recyclable materials. A copy of such instructions shall be provided to the City or designee, upon request.
- D. Including multi-family residential dwellings, provide information before or within fourteen (14) days of new occupation of the premises to new tenants and no less than fourteen (14) days before tenants move out of the premises, unless a tenant does not provide fourteen (14) or more days' notice to before moving out, that describes requirements to keep organics container organic waste and recyclable materials separate from each other and from garbage, the location of containers, and the rules governing their use at the premises.
- E. Including multi-family residential dwellings, prominently post and maintain one or more signs where recyclable materials and/or organic waste are collected and/or stored that set forth what materials are required to be source separated, in addition to collection procedures for such materials.

8.24.250 Waivers.

A. De minimis waivers. The City or enforcement agency may waive commercial business' obligation to comply with some or all of the organic waste and recycling collection service requirements of this chapter if documentation is provided demonstrating that the commercial business generates below a certain amount of organic waste material, (de minimis) as described below.

A commercial business requesting a de minimis waiver shall:

- (1) Submit an application to the City or enforcement agency specifying the service or requirements for which it is requesting a waiver. Applicant must supply all required proof of qualifications in writing together with the application submittal. Applicants may be required to provide information in forms provided by the City. Applicants are subject to one or more site inspection(s) prior to approval of a waiver.
- (2) Provide documentation with the de minimis waiver application that either:
 - (a) The commercial business' total solid waste collection service is two cubic yards or more per week and organic waste subject to collection in a recycling container or organics container comprises less than 20 gallons per week per applicable container of the business' total waste; or,
 - (b) The commercial business' total solid waste collection service is less than two cubic yards per week and organic waste subject to collection in a recycling container or organics container comprises less than 10 gallons per week per applicable container of the business' total waste.
- (3) For the purposes of subsections (2) (a) and (b) above, total solid waste shall be the sum of weekly garbage, source separated recyclable materials, and source separated organics container organic waste measured in cubic yards.
- (4) If the de minimis waiver is granted, notify the City or enforcement agency granting the waiver if circumstances change such that the conditions under which the waiver was granted are no longer being met, in which case the waiver will be rescinded.
- (5) If the waiver is granted, provide written verification of continued eligibility for de minimis waiver to the City or enforcement agency every five (5) years.

B. Physical space waivers. The City or enforcement agency may waive a commercial business' or property owner's obligation to comply with some or all of the organic waste collection service requirements of this chapter if the enforcement agency has evidence from a licensed contractor, licensed architect, licensed engineer, or other person authorized by the enforcement agency demonstrating that the premises lacks adequate space for the collection containers required for compliance with the organic waste collection service requirements set forth in this chapter.

A commercial business or property owner requesting a physical space waiver shall:

- (1) Submit an application to the City or enforcement agency specifying the service or requirements for which it is requesting a waiver.

(2) Provide documentation with the application for a physical space waiver that the premises lacks adequate space for recycling containers and/or organics containers, which shall include documentation from its licensed contractor, licensed architect, licensed engineer, or other person authorized by the enforcement agency.

(3) If the waiver is granted, the commercial business or property owner, shall notify the City if the commercial business' physical space configurations or amounts of solid waste generation change, in which case the waiver may be rescinded.

(4) If the waiver is granted, the commercial business or property owner shall provide written verification to the City of continued eligibility for a physical space waiver every five (5) years.

C. Change of ownership of a premises automatically revokes a waiver and the new owner must comply with this chapter or obtain its own waiver.

D. Upon the determination of the City or enforcement agency a written notification of the approval or denial of a waiver shall be issued to the applicant.

8.24.260 Commercial Edible Food Generator requirements.

A. Tier one commercial edible food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3, or such later deadline established by State law or regulations.

B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities, operating at the large venue or large event to comply with the requirements of this Section, commencing January 1, 2024, or such later deadline established by State law or regulations.

C. Commercial edible food generators shall comply with the following requirements:

(1) Arrange to safely recover for human consumption the maximum amount of edible food that would otherwise be disposed.

(2) Enter into a contract or other written agreement with food recovery organizations or food recovery services for: (i) the collection for food recovery of edible food that would otherwise be disposed; or (ii) acceptance of edible food that would otherwise be disposed that the commercial edible food generator self-hauls to the food recovery organization for food recovery.

(3) Use best efforts to abide by all contractual or written agreement requirements specified by the food recovery organizations or food recovery services on how edible food should be prepared, packaged, labeled, handled, stored, distributed or transported to the food recovery organizations or food recovery services.

(4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.

(5) Not intentionally spoil edible food that is capable of being recovered by a food recovery organizations or food recovery services

(6) Allow the enforcement agency to review records upon request, including by providing electronic copies or allowing access to the premises.

(7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

(a) A list of each food recovery organizations or food recovery services that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

(b) A copy of all contracts and written agreements established under 14 CCR Section 18991.3(b) and/or this chapter.

(c) A record of the following information for each of those food recovery organizations or food recovery services:

(i) The name, address and contact information of the food recovery organizations or food recovery services.

(ii) The types of food that will be collected by or self-hauled to food recovery organizations or food recovery services.

(iii) The established frequency that food will be collected or self-hauled.

(iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery organizations or food recovery services for food recovery.

(8) If it has not entered into a contract or written agreement with food recovery organizations or food recovery services, a record that describes (i) its direct donation of edible food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus edible food that it can donate.

(9) Tier one commercial edible food generators and tier two commercial edible food generators shall provide, upon request, a food recovery report to the enforcement agency that includes the information in C(7)(c). Entities shall provide the requested information within sixty (60) days of the request.

D. Nothing in this chapter shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017; or (2) otherwise applicable food safety and handling laws and regulations.

E. Nothing in this chapter prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).

8.24.270 Food Recovery Organizations and Service requirements.

- A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
- (1) The name, address, and contact information for each commercial edible food generator from which the service collects edible food.
 - (2) The quantity in pounds of edible food collected from each commercial edible food generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a commercial edible food generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of edible food transported to each food recovery organization per month.
 - (4) The name, address, and contact information for each food recovery organization to which the food recovery service transports edible food for food recovery.
- B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
- (1) The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.
 - (2) The quantity in pounds of edible food received from each commercial edible food generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a commercial edible food generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.
- C. Food recovery organizations or food recovery services that have their primary address physically located in the City and contract with or have written agreements with one or more commercial edible food generators shall report to the City, or its enforcement agency, the total pounds of edible food recovered from the tier one commercial edible food generators and tier two commercial edible food generators they have established a contract or written agreement with (regardless of whether those commercial edible food generators are located in the City) according to the following schedule:
- (i) no later than August 15, 2022, submit an initial report covering the period of January 1, 2022, to June 30, 2022; and
 - (ii) no later than March 31, 2023, and no later than every March 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.
- C. In order to support edible food recovery capacity planning assessments and similar studies, food recovery services and food recovery organizations operating in the City shall provide, upon request, information and consultation to the City and Nevada County regarding existing, or proposed new or expanded, food recovery capacity in a form that can be provided to or that can be accessed by the City and County and commercial edible food generators. A food recovery service or food recovery organization contacted by an enforcement agency shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified by the enforcement agency.

8.24.280 Self-hauler requirements.

Self-haulers shall:

- A. Source separate their recyclable materials and organic waste generated on-site from solid waste in a manner consistent with this section or haul organic waste to a High Diversion Organic Waste Processing Facility.
- B. Haul their source separated recyclable materials to a facility that recovers those materials; and haul their source separated organic waste to a solid waste facility, operation, activity, or property that processes or recovers source separated organic waste or to a High Diversion Organic Waste Processing Facility; and haul their garbage to a fully permitted solid waste facility.
- C. Self-haulers, which are commercial businesses including multi-family residential dwellings, shall keep a record of the amount of organic waste delivered to each solid waste facility, operation, activity, or property that processes or recovers organic waste for a minimum of five (5) years; this record shall be subject to inspection by the City.
 - (1) The records shall include the following information:
 - (a) Delivery receipts and weight tickets from the entity accepting the waste.
 - (b) The amount of material in cubic yards or tons transported by the generator to each entity.
 - (c) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic waste.
- D. Self-haulers that are commercial businesses including multi-family residential dwellings, shall provide these records, upon request, to the City or designee. Self-haulers shall provide the requested information within sixty (60) days.
- E. Landscapers, who self-haul organic waste generated at a customer's site, must also meet the requirements in this section.
- F. A single-family organic waste generator that self-hauls organic waste is not required to record or report this information.

8.24.290 Unauthorized collection prohibited.

It is unlawful for any person other than an authorized ~~recycling~~ collector to remove recyclable ~~waste~~-material ~~or organic waste~~ which has been placed at a designated ~~recycling~~ collection location.

8.24.~~250~~300 Individual may dispose of recyclables.

Nothing in this article shall limit the right of an individual person, organization, or other entity to donate, sell or otherwise dispose of recyclable ~~waste~~-material and organic waste; provided, that any such disposal is in accordance with the provisions of this article.

8.24.260310 Theft of authorized receptacle.

Theft or the unauthorized diversion from its designated purpose of any designated recycling ~~receptacle~~ container or organics container of an authorized ~~recycling~~ collector constitutes a misdemeanor and shall be punishable as such.

8.24.310 Inspections and investigations.

- A. The city manager shall be designated as an enforcement agent for purposes of enforcing this chapter. Said enforcement agent may deputize one or more employees of the city to carry out the duties of enforcement agent.
- B. The City and enforcement agent is authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws. This may include Inspections and investigations, at random or otherwise, of any collection container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this chapter, subject to applicable laws. This section does not allow entry in a private residential dwelling unit for inspection. For the purposes of inspecting commercial business containers for compliance, the City or designee may conduct container inspections for prohibited container contaminants using remote monitoring, and commercial businesses shall accommodate and cooperate with the remote monitoring.
- C. A person subject to the requirements of this chapter shall provide or arrange for access during all inspections (with the exception of the interior a private residential dwelling unit) and shall cooperate with the City or designee during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, inspection of edible food recovery activities, review of required records, or other verification or inspection to confirm compliance with any other requirement of this chapter, inspection of County-run transfer stations, McCourtney Road landfill and any other landfills that the County may establish or acquire. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if a remote monitoring program is adopted; or (iii) access to records for any inspection or investigation is a violation of this chapter.
- D. Any records obtained by the City or designee during inspections, remote monitoring, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code Section 6250 et seq.
- E. The City or designee shall accept written complaints from persons regarding an entity that may be potentially non-compliant with this chapter. Written complaints may be submitted using the city form for code complaints.

8.24.270 Violations—~~Penalty, enforcement and penalty.~~

- A. ~~A.~~ Any section of this chapter may be enforced by the City, or, if agreed to, by another enforcement agency designated by the City.
- B. Violation of all provisions of this chapter, unless otherwise specified, shall constitute an infraction and shall be subject to enforcement action pursuant to Title 1 of the Grass Valley Municipal Code.

C. A violation of this chapter may be punishable by administrative penalty, in amounts that shall not exceed the following:

- (1) For a first violation, the amount of the base penalty shall be \$50-\$100 per violation.
- (2) For a second violation, the amount of the base penalty shall be \$100-\$200 per violation.
- (3) For a third or subsequent violation, the amount of the base penalty shall be \$250-14 \$500 per violation of the same provision within a 12-month period. This remedy is not exclusive and is in addition to any other remedy or penalty provided by law.

D. The maximum penalties described in subsection (C) of this section shall be increased automatically if the maximum penalties established 14 C.C.R. section 18997.2 are amended.

E. Nothing in this section shall be construed as preventing the City from revoking, suspending, or denying a permit, registration, license, or other authorization consistent with local requirements in addition to the imposition of penalties authorized under this Section.

A.F. Any person engaged in the unauthorized collection or theft of recyclable ~~waste~~ materials or organic waste is guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed five hundred dollars or incarceration in the county jail for a period not to exceed six months or both.

B.G.B. — As an alternative to criminal enforcement, both the city and the authorized ~~recycling~~ collector have the independent authority to civilly enforce any provisions of this article, to and including the authority to seek treble damages pursuant to California Government Code Section 66764. The city administrator may invoke these remedies, or any of them whenever he or she deems it appropriate.



City of Grass Valley City Council Agenda Action Sheet

Title: Consideration of a budget amendment and contract amendment with Bureau Veritas for building and fire inspection and plan review services.

Recommendation: That Council approve the budget amendment to the contract with Bureau Veritas by \$276,000 and increase the City Budget for the remainder of FY 2021/22 in the amount of \$162,000.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 1/11/2022

Date Prepared: 1/04/2022

Agenda: Administrative

Background Information: In 2019, the City initiated a contract with Bureau Veritas to provide backup support for building inspection and plan review services. In March of 2021, the City amended this contract to have Bureau Veritas be the primary provider of the services, including the building official. Additionally, the fire department required support for the fire plan review and inspection services related to new and existing buildings. Over the past several months the cost of these services averaged \$18,000-19,000 a month. Based on the past amendment and 2021/22 City Budget, the City's current contract amount with Bureau Veritas and City Budget are not adequate. To cover the shortfall, the City needs to increase the 2021/22 budget by \$162,000 (to cover services from October 1, 2021- June 30, 2022), and to increase the budget amount in the Bureau Veritas contract by \$276,000 (to cover the contract With Bureau Veritas which expires on 12/31/2022). The \$276,000 includes the \$162,000 needed to cover the remainder of the fiscal year.

City staff does not anticipate additional overall costs to the City Budget since the amendments will be covered through salary savings and fees collected for the services. The City does not fully recuperate all the costs for some of the non-building permit related fire inspections since many are mandatory and are in response to past Grand Jury reports.

Council Goals/Objectives: This item executes portions of work tasks towards achieving/maintaining Strategic Goal #5 - High Performance Government & Quality Service.

Fiscal Impact: Most of the amendment to the budget will be covered with salary savings and/or through payment of fees by applicants for the building and fire inspection and plan review services.

Funds Available: Yes

Account #: 100-302-51110 (Building)

100-203-51110 (Fire)

Reviewed by: ___ City Manager

___ Finance Director

Attachments: None



City of Grass Valley City Council Agenda Action Sheet

Title: Update to the City of Grass Valley Environmental Purchasing Policy to ensure compliance with Senate Bill 1383 mandates.

Recommendation: That Council approve the amendments to the Environmental Purchasing Policy.

Prepared by: Thomas Last, Community Development Director

Council Meeting Date: 1/11/2022

Date Prepared: 1/04/2022

Agenda: Administrative

Background Information: On November 3, 2020, the California Department of Resources, Recycling and Recovery (CalRecycle) received approval of the regulations that implement SB 1383. This requires all public agencies to adopt or amend their purchasing policies to include and reference provisions, standards, and goals set forth in SB 1383 to procure recycled organic material such as renewable energy, compost, and mulch. Attached is the draft redline version of the City's Environmental Purchasing Policy.

The enforcement and regulatory provisions in SB 1383 are intended to assist the State in meeting its climate goals and the 75 percent organic waste diversion goal by 2025 and into the future. Regulated entities, including the City, are required to maintain purchasing records that demonstrate how they are complying with the law.

The City must update its current Environmental Purchasing Policy (Policy) in order to comply with State requirements as contained in 14 CCR Division 7, Chapter 12, Article 12 (SB 1383 procurement regulations). The regulations mandate that the City procure a specified amount of Recovered Organic Waste Products to support Organic Waste disposal reduction targets.

Below is a summary of the new practices that will help ensure the City's participation in environmentally preferable purchasing:

- The City shall make every reasonable effort to purchase and use recycled-content office products, whenever practicable;
- The City shall procure paper products including printing and writing paper consistent with the requirements of Sections 22150-22154 of the Public Contract Code, including paper products and printing and writing paper that contain a minimum of 30 percent by fiber weight, postconsumer content;

- The City shall include all documents and records supporting its compliance with the recycled content paper procurement requirements;
- The City shall include Policy requirements in janitorial contracts, and direct City custodians to purchase and use environmentally preferable products, including janitorial paper products;
- The City shall use recycled mulch and compost in City landscaping projects whenever practicable and will include the same requirements in City landscaping contracts; and
- The City shall use recycled-content playground equipment and surfacing whenever practicable.

Council Goals/Objectives: This action implements a state unfunded mandate that does not implement any specific goal or project in the City's Strategic Plan.

Fiscal Impact: These amendments modify what types of products and the amounts the City purchases to operate on daily basis, and therefore is expected to result in additional costs if recycled products cost more than traditional supplies and materials. The costs for tracking and reporting requirements are also unfunded state mandates and the City will need to pay for this through the General Fund or other designated fund.

Funds Available: Not budgeted, but City must comply **Account #:** TBD

Reviewed by: ___ City Manager

Attachments: Redlined Version of Environmental Purchasing Policy

**CITY OF GRASS VALLEY ADMINISTRATIVE
POLICIES AND PROCEDURES**



Number: _____

Effective Date: _____

Revised: _____

Authority: _____

City Administrator: _____

SUBJECT: Environmental Purchasing Policy

I. PURPOSE: To establish a policy and statement of the City's ~~comment~~commitment related ~~to~~ purchasing goods and services in a manner to promote recycling and limited environmental impacts.

II. POLICY: The City of Grass Valley recognizes our employees can make a difference in favor of environmental quality. The City recommends the purchase of environmentally preferable products whenever they meet or exceed requirements and are available at a competitive price in accordance with the City's Purchasing Policy. Consistent with the requirements of Assembly Bill 939, requiring a 50% reduction of material going to landfills, and the economics of effectively managing costs for solid waste disposal, all City of Grass Valley departments/divisions shall promote the use of recycled/recyclable supplies and materials. Consistent with the requirements of Senate Bill 1383, setting a statewide target to reduce the disposal of organic waste by 75% by 2025, all City of Grass Valley departments/divisions shall promote the use of recovered organic waste products.

III. DEFINITIONS:

~~A. "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.~~

A. "City" means City of Grass Valley, California.

B. "Compost" means the product resulting from the controlled biological decomposition of organic solid wastes that are source-separated from the municipal solid waste stream or separated at a centralized facility and produced at a permitted or authorized compostable material handling operation or facility, or at a large volume in-vessel digestion facility that composts on-site.

C. "Direct Service Providers" means a person, company, agency, district, or other entity that provides a service or services to the City pursuant to a contract or other written agreement.

D. "Electricity Procured from Biomass Conversion" means electricity generated from biomass facilities that receive feedstock directly from permitted or authorized compostable material handling operations or facilities, transfer/processing operations or facilities, or landfills.

~~B.A. "Waste Prevention" means any action undertaken by an individual or organization to eliminate or reduce the amount or toxicity of materials before~~

~~they enter the solid waste stream. This action is intended to conserve resources, promote efficiency, and reduce pollution.~~

- ~~C.E.~~ **"Environmentally Preferable Products"** means products that have a lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation and/or disposal of the product.
- F. ~~"Recycled Products"~~ **"Mulch"** means organic material that must meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Section 17852(a)(24.5)(A) 1 through 3 and must be produced at one of the following facilities:
- A permitted or authorized compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10); or
 - A permitted or authorized transfer/processing facility or transfer/processing operation as defined in 14 CCR Section 17402(a)(30) and (31) or that is permitted and authorized under 14 CCR Division 7; or
 - A permitted solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2.
- G. **"Practical"** ~~means meets or exceeds performance requirements and available at a competitive cost in accordance with the requirements of the City's Purchasing Policy.~~
- H. **"Recovered Organic Waste Products"** means products made from California, landfill-diverted recovered organic waste processed at a permitted or otherwise authorized operation or facility.
- I. **"Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper"** means products that consist of at least thirty percent (30%) by fiber weight, post-consumer fiber, consistent with the requirements of Section 22150 to 22154 and Section 12200 and 12209 of the California Public Contract Code, and as amended.
- Paper Products include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissues, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).
 - Printing and Writing Papers include, but are not limited to, copy, xerographic watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications; or as otherwise defined in 14 CCR Section 18982(a)(54).
- ~~D.J.~~ **"Recycled Products"** means products manufactured with waste material that has been recovered or diverted from the waste stream. Recycled material may be derived from post-consumer waste (material that has served its intended end-use and been discarded by a final consumer), industrial scrap, manufacturing waste and/or other waste that otherwise would not have been utilized.
- K. **"Recycling"** means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or

reconstituted products which meet the quality standards necessary to be used in the marketplace.

L. "SB 1383" means Senate Bill 1383 of 2015 approved by the Governor of California on September 19, 2016 which added Sections 39730.5, 39730.7, and 39730.8 to the Health and Safety Code and added Chapter 31.1 Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time-to-time.

M. "Waste Prevention" means any action undertaken by an individual or organization to eliminate or reduce the amount or toxicity of materials before they enter the solid waste stream. This action is intended to conserve resources, promote efficiency, and reduce pollution.

~~E.A. "Practical" means meets or exceeds performance requirements and available at a competitive cost in accordance with the requirements of the City's Purchasing Policy.~~

IV. **~~PROCEDURE~~PROCEDURES:** The following procedures and direction ~~is~~are provided to assist Departments ~~in complying for compliance~~ with this policy.

A. Departmental Direction

- a. ~~+~~ All City ~~of Grass Valley~~ personnel are encouraged to specify recycled and environmentally preferable products whenever practical in purchasing supplies and materials on behalf of City business.
- b. ~~++~~ The City ~~of Grass Valley~~ shall seek to solicit the use of recycled and other environmentally preferred products in its procurement documents as appropriate.
 1. ~~iii.~~ The City If fitness and quality of Grass Valley the Recycled-Content Products and Recycled-Content Printing and Writing paper are equal to that of non-recycled items, all departments and divisions of the City and Direct Service Providers shall purchase these products, that consist of at least 30% by fiber weight, post-consumer fiber, whenever the total cost is the same or a lesser total cost than non-recycled items or whenever the total cost is no more than ten percent (10%) of the total cost for the non-recycled items.
- c. The City departments/divisions shall practice waste prevention whenever practical.

B. Best Practices

- a. ~~+~~ **Procurement Practices** - In cooperation with their ~~customers~~ Direct Service Providers, all City ~~of Grass Valley~~ departments shall evaluate, at least, the following environmentally preferable product categories and purchase them whenever practical:
 1. Printing and Writing Papers, including all imprinted letterhead paper, envelopes, copy paper and business cards shall contain a minimum of 30 percent post-consumer recycled content.
 2. Paper Products, including janitorial supplies, shop towels, hand towels, facial tissue, toilet paper, seat covers, ~~and corrugated boxes~~ corrugated boxes, and other products composed largely of

paper shall contain a minimum of 30 percent post-consumer recycled content.

3. File boxes, hanging file folders and other products comprised largely of paper shall contain a minimum of 30 percent post-consumer recycled content.
4. Remanufactured laser printer toner cartridges and remanufactured or refillable ink-jet cartridges.
5. Re-refined antifreeze, including on-site antifreeze recycling.
6. Re-refined lubricating and hydraulic oils.
7. Recycled plastic outdoor-wood substitutes, including plastic lumber, benches, fencing, signs and posts.
8. Recycled content construction, building and maintenance products, including plastic lumber, carpet, tiles and insulation.
9. 1. Re-crushed cement concrete aggregate and asphalt.
10. Cement and asphalt concrete containing tire rubber, glass cullet, recycled fiber, plastic, fly ash or other alternative products.
11. Re-treaded tires and products made from recycled tire rubber including rubberized asphalt, playground surfaces and fatigue mats.
12. Compost, mulch, and other organics including recycled biosolid products.

13. Renewable gas.

14. Renewable electricity from biomass conversion, solar, or anaerobic digestion.

15. Other products that may be designated by the City.

- b. **Waste Prevention Practices** - City ~~of Grass Valley~~ staff are encouraged to reduce their consumption of resources by incorporating the following practices into their daily activities:

1. Consider durability and reparability of products prior to purchase.
2. Conduct routine maintenance on products/equipment to increase the useful life.
3. Use duplex features on laser printers and copiers. Specify duplex on print jobs.
4. Create electronic letterhead for use by all City ~~of Grass Valley~~ departments/divisions.
5. Send and store information electronically when possible.
6. Review ~~record~~records retention policies and implement document imaging systems.
7. Maintain electronic scanning practices to eliminate paper printing and file storage.
- 7-8. Consider other waste prevention practices that further the goals of this policy.

c. State of California Model Water Efficient Landscape Ordinance (MWELO)

1. When the City and/or Direct Service Providers use compost and mulch and the applications are subject to MWEL0, then the use must comply with Section 492.6(a)(3)(B), (C), (D), and (G) of the State's MWEL0, Title 23, Division 2, Chapter 2.7 of the CCR, as amended September 15, 2015, which requires the submittal of a landscape design plan with a "Soil Preparation, Mulch, and Amendments Section" to include the following:

- For landscape installations: Compost at a rate of a minimum of four (4) cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.
- Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding application where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the landscape design plan as such.
- Procure organic mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by applicable local ordinances.
- For all mulch that is land applied, procure mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

d. Eligible Mulch Enforcement

1. Mulch producers must certify that the mulch meets the definition contained in this policy through the following:
 - Copy of operation or facility permit or authorization.
 - Copy of laboratory results confirming the mulch meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Section 17852(a)(24.5)(A) 1 through 3.
2. Failure to provide the applicable certification documents on an annual basis, or at the request of the City, will result in the mulch no longer being eligible as a recovered organic waste product under this procurement policy.

C. Responsibilities of City Departments

- a. ~~Each City of Grass Valley~~ department/division shall be responsible for the implementation of this policy by:
 1. Practicing waste prevention;

2. Continuing to utilize recycling programs and expanding them where possible; and
3. Procuring ~~of~~ recycled products when practical.
4. Informing vendors of this Environmental Purchasing Policy.
 - Enforce eligible mulch requirements
 - Collect, collate, and maintain procurement documentation submitted by ity staff and/or Direct Service Providers
 - Compile an annual report on the City's direct procurement, and Direct Service Providers/other procurement on behalf of the City of Recovered Organic Waste Products, Recycled-Content Paper Products, and Recycled-Content Printing and Writing Paper.

D. Responsibilities of Direct Service Providers

- a. Comply with MWELo requirements, as applicable.
- b. Comply with Recovered Organic Waste Products and Recycled-Content Paper and Recycled-Content Printing and Writing Paper requirements.
- c. Submit within 30 days of procurement the applicable documentation as described in Section V of this policy.
- d. Submit, on an annual basis, the applicable certification documents for mulch.

E. Responsibilities of Paper Products and Printing and Writing Paper Vendors

- a. Only provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that meet the Federal Trade Commission Recyclability standard as defined in Title 16 Code of Federal Regulations Section 260.12.
- b. Certify, in writing under penalty of perjury, the minimum percentage of post-consumer material in the Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper offered or sold to the City. This certification requirement may be waived in the percentage of post-consumer material in the Recycled-Content Paper Products, Recycled-Content Printing and Writing Paper, or both, can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
- c. Certify, in writing under penalty of perjury, that the Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12.
- d. Provide records to the City of all Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper purchased from the vendor within thirty (30) days of the purchase. Records shall comply with Section F of this policy.

F. Monitoring / Reporting

- a. For Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper, general procurement records shall be maintained by both the City, and/or Direct Service Providers, including:
 1. Collect and collate copies of invoices or receipts (paper or

electronic), or other proof of purchase, that describe the procurement of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper, including the volume and type of all paper purchases; and copies of certification and other required verifications.

b. For Recovered Organic Waste Products, general procurement records shall be maintained by both the City and/or Direct Service Providers, including:

1. General description of how and where the Recovered Organic Waste Product was used and applied, if applicable;
2. Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured;
3. Type of product;
4. Quantity of each product; and
5. Invoice or other record demonstrating purchase or procurement.

D.G. **RESPONSIBILITY FOR REVIEW:** The City Finance Director will review this policy, at least a minimum, once every 5 years.



City of Grass Valley City Council Agenda Action Sheet

Title: December 2021 Winter Storm Debris Clean Up

Recommendation: That Council 1) approve storm debris disposal events for the citizens of the City of Grass Valley; 2) authorize the City Manager, as the Director of Emergency Services, to procure the necessary contracts to implement the storm debris disposal events, including the disposal of the material collected; 3) authorize the spending of up to \$85,000 of City General Funds to fund the event; and, 4) authorize the Administrative Services Director to make any necessary budget adjustments and/or amendments to complete this action.

Prepared by: Timothy M. Kiser, City, Manager/Director of Emergency Services

Council Meeting Date: 1/11/2022

Date Prepared: 01/06/2022

Agenda: Administrative

Background Information: On December 26 and 27, 2021, the City of Grass Valley was struck by a severe winter storm that caused extreme damage to many properties within the City. In addition to downed trees, blocked roads and other hazardous conditions, many residents and businesses were without power for extended periods of time after the storm. In response to the perilous aftermath of the snowstorm, the City found it necessary to proclaim the existence of a local emergency throughout the City. On December 30, 2021, City Council held a Special Meeting and adopted Resolution 2021-72 proclaiming a Local Emergency due to the 2021 Winter Storm in the City of Grass Valley.

On December 30, 2021, Governor Newsom proclaimed a State of Emergency to exist in Nevada County (and several other counties across California) due to the December storms. The Governor's emergency proclamation supports response and recovery efforts, including expanding access to state resources for counties under the California Disaster Assistance Act to support their recovery and response efforts. As a result of the Governor's actions, the expectation is that 75% of emergency response expenses relating to public facilities should be reimbursed.

While the City may be reimbursed for some of the storm debris removal expenses, most of our citizens will not. Therefore, to help mitigate the property damage and hazardous conditions caused by the winter storm, staff requests Council's approval to host at least two storm damage debris drop off events for resident of the City (tentatively, one in January and another in early February). These events, for verified City residents only, would allow for free disposal of tree and plant debris from the recent storm. To ensure

all City of Grass Valley residents can take advantage of the green waste disposal events, only branches/trees, and large green waste debris will be accepted, lawn clippings/leaves will not be accepted as part of this event. After the event deadlines (TBD), the City will contract to have the materials removed and disposed of appropriately. More information and details will be presented at the City Council Meeting.

Council Goals/Objectives: Goal #6 Public Safety - The City of Grass Valley is devoted to providing a safe place to Live, Work and Play.

Fiscal Impact: The Fiscal Impact for this proposed event is not to exceed \$85,000, which is available in the General Fund Reserves.

Funds Available: Yes

Account #: N/A

Reviewed by: City Manager

Attachments: N/A