



GRASS VALLEY

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

Tuesday, March 28, 2023 at 7:00 PM

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

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

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

MEETING NOTICE

City Council welcomes you to attend the meetings electronically or in person at the City Hall Council Chambers, located at 125 E. Main St., Grass Valley, CA 95945. Regular Meetings are scheduled at 7:00 p.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

This meeting is being broadcast "live" on Comcast Channel 17 by Nevada County Media, on the internet at www.cityofgrassvalley.com, or on the City of Grass Valley YouTube channel at <https://www.youtube.com/channel/UCdAaL-uwdN8iTz8bI7SCuPQ>.

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

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

REPORT OUT OF CLOSED SESSION

INTRODUCTIONS AND PRESENTATIONS

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 5pm will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. For any items not on the agenda, and within the jurisdiction or interest of the City, please come to the podium at this time. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item is announced. When recognized, please begin by providing your name and address for the record (optional).*

CONSENT ITEMS -*All matters listed under the Consent Calendar are to be considered routine by the City Council and/or Grass Valley Redevelopment Agency and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council and/or Grass Valley Redevelopment Agency votes on the motion to adopt, members of the Council and/or Agency, staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action but Council action is required to do so (roll call vote). Unless the Council removes an item from the Consent Calendar for separate discussion, public comments are invited as to the consent calendar as a whole and limited to three minutes per person.*

1. Approval of the Regular Meeting Minutes of March 15th, 2023
Recommendation: Council approve minutes as submitted.
2. Local Emergency Proclamation (Drought Conditions)
CEQA: Not a Project.
Recommendation: Drought Conditions proclamation declaring a Local State of Emergency
3. Local Emergency Proclamation (Winter Storm of February 2023)
CEQA: Not a project
Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency
4. Review of 2022 General Plan Annual Progress Report.
CEQA: Not a Project
Recommendation: Receive and File. No formal action required.

5. Review of 2022 Annual Housing Element Progress Report

CEQA: Not a Project

Recommendation: Receive and File. No formal action required.

6. Condon Park Parking Improvements Project - Final Acceptance

CEQA: Exempt - Section 15301 “Existing Facilities”

Recommendation: That Council: 1) accept the Condon Parking Lot Improvements Project as complete, and 2) authorize the City Engineer to file a Notice of Completion with the County Recorder.

7. Ridge Village Development - Approve Final Map

CEQA: Negative Declaration

Recommendation: That Council 1) approve the Final Map 19PLN-24 for Ridge Village Subdivision, 2) accept the public improvements, and 3) approve Resolution 2023-10, accepting the public utility easements and roadway dedications.

8. On-Call Civil Plan Review Services - Contract Amendment

CEQA: Exempt - Not a Project

Recommendation: That Council 1) authorize a contract amendment with Bureau Veritas North America Inc. (BV) for on-call civil plan review services, and 2) authorize the City Engineer to execute a contract amendment with BV, pending legal review, in an amount not to exceed \$60,000 for the initial 2 year term of the project.

9. On-Call Engineering Services - Authorization to Award Contract

CEQA: Exempt - Not a Project

Recommendation: That Council 1) authorize the City Engineer to execute a contract with Coastland Civil Engineering LLP., pending legal review, for on-call professional engineering services, in an amount not to exceed \$330,000 for the initial 3 year term of the project.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

10. Pioneer Community Energy - Community Choice Aggregation Program (CCA) for the City of Grass Valley

CEQA: Not a project

Recommendation: That Council 1) approve Pioneer Community Energy to procure the necessary energy to serve the City of Grass Valley starting in January 2024, and 2) adopt a Resolution 2023-09 authorizing the Mayor to appoint City Council Members to the Pioneer Board of Directors.

11. Parks Capital Improvements Projects - Summary and Update

CEQA: Exempt - Not a Project

Recommendation: That Council 1) receive an update on the numerous Parks and Recreation improvements projects completed throughout the City in the past several years.

BRIEF REPORTS BY COUNCIL MEMBERS

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, March 28, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, March 24, 2023.

Taylor Day, City Clerk



GRASS VALLEY
Special City Council Meeting

Wednesday, March 15, 2023 at 7:00 PM
Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California
Telephone: (530) 274-4310 - Fax: (530) 274-4399
E-Mail: info@cityofgrassvalley.com Web Site: www.cityofgrassvalley.com

MINUTES

CALL TO ORDER

Meeting called to order at 7:01pm.

PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Lt. Blakemore.

ROLL CALL

PRESENT

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

ABSENT

Councilmember Tom Ivy

AGENDA APPROVAL -

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

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

REPORT OUT OF CLOSED SESSION

No closed session.

INTRODUCTIONS AND PRESENTATIONS

PUBLIC COMMENT -

In person comments: Tim Kiser, Mark Buttron, Robin Davies, Brenda English, Matthew Coulter, Paula Newman, Penny Short, Christine Larkin, Angela Rule, Nicole, and Brian Hall.

Virtual Comments attached.

CONSENT ITEMS -

In person public comment: Matthew Coulter

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

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

1. Approval of the Special Council Meeting Minutes of February 9, 2023
Recommendation: Council approve minutes as submitted.
2. Approval of the Regular Meeting Minutes of February 14, 2023
Recommendation: Council approve minutes as submitted.
3. Approval of the Special Council Meeting Minutes of March 8, 2023
Recommendation: Council approve minutes as submitted.
4. Local Emergency Proclamation (COVID-19)
CEQA: Not a project
Recommendation: Ending of the of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency and adopting Resolution 2023-06.
5. Local Emergency Proclamation (Drought Conditions)
CEQA: Not a Project
Recommendation: Drought Conditions proclamation declaring a Local State of Emergency
6. Local Emergency Proclamation (Winter Storm of February 2023)
CEQA: Not a project
Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency
7. February 2023 Winter Storm - Authorize Emergency Contracts
CEQA: Not a project
Recommendation: That Council adopt Resolution 2023-08 authorizing the City Manager to enter into emergency contracts without advertising for bids and ratifying emergency contract execution relating to recovery from the February 2023 winter storms.
8. 4th of July Fireworks Show (Approval of Pyro Spectaculars North Agreement)
CEQA: Not a Project
Recommendation: The Council 1) approve the 2022 4th of July Fireworks Show; 2) approve City Manager to execute an Agreement with Pyro Spectaculars North, Inc. for amount of \$21,500 for the 4th of July Fireworks Show; and 3) approve the Finance Director to make any necessary budget adjustments and transfers.
9. Grass Valley Police Officers' Association - Unit 6 - Side Letter to July 1, 2022 - June 30, 2023 - Lateral Police Officer Recruitment Incentives

CEQA: Not a Project

Recommendation: That Council adopt Resolution No. 2023-05 approving a Side Letter to the Labor Memorandum of Understanding for the period beginning July 1, 2022 through June 30, 2023 between the City of Grass Valley and the Grass Valley Police Officers' Association (Unit 6) for recruitment incentives for lateral police officers.

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

PUBLIC HEARING

ADMINISTRATIVE

10. Acceptance of the Final Report on the 2017 Gold Country Coalition Brownfield Grant

CEQA: Not a Project

Recommendation: Accept the Final Report and direct staff to submit it to the United State Environmental Protection Agency program manager.

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

Council had a question about how the application process works.

In person public comment: Matthew Coulter

No action required.

11. FY 2022-23 Mid-Year Budget Review

CEQA: Not a project

Recommendation: It is recommended that the City Council, by MOTION, approve the Mid-Year Budget Review and recommended revisions.

Andy Heath, Finance Director, gave presentation to the council.

Council had a question about insurance cost increases and the costliness of the 2023 storm damage.

In person public comment: Matthew Coulter.

Motion made to approve the Mid-Year Budget Review and recommended revisions by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Caravelli attended the ERC meeting, and a GVDA meeting. She also went to Monterey to watch Chief Gammelgard be awarded President of California Police Chief Association. Councilmember Branstrom applauded Chief Gammelgard and acknowledged the hardships from the storm that Staff faced. He also attended a LAFCO meeting representing the city on March 16th that was discussing Rough and Ready's Fire Department and attended the Chapa De open house for their new building. Vice Mayor Hodge mentioned Saint Piran's day. Mayor Arbuckle discussed the success of Saint Piran's day, she also announced that Kevin Kiley visited Grass Valley during the storm. She spoke at the Rotary Club meeting and

thanked staff for their hard work during the storm. She also wanted to acknowledge that this month is Women's History Month.

ADJOURN

Meeting adjourned at 8:42pm.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Taylor Day

From: Pauli Halstead [REDACTED]
Sent: Monday, March 13, 2023 5:27 AM
To: Public Comments
Subject: Public Comment for City Council Meeting
Attachments: AfterActionCoverLetter1332074235050421PM.pdf; AfterActionFinalReport1332074300050421PM (1).pdf

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

An addendum to the previous one. Please include it in the agenda packet.

Hi Tim and City Council:

I am recommending Grass Valley hire Paragon Investigative Services as an independent to look into police malfeasance in handling the Matthew Coulter case in which he was wrongly arrested and charged for felony assault. Nevada City hired Paragon after the August 9th, 2020 incident in which a gang of Back-the-Blue 'assaulters' descended on Nevada City and beat up protesters. (See attachments).

<http://www.paragoninvestigativesvcs.com/>

I was on the Community Oversight Task Force looking into the training records of the Sheriff's Department, Grass Valley PD and Nevada City PD following the shooting deaths of Gabrielle Strickland and Sage Crawford. We were also concerned with the lack of training exhibited by Nevada City officers on August 9th.

Now, with the severe beating of Matthew and the fact that the police automatically took Olsen and Nelson's word for it, and not immediately looking at the cell phone video at the scene, it calls into question, again, training and following procedure and protocol. Police have to accurately investigate *at the scene* and file truthful police reports.

Another disturbing aspect of this event is that the city mast cam video of the incident, that was turned over to the DA, is missing the part where the police arrive, *including* until they leave the scene. This part is especially important to view and "*nothing*" should be edited out. Also, it seems that the police dash cam showing the arrival at the scene is edited out. This will reveal the part where Matthew is further kicked by the two men. Tampering or altering evidence and not immediately turning all evidence over to the Public Defender is problematic. This needs to be resolved.

Chief Gammelgard told me in an email that the police department had viewed all the video prior to turning it over to DA Wilson. This is problematic because the videos show Olsen was the initial aggressor and both Olsen and Nelson tackled Matthew beating and kicking him and literally standing on his neck with their boot. They could have broken his neck. The police knew from day one that Matthew did not attack them. And...that orange utility knife is a tool for a construction worker. There was no brandishing of any orange knife in the video. But the Grass Valley officers (on the body cam) stood around and fabricated the brandishing charge on camera.

To date, there have been at least four lawsuits against the City of Grass Valley Police Department, mostly involving excessive use of force.

1) Shooting death of Gabriel Strickland, also naming officers, Hooper, Ball, and Grube.

2) Severe injury to John David Peterson while being arrested by Grass Valley Police Officers, Butler and another officer.

3) Christopher Joshua Howie's broken leg at the jail, also naming Officer Herrera and the Grass Valley Police Department.

4) The most recent civil lawsuit for Phillip Hemple who was thrown on the ground at Safeway and severely injured by two Grass Valley officers.

It is apparent that the Grass Valley Police Department needs more training, and they need to follow their policy and procedure manual when dealing with an incident. Steps cannot be skipped. Furthermore, just because you may not like a subject, you cannot let bias cloud your ethics and performance.

There is no excuse for excessive use of force causing injury when other means are effective. If Grass Valley wants to avoid further litigation, then the City Manager along with the City Council, are responsible for the actions and leadership of the Police Chief and the police force.

Pauli

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Pauline Halstead
423 South Pine St.
Nevada City, Ca 95959
home: 530-265-6704



City of Nevada City

On August 9, 2021 the city of Nevada City experienced something that it had not dealt with before—a peaceful protest that turned verbally and physically confrontational. Our city has seen many peaceful, non-violent demonstrations over the years and the community’s expectation is that coming together to express a belief or concern will be just that—peaceful. To be faced with what happened on August 9 was so counter to those expectations that it took not just the community off guard but the city’s government and police department off guard as well.

As a result of that day and the aftermath following it, the city determined that it would seek review in a way that would determine what went wrong and how it can minimize a reoccurrence of anything like that August day from happening in the future. An internal investigation by an unbiased, neutral and independent investigator was done resulting in the After Action Report that follows this introduction.

The report does not reflect the views of individual councilmembers but is a summary of the independent investigator’s findings. The city looks at this report as a means to learn, to recognize that there are sensitive issues that run deep and as an opportunity to hear and listen in an effort to do better going forward.

We understand that for some trust was lost in our ability to address the situation. For others, there was a sense of dismay that this could happen in our city. For all of us, there is an understanding that we need to do better. There needs to be better communication from all sides. There needs to be increased training for our police officers and they need to be given better tools to handle unrest like we saw that day. There needs to be dialogue on how to avoid this from ever happening again in Nevada City.

So how can we do better? The police department is pursuing additional training for its officers in crowd and riot control. Administration and city council need to be mindful of the resources and tools that are needed and be prepared to fund them. And, we will work diligently to have a critical thought process to identify other ways that we can do better. A town hall meeting has been discussed to provide opportunity for our residents to express and share what policing and community safety should look like in Nevada City. In addition, the city has appointed an experienced interim police chief following the former chief’s resignation. He will conduct a strategic analysis of the department, its operations and needs with direction to implement necessary and appropriate changes. A community survey is also a way that we can seek comments that will help formulate actions that will help to build trust and cooperation between the community and organizations with the city.

The city has in place a process requiring permits for these types of events. Organizers of events need to follow that process so that appropriate resources are available and effective planning can occur prior to the event. Increased communication with the city about plans and expectations of similar events can only serve to benefit all involved.

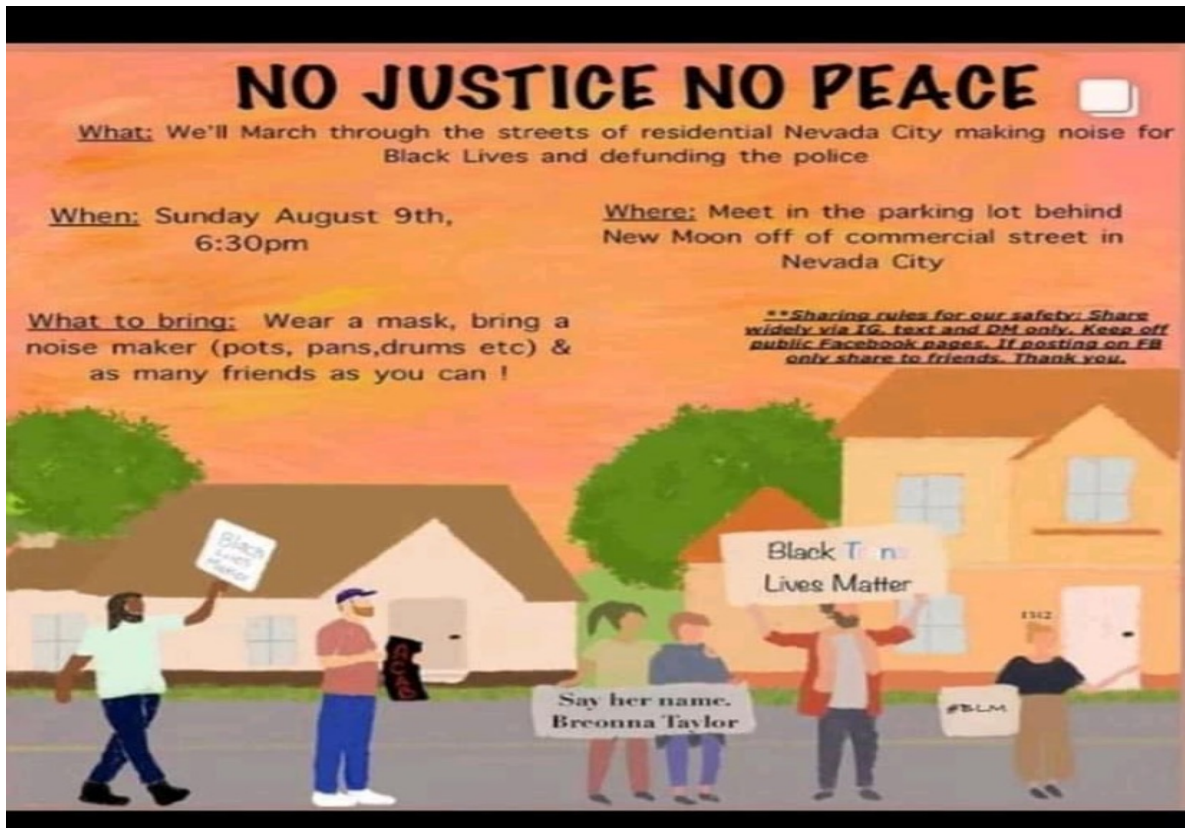
Together we can learn from this experience and together we can open lines of communication to make sure that an incident like what occurred on August 9 does not repeat itself while preserving the ability of our residents to raise their voices publicly on important issues.

Sincerely,

Joan L. Phillippe
Interim City Manager

The following is an after action report pertaining to the circumstances surrounding the protests, counter protests and police response that took place in Nevada City on August 9th 2020. The information included in this report comes from an independent private investigation that the city contracted out, and had completed by Paragon Investigative Services, and does not reflect the opinions or conclusions of any individual council member or city official.

BY LAW. THE TOTALITY OF THAT INVESTIGATION IS BY LAW A CONFIDENTIAL PERSONNEL RECORD AND CANNOT BE DISCLOSED EXCEPT BY ORDER OF A COURT. WHILE THIS AFTER ACTION REPORT DRAWS INFORMATION GATHERED IN THE UNDERLYING PERSONNEL INVESTIGATION, CARE HAS BEEN TAKEN TO ENSURE THAT NOTHING IN THIS REPORT PERTAINS TO THE CONDUCT OF ANY SPECIFIC OFFICER NOR DISCLOSES ANY INFORMATION PROTECTED BY LAW.



On August 9, 2020, in the early evening hours, two groups of people converged on Nevada City intending to protest and counter-protest perceived injustices. One group consisted of supporters of Black Lives Matter and racial justice individuals (above flyer). The other group consisted of a group known as the Nevada County Patriots, or similar supporters who appeared to be in Nevada City to counter protest the Black Lives Matter / Racial Injustice protest march. Neither group sought, nor obtained a permit to hold their respective protests or informed the City of their intent to hold any marches, protests or events on that day.

Some personnel working for Nevada City became aware of the protest a few days before, and others became aware the day of, or just hours before the no justice no peace protest was to begin.

Nevada City has historically had a history of protests going back many years. The prior protests have been peaceful in nature and have never required a significant police presence. As with the prior protests, violence was not expected to be a concern with the August 9th protest / counter-protest. Also, this event was the first time Nevada City has seen a protest that brought in counter protesters with opposing views.

At the onset of the protest on August 9th, the Nevada City Police Department had a total of four officers on-duty. There were no supervisors on duty at the time of the protest, as the two Nevada City Police Department Sergeants were out of the City attending training. Being a Sunday the Lieutenant was off duty as well as the Chief of police the day of the protest¹.

Once the protest began and the counter protesters showed up it became immediately obvious that the two groups would not peacefully hold their respective protests. Verbal and physical altercations began and continued periodically throughout the more than one-hour protest / counter-protest march through parts of Nevada City. It is estimated that 150-200 people in total were involved in the protest / counter-protest. It became extremely difficult for the Officers to manage the protesters as it was a moving protest which kept

¹ Ordinarily Sunday deployment would have included a sergeant. However, both sergeants were away at a POST mandated supervisory training course that day. However, had there been forewarning that these demonstrations were going to occur, steps could have been taken to ensure onsite supervision.

separating the officers and moving them to different locations in downtown Nevada City. It would have been much easier to separate the two sides if the protest itself would have been stationary and remained in one location.

Once it became obvious that the four on-duty officers were not going to be sufficient, the Nevada City Police Department requested the assistance of the Grass Valley Police Department as well as the Nevada County Sheriff's Department². Both departments did respond to assist, although with minimal personnel as both departments are small with very limited personnel and resources, particularly on a Sunday. Based on witness accounts, it appears that a total of four additional personnel were sent to assist the four Nevada City Police Department officers, making it a total of eight law enforcement personnel to manage the protest / counter-protest. The Nevada City Police Department Lieutenant also was called and responded to the protest. It appears that he arrived as the protests were winding down.

As the protest evolved, the Nevada City Police Department Officers made minimal efforts to keep the two sides separated. They did make some effort to stop assaults taking place in a few instances, but no enforcement activity took place during the event. No arrests were made. No citations were issued. No reports were taken the day of the protest.

The officers indicated that with only four Nevada City Police Officers at the protest, and with very minimal outside agency assistance, they did not take any enforcement actions as they simply did not have sufficient personnel to do so. To make an arrest, issue a citation, or take a report, it would take at least one officer out of action for the majority, if not all of the protest³. If officers began to take this sort of action it would follow that fewer officers would be on scene and it is likely that more assaults would occur with a diminished police presence. Instead, the officers indicated they tried to keep the protest moving, keep the protestors

² These are the only two law enforcement agencies geographically situated and staffed to provide any timely assistance or mutual aid.

³ Based on combined crowd estimates of 150 to 200 protesters, the officers were heavily outnumbered. With four Nevada City officers on scene, the ratio of protesters to officers was on the low end over 37 to one; at the high end the ratio was 50 to one. Even adding in the limited support able to be provided by the Sheriff's Department and Grass Valley, the ratios were still, respectively, 19 to one and 31 to one.

and counter-protestors out of the street, and tried to keep the two sides apart so that the protest would reach its conclusion and the two groups would disperse.

The Nevada City Police Officers also indicated that they had no training on crowd control, or how to deal with large protests since they graduated the police academy. The officers also were not issued any riot gear, such as riot helmets or other protective gear to help minimize their risk during hostile situations.

After the protest and counter-protest was concluded, the two groups dispersed.

The following day, several of the protestors filed criminal reports with the Nevada City Police Department. This process appeared to have been hampered by a lack of available personnel to manage the reports, the emails, and the phone calls related to the protest. In some cases, it took several hours to several days to be able to report what occurred. On an average day such as the Monday following the protest it is common for Nevada City to have one police officer assigned to patrol for the day.

In addition, several people, with some assistance from a City Councilperson, filed complaints against the four Nevada City Police Officers who were working at the August 9th protest. The complaints varied some, but the general theme was that the Nevada City Police Officers failed to protect the protestors from the counter-protestors during the event. Given the allegations against the officers on duty the day of the protest, the decision was made to not have them involved in taking any reports associated with the protest. While this was deemed prudent and necessary under the circumstance, this did make the workload much more difficult for the police department as the four officers comprised of half of the patrol force for the city.

If was the recommended finding of the investigator that no officer violated any law or rule in their response to this demonstration. Investigator findings in such investigations are only advisory. Therefore, both I and the City Attorney's office conducted our own review of the investigation, concluding that we concurred with the investigator's findings that no actionable misconduct occurred.

This is not to say that the officers did a good job of managing the protest / counter- protest, only that they did not run afoul of a particular policy. A determination was also made that the officers were insufficiently trained and equipped to handle the protest.

It was also determined that even if all twelve members of the Nevada City Police Department had been on duty, there still would not have been sufficient personnel to adequately control and police an unruly crowd of 150 – 200 people, without significant outside agency assistance.

Video evidence also clearly depicted that officers on duty did not take sides with any specific group during the protest. Officers did an adequate job with the resources they had provided to them at the time of the protest.

The morning after the protest a highly edited video surfaced on YouTube depicting officers siding with and marching alongside of the Nevada County Patriots. The producer of this particular video omitted a significant amount of footage that showed the truth in what actually happened and the officer's interactions with both sides. The officer's body camera footage showed a much clearer perspective of the true events, making it apparent that he was not taking sides or otherwise showing bias.

Since the protest and counter protest on August 9th Nevada City has had approximately half a dozen additional protests. The City of Nevada City has been notified of each additional protest. This allowed the police department to properly plan and staff adequately for the event and to request outside agency assistance prior to the day of the event itself. Had that foreknowledge been present prior to the August 9 protests it is probable that the outcomes experienced from these protests would have been significantly different.

As things progress the Nevada City Police Department will be looking into additional training in the areas of crowd and riot control. The police department will also be looking into different funding options for riot/crowd control equipment.

The City has a requirement that permits be obtained for these types of events. However, it appears that the City has not consistently enforced this requirement. Going forward it is strongly recommended that this requirement be enforced in order to ensure that City resources can more effectively be planned for and deployed in order to best ensure the health and safety of all concerned.

Taylor Day

From: Pauli Halstead [REDACTED]
Sent: Friday, March 10, 2023 7:53 PM
To: Public Comments
Subject: Next Meeting: For the Agenda Packet
Attachments: Matthew Coulter Case-3.doc

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

Please add this public comment to the agenda packet. (See Attached)

Addendum

By the time the case against Matthew Coulter is adjudicated, he will have suffered through the traumas of a severe beating, wrongful arrest, five weeks in jail, financial losses due to bail and medical bills, malicious prosecution involving multiple court dates, *and the irreversible stress of public humiliation from the mean spirited political mailer with his mug shot and mis-information regarding the arrest, paid for by Barbara Bashall and the Contractor's Association.*

This is what law enforcement and a DA's office can do to a political candidate they do not want to see elected. The Grass Valley Police arrested the wrong person.

Zoomed-in File...

https://drive.google.com/file/d/1Hfch8JxROut6jCc5pSOBnt06DjqZ6icd/view?usp=share_link

Zoomed-in file...

https://drive.google.com/file/d/1wgN2mNKaf5St2Odp0-n-x1Ow77u9sla8/view?usp=share_link

Mark Nelson's

https://drive.google.com/file/d/1Z-811xX1l3DT5quDgtuZRvOlZz9rTfQC/view?usp=share_link

Police Body Cam videos

https://drive.google.com/file/d/1Yk5Rw0Zy_yRAfPVKlko049tZp6-88lnM/view?ts=63f28bd8

https://m.facebook.com/story.php?story_fbid=pfbid029GRgWPSnNFBv3mhuiAHMYzop9Z6G56VETcbT3bXr253L92XB4zJX7A5VHocEQoyWl&id=100086575503037&sfnsn=mo

Matthew's Phone Video

https://www.facebook.com/messenger_media/?attachment_id=576983514449621&message_id=mid.%24cAAA B9npxevaMsuGz32GgZxrbc4sQ&thread_id=100078687725986

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Pauline Halstead
 423 South Pine St.
 Nevada City, Ca 95959
 home: 530-265-6704

The Matthew Coulter Case- What a difference a video makes.

On September 1, 2022, Matthew Coulter was wrongly arrested by Grass Valley Police on charges he bit construction worker, Mark Olsen, on the neck and ‘*brandished*’ an orange box cutter-style knife. Video evidence from City Mast Cam, Coulter’s phone, and construction worker, Mark Nelson’s phone reveal the construction workers initiated the violent attack.

Matthew, kicked and beaten unconscious, suffered a broken finger, boot marks on his neck and shoulder, and other serious injuries, went to the hospital and then to jail.

Coulter was arrested on scene and charged with Felony Assault and Misdemeanor Battery on only the false statements of Nelson and Olsen. If the police had viewed the cell phones, Mark Nelson and Mark Olsen would have been arrested instead of Matthew.

Chief Gammelgard stated ‘all’ video evidence “was shared to the DA’s office on 9/06/22.” *He then kept Coulter’s phone until Feb. 22nd, 2023.* If he had immediately released the phone to Matthew’s Public Defender, the charges would have been dropped.

Jesse Wilson, the DA, didn’t turn over the video evidence to the Public Defender until Feb. 10th, *five full months after the incident.* Matthew was able to retrieve his phone on Feb. 22nd after Chief Gammelgard admitted he still had it.

Matthew went to jail on false charges, when everyone knew it, and has been the victim of continued malicious prosecution by the District Attorney’s Office.

Phone video from Nelson’s phone, and the unexpected video from a City Mast Cam, clearly contradict Nelson and Olsen’s statements that Matthew initiated the attack. The Mast Cam video shows Matthew walking with his bicycle. At the 46-second mark, construction worker, Olsen, comes from behind and hits him. Matthew drops his bicycle and begins videoing Olsen with his phone camera. A verbal altercation follows.

Videos show Matthew circling his bicycle and backing up while holding his phone. Olsen then grabs his arm, taking him down. Nelson jumps in and both men proceed to kick and beat Matthew. Nelson is seen visibly kicking Matthew.

The police arrive on the scene to a badly injured and bleeding Coulter, furious he has been attacked. He was immediately handcuffed and told to sit down.

Nelson makes his statement to the police that Coulter “jumped on his partner and bit him on the back of the neck. Brother that’s where it ends for me, so I laid hands on him. I tried to pull him off and then I called you.”

Nelson then pulls a plastic orange utility knife out of his pocket and hands it to the officer, saying he took it out of Matthew's hand when he jumped on his co-worker's back. "It was on him while he was biting his neck. He jumped on my co-worker, and bit him on the back of the neck while he pulled out the 'friggin' utility knife. We actually were attacked by Matt. I got on top of Matt and grabbed him around the neck. I'm not going to fuckin' lie. I took him down."

The officer asks Nelson if any part of the knife was open. He said no, "but I just ripped that damn thing off."

Olsen then states, "He grabbed me from behind and bit on my neck, that's when it started. When his camera got in my face, then I grabbed that. He grabbed my arm and put my neck in his mouth. That's when I got physical. I was standing on the other side of his bike. He had a knife. Mark (Nelson) grabbed it out of his hand."

No orange knife was visible in any of the videos.

At the court hearing with Judge Heidelberger, Public Defender, Haley Dewey, asked the judge to view videos of the incident. The judge refused.

Subsequently, Assistant District Attorney, Helenaz Hill lobbied for "NO BAIL, in all his pending matters, or at least, revoke his OR status and set bail above schedule". The judge then set bail at \$50K. Hadn't Hill previously viewed the videos? It's incomprehensible that our DA, having viewed the videos, would continue to prosecute on false charges.

On September 29th, Judge Linda Sloven, abruptly dismissed the felony charges but kept the misdemeanor charge which has kept Matthew having to re-appear in court.

All of this calls into question Chief Gammelgard's and DA Wilson's willingness to let a wrongful arrest and false charges continue through the court, the validity of all Matthew Coulter's arrests and prosecutions. The police and the DA cannot just make stuff up as they go along. All this time no one has done a damn thing to correct the false charges, not the police, not the DA, and not the judges. Have the judges ever had access to the videos?

The fact that Matthew was arrested on charges he initiated the attack and 'brandished' the box cutter knife are patently false. I asked Chief Gammelgard why Nelson and Olsen weren't arrested. He said, "the videos are open to interpretation." Really?

Furthermore, despite Matthew filing charges against Nelson and Olsen on Feb. 10th, no one has bothered to arrest them. Why do they get a free pass for assault and battery?

Personally, I am appalled the District Attorney would withhold video evidence for five months. Wrongfully charging someone, withholding evidence, letting someone sit in jail for a month, then continue to make them defend themselves in court, is a miscarriage of

justice. Those knowingly participating in this dereliction of duty, and there are a few, should be removed from their jobs.

Matthew has now had five Public Defenders who seem incapable of adequately representing him. I asked Keri Cline, of the Public Defender's Office, to step in and get this mess straightened out.

Pauli Halstead-Nevada City

Addendum

By the time the case against Matthew Coulter is adjudicated, he will have suffered through the traumas of a severe beating, wrongful arrest, five weeks in jail, financial losses due to bail and medical bills, malicious prosecution involving multiple court dates, and the irreversible stress of public humiliation from the mean spirited political mailer with his mug shot and mis-information regarding the arrest, paid for by Barbara Bashall and the Contractor's Association. This is what law enforcement and a DA's office can do to a political candidate they do not want to see elected.

Zoomed-in File...

https://drive.google.com/file/d/1HfcH8JxROut6jCc5pSOBnt06DjqZ6icd/view?usp=share_link

Zoomed-in file...

https://drive.google.com/file/d/1wgN2mNKaf5St2Odp0-n-x1Ow77u9sla8/view?usp=share_link

Mark Nelson's

https://drive.google.com/file/d/1Z-811xX1I3DT5quDgtuZRvOIZz9rTfQC/view?usp=share_link

Police Body Cam videos

https://drive.google.com/file/d/1Yk5Rw0Zy_yRAAtPVKlko049tZp6-88lnM/view?ts=63f28bd8

https://m.facebook.com/story.php?story_fbid=pfbid029GRgWPSnNFBv3mhuiAHMYzo p9Z6G56VETcbT3bXr253L92XB4zJX7A5VHocEQoyWl&id=100086575503037&sfnsn=mo

Matthew's Phone Video

https://www.facebook.com/messenger_media/?attachment_id=576983514449621&message_id=mid.%24cAAAB9npxevaMsuGz32GgZxrbc4sQ&thread_id=100078687725986

Taylor Day

From: Watson, Jedidiah [REDACTED]
Sent: Friday, March 3, 2023 7:48 AM
To: Public Comments
Subject: 309 Mill St Parking
Attachments: [External] : Fw: Webform Submission - 309 Mill St.

Dear City Council,

Before you take the parking to bid I request that you re-evaluate the CEQA that was done for this project as there is no mention of a wetland in the middle of the lot.

When I contacted the city last year about the weed abatement on the lot I was told by the City’s Fire Marshal “ The lot contains areas that are classified as riparian/wetland zones and there are restrictions as to where vegetation removal work can be performed, one of which (restrictions) is a no disturbance setback twenty-five (25)-feet from any riparian/wetland zone. Because of this, the area in the center of the lot where the willow trees and the cattails are located and along Wolf Creek in the twenty-five (25)-foot setback cannot be touched. The only vegetation removal work that can and will be performed on the lot will be at the top along Mill St. and any area(s) at the bottom that are not in the twenty (25)-foot setback along Wolf Creek. “

I have attached the full email from the City Official where they acknowledge the wetland.

I kindly request that this project be placed on hold so that a new CEQA with the forementioned wetland is done and evaluated by the council.

Thank You,
Jedidiah Watson

#

#

Wkdq n

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Taylor Day

From: Denise Martin [REDACTED]
Sent: Thursday, February 23, 2023 6:38 PM
To: Public Comments
Subject: mine

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

Dear council

We are begging you not to approve the mine. Please, please, please do not place this undue burden on your citizens

Is the potential costs of future clean up really worth the nominal amount of gain today ? Given rise golds previous actions, this should be forefront in your thoughts.

From your consituents prespective the risks to all of us outweighs any gain the city may see.

Again we are begging you to never open any more mines in this county, especially ones so close to many of us

Sincerely,

Denise Martin
District 3

Taylor Day

From: Brenda Nascimento [REDACTED]
Sent: Wednesday, February 15, 2023 1:08 PM
To: Zac Quentmeyer; Public Comments
Subject: Benches for tennis at Memorial Park

You don't often get email from brnasc@att.net. [Learn why this is important](#)

Hello All,

I wanted to point something out that I hadn't noticed until they were needed and no longer there. There used to be benches outside the lower tennis courts at Memorial Park. When they re-did the sidewalk there, they took them out and didn't put them back. Now there is no where to sit while waiting for a court or watching someone play. I had to wait for a 1/2 hour the other day while standing the whole time. I've seen several people wanting to watch and having to do so standing. The benches inside the court are for the players.

Your consideration of this matter is greatly appreciated...as I would like to point out that the pickleball players have benches outside their courts, but ours were removed.

Thank you,

Brenda Nascimento
(530) 265-4755 home office
(530) 205-5977 cell

Taylor Day

From: GALLE,JOHN [REDACTED]
Sent: Wednesday, March 15, 2023 6:35 PM
To: Public Comments
Subject: Voice Mail (1 minute and 20 seconds)
Attachments: audio.mp3

Paddy Kelly, 4373 Town Center Blvd. El Dorado hills, CA. I am still confused about this whole thing that happened to Matthew. I don't know Jesse Wilson very well, but I would say I know Alex. Knowing him, I would have said 100%. He would have said we tell the truth and we let the chips fall where they may. I don't know why he or the city in general would support such a blatant lie. It was such a good lie. Everyone believed it and turned against Matthew. Hillary and Haven seized on it and produced that sickening flyer. And it shows their real integrity that the truth has been out and they haven't apologized for their actions. It is illegal to falsely accuse someone of a crime. You can't have people managing crime committing crime. They are not above the law and you are complicit if you allow it. I am asking that the charges be dropped against Matthew and a full investigation and prosecution of the contractors be initiated.

You received a voice mail from [GALLE,JOHN](#).

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

[Set Up Voice Mail](#)



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

Title: Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Projcet.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 3/28/2023

Date Prepared: 3/24/2023

Agenda: Consent

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

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

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

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

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

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



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

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

CEQA: Not a project

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

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 3/28/2023

Date Prepared: 3/24/2023

Agenda: Consent

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

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

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

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

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: Review of 2022 General Plan Annual Progress Report.

CEQA: Not a Project

Recommendation: Receive and File. No formal action required.

Prepared by: Lance E. Lowe, AICP, Principal Planner

Council Meeting Date: March 28, 2023

Date Prepared: March 15, 2022

Agenda: Consent

Background Information: Government Code Section 65400 mandates that cities and counties submit an annual progress report (APR) on the General Plan and progress on its implementation to the legislative body, the Governor’s Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD). The four purposes of the annual report are to:

1. Provide information to assess progress on implementation of the General Plan in accordance with the stated goals, policies, and implementation measures.
2. Provide information to identify necessary course adjustments or modifications to the General Plan to improve implementation.
3. Provide a clear correlation between land use decisions made during the reporting period, and the goals, policies, and implementation measures of the General Plan.
4. Provide information regarding local agency progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing.

The attached document fulfills Government Code Section 65400; however, it should be noted that Charter Cities such as Grass Valley were exempt of this General Plan requirement prior to 2019. Accordingly, other than the Housing Element Annual Progress Report, the City has not submitted prior annual reports regarding the General Plan prior to 2019. As such, this report may incorporate information from past exempt reporting years to date, as applicable.

The purpose of the APR is to provide the public and decision makers with an update of the City’s progress in implementing its General Plan vision. This annual assessment provides an opportunity to adjust or modify its policies, goals, and objectives to ensure that the City meets its stated vision. A secondary purpose of the APR is to fulfill the

housing element statutory requirements regarding the City's progress in meeting its share of regional housing needs and its efforts to remove government constraints to the development of housing in accordance with Government Code Section 65584.3(c) and 65584.5(b)(5). The Housing Element APR has separate reporting requirements and forms, which will be submitted electronically by the City by the April 1, deadline.

Council Goals/Objectives: This General Plan APR does not meet any specific or general goal or objective but is mandated by the State.

Fiscal Impact: Preparation of the General Plan APR has been completed with existing staffing resources. No impact to the General Fund will occur.

Reviewed by: _____ Community Development Dir. _____ City Manager

ATTACHMENT:
Attachment 1 - 2022 General Plan Annual Progress Report with Attachments



CITY OF GRASS VALLEY
2022 GENERAL PLAN ANNUAL
PROGRESS REPORT



March 17, 2023

TABLE OF CONTENTS

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Attachments:

Table B - Regional Housing Needs Allocation Progress Permits Issued by Affordability

Table D - Program Implementation Status Pursuant to GC Section 65583

PURPOSE OF GENERAL PLAN ANNUAL REPORT

California Government Code Section 65400 mandates that cities and counties submit an annual progress report (APR) on the General Plan and progress on its implementation to the legislative body, the Governor’s Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD). The four purposes of the annual report are to:

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CITY OF GRASS VALLEY GENERAL PLAN BACKGROUND

The Grass Valley General Plan Update commenced June 30, 1998, with a “kickoff” meeting at the Grass Valley City Hall. From the onset, the Grass Valley General Plan Update was aided by the leadership of an appointed Steering Committee. The Steering Committee had eight members, appointed by the City Council. Two were Council members, two were members of the Planning Commission, and four were Members-at-Large. The Steering Committee guided General Plan activities through bi-monthly meetings with staff and consultants; sponsored Public Workshops designed to afford members of the public opportunity to participate in General Plan development; and served as the City’s decision-making body throughout General Plan formulation.

General Plan Elements – The 2020 Grass Valley General Plan includes the following General Plan Elements:

- Land Use
- Circulation
- Conservation/Open Space (formally separate elements being combined)
- Housing
- Noise
- Safety (formally Safety and Seismic Safety Elements, being combined)
- Community Design (formally Urban Design)
- Historical
- Recreation
- Mineral Management

The City’s General Plan addresses State General Plan requirements. California law requires that every city and county adopt a long-term General Plan that addresses eight specific topics or “elements.” The General Plan must be internally consistent and contain the State Government Code requirements.

CITY’S RESPONSIBILITY

The effectiveness of the General Plan ultimately depends on how it is implemented and maintained over time. State law requires that most actions of local governments affecting the physical environment be consistent with the General Plan. This implementation of the Plan is the responsibility of numerous departments and divisions including:

- City Manager’s Office (City Clerk, Economic Development and Communications)
- Administrative Services Department (Finance & Human Resources)
- Community Development Department (Planning, Building, Housing & Code Compliance)
- Public Works & Engineering (Community Services, Facilities and Maintenance)
- Fire Department (Fire abatement) and,
- Police Department (Community Services, Information Technology & Animal Control)

Additionally, several other governmental agencies provide services within the City. While these agencies are neither part of the City’s operational structure nor directly responsible for implementation of the General Plan, the City does coordinate its activities with these other agencies and relies upon their assistance for full implementation of the General Plan. These agencies include, but are not limited to the following:

- Nevada Irrigation District
- Nevada Union High School
- Nevada County Local Agency Formation Commission
- Nevada County Community Development Agency

AMENDMENTS TO THE GENERAL PLAN

State law allows the City to amend its General Plan no more than four times per year (Charter Cities are Exempt from this requirement). Amendments may be proposed and acted upon at any time during the year and one action may include multiple amendments. Any changes to the General Plan require a public hearing by the City Council upon recommendation by the Planning Commission and include evaluation of the environmental impacts as required by the California Environmental Quality Act. (CEQA).

The Southern Sphere of Influence and Annexation Project was the only notable General Plan Amendment for 2021.

The Grass Valley RV Park Resort and Annexation Project was the only notable General Plan Amendment for 2022.

2022 MAJOR MILESTONES & PROJECTS

Construction was approved, initiated, or completed within the City of Grass Valley for the following major projects during the 2022 planning year:

Annexation Projects:

- *The Southern Sphere of Influence Planning and Annexation Project* – 1) an amendment to the General Plan land use designations on 237 of the 400 acres; 2) a prezone amendment on 237 of the 400 acres of land to various zone districts consistent with the proposed General Plan amendments; 3) an expansion of the boundaries and amendment to the Southeast Industrial District Combining Zone; 4) an amendment to add 31 acres to the City's Sphere of Influence; and 5) the annexation of approximately 400 acres.

To meet the goals of the City's Housing Element and to comply with SB 2 funds, which were used to fund the application process and environmental work, the SEIR evaluated the impacts of residential development on approximately 10 acres of land west of SR49. The goal was to create an opportunity for by-right development which is being strongly encouraged by the state to reduce processing times and costs for new housing.

- *Grass Valley RV Resort and Annexation Project* – The Grass Valley RV Park Resort and Annexation Project consists of 147 space RV Park Resort with 15 glamping spaces for short term camping on ±20 acres. The project also includes the annexation of ±25 acres of property into the City limits with a zoning designation that permits commercial and residential and combinations thereof.

A grant has recently been awarded by Nevada County to provide preliminary engineering for Nevada Irrigation District.

City Projects:

- *Memorial Park Facilities Improvement Project* – The City was awarded \$3.5 million in Community Development Block Grant (CDBG) funds for its 2019-20 public facilities application. With

construction occurring through 2021, the awarded project includes demolition and expansion of the Memorial Park Pool, addition of pickleball and basketball courts, demolition of the Clubhouse (to be replaced with a new recreation building), and addition of a through road designed to provide additional connectivity and parking. The project is anticipated to be completed in 2022.

- *Mill Street Pedestrian Improvement Project* – Following the success of the temporary closure of two blocks of Mill Street to create public space in response to the COVID-19 pandemic, the City approved permanent closure of Mill Street. Custom planters, site furnishings and seating areas were carefully positioned throughout the street to 1) provide necessary vegetation and shading currently lacking on the street; 2) support businesses activities; and 3) provide designated public seating area to create a cohesive identity that compliments the historic character.
- *Scotten Field Turf Replacement* – Artificial turf was installed at Scotten School’s field along with an access road, parking lot, and restroom, as part of the 2021 Measure E Park Improvements. Improvements occurred in 2023.
- *Condon Baseball Field Turf Project* – Artificial turf was installed at Condon Baseball Field as part of the 2021 Measure E Park Improvements. Improvements occurred in 2023.
- *2021 Annual Rehab Project* – The scope of work, in general, included: asphalt concrete pavement removal, hot mix asphalt paving, and thermoplastic pavement marking and striping of Freeman Lane from Mill Street to West McKnight Street and La Barr Meadows Road from East McKnight Road. Improvements occurred in 2023.
- *Condon Park Accessibility Project* – Accessibility improvements were completed for Condon Park with Measure E Park Improvements.

Commercial Projects:

- *Target Remodel* – Façade elevations, site improvements and landscaping were approved for the redevelopment of the Kmart Store to a Target Store opening in April 2023.
- *Quick Quack Car Wash* – A ±3600 square foot attended Quick Quack Carwash and related site improvements was approved in 2022 and is under construction with a completion date in 2023.

Residential Projects:

- *Loma Rica Ranch Specific Plan* – Approved in 2019, the Specific Plan is a mixed-use development of over 452 acres. Grading for Phase I consisting of ±250 homes is occurring in 2022, with construction slated for Summer 2023.
- *Berriman Ranch Phase I* – Single-family development of 30 homes ranging in size from 1,579 to 2,491 square feet are being constructed with the final phase completed in 2023.
- *Berriman Ranch Phase II Duet Project* – 12 zero lot-line duet lots ranging in size from ±3,984 square feet to ±8,405 square feet. Approved in 2021, the project is anticipated to break ground in 2023.

- *Berriman Ranch Phase III Duet Project* – Berriman Ranch Phase III includes the division of a ±75-acre parcel into 60 duet style lots ranging in size from ±4,000 square feet to ±8,741 square feet. Approved in 2021, the project is anticipated to break ground in 2023.
- *Gilded Springs* – 26 residential infill lots including floor plans ranging in size from 1,400 to 2,835 square feet. sq. ft. were approved in July 2019. Site improvements have occurred in 2022 with building permits anticipated in Summer 2023.
- *Ridge Village/McKenna Subdivisions* – 34 single family infill lots with floor plans ranging in size from 1,200 to 3,000 square feet. Site improvements are occurring in 2021 with building permits anticipated in Summer of 2023.
- *The Pines of Grass Valley* – Consists of 108 for rent 1- & 2-bedroom apartments. The resort-style apartment project includes a swimming pool, hot tub, sundeck, private cabanas with TVs, fire pit, outdoor Yoga Studio, on-site business center, smart home features, on-site deli and market. Site improvements are anticipated in summer 2023.
- *Timberwood Estates* – 45 single family home development, offering semi-customized homes in three sizes from 1,804 to 2,224 square feet, including 2-car garages. Building permits are issued in 2021. Buildout is slated to occur in 2023/2024.
- *City of Grass Valley's 1st Time Homebuyer Program* – The City was awarded \$400,000 of First Time Homebuyer funds for its First Time Homebuyer program.

PRIOR YEARS APPROVED PROJECTS

- *Brockington Center Frontage Landscaping* – The Brockington (Safeway) shopping center frontage landscaping improvement project includes installation of several decorative rock walls and new parking lot landscaping.
- *Condon Park Accessibility & Parking Lot Improvement Project* – The Condon Park Accessibility Project was initiated 2020 and completed in 2021. The project included grading and resurfacing the trail, repaving the roadway, and repairing and installing sidewalk to meet current ADA standards. The 2021 Parking Lot Improvement Project included installation of a new restroom building, repaving of the LOVE building and baseball field parking lots, and extension of existing concrete walkway.
- *Slate Creek Road & Drainage Improvements* – The Slate Creek Road & Drainage Improvement project includes replacing drainage culvert, installing infiltration trenches, repaving and other needed improvements on Slate Creek Road to the City limits.
- *Dutch Bros Coffee* – The construction of a ±900 square foot Dutch Bros with drive-through was completed in 2021.
- *McDonald's Remodel* – The project consists of a façade, décor, drive-thru and restroom upgrade, as well as a 1,200 square foot building addition is under construction through 2021 with completion in 2022.

- *Wendy's Restaurant* – A ±2,366 square foot Wendy's restaurant with drive-through with parking and landscaping is under construction in 2021 with completion in 2022.
- *West Olympia Hotel* – A two-story, 74 room hotel that includes a pool and fitness center was approved by the Planning Commission on December 15th, 2020. Construction is anticipated in Spring/Summer 2022
- *Brunswick Commons* – The project is a mixture of affordable housing and homeless resource center which includes transitional housing units. The project is a Nevada County sponsored project consisting of 41 units of affordable housing for homeless and mentally ill. Also included are 33 one bedroom and 8 two-bedroom units. The project is being constructed in 2021 with completion in Spring/Summer 2022.
- *Coach N Four Motel* – Nevada County's 18-unit motel will initially continue as temporary emergency housing for people experiencing homelessness, with a focus on families, veterans, and other vulnerable groups. Construction to convert the Coach N Four Motel into permanent housing has commenced in 2021 with completion slated in 2022.

STATUS OF GENERAL PLAN IMPLEMENTATION ACTIONS

The following table outlines selected General Plan policies and action items that the City made notable progress towards in 2022. The table is not a comprehensive list of all policies and action items in the General Plan; many policies/actions are under ongoing implementation and may not be listed. As most of the General Plan policies and related action items have been implemented through the adoption of ordinance and resolutions, incorporated into the regular governmental activities of the applicable departments, or included in development proposals as they are reviewed for consistency with the City's policies, the purpose of providing the policy implementation below is simply to streamline the review and highlight the annual progress efficiently.

The City's General Plan has always been built around central themes; all are key focus points of the City's current vision:

- Preserve Grass Valley's historical character and encourage restoration.
- Expand public services to serve a growing population.
- Encourage variety in residential building types and environments.
- Include high density housing areas in the town center.
- Provide better regional connections.
- Improve the circulation patterns within the City.
- Protect and improve the Downtown Historic area.
- Diversify the economy and locate industry to avoid undue traffic.
- Preserve scenic beauty and character.

To implement the City's 2020 General Plan, the City adopted a strategic plan, last updated in April 2020. The concept of a long-range Strategic Plan was presented to the Grass Valley City Council in 2018. The purpose of the Strategic Plan was to provide a set of goals from which comprehensive programs would be developed and adopted to help direct the City's future

strategies and projects. The Strategic Plan was developed with input from community focus groups consisting of an assortment of interested citizens and community leaders. Community contributors culminated at a Citywide public forum where discussion focused on the future direction of Grass Valley and potential projects to enhance the City's livability. Seven core goals were identified: 1) Community Sense of Place; 2) Transportation; 3) Recreation and Parks; 4) Economic Development & Vitality; 5) High Performance Government & Quality Service; 6) Public Safety; 7) Water & Wastewater Systems & Underground Infrastructure.

2020 Adopted General Plan Implementation Measures	Implementation Progress
<p>Land Use</p> <p>1-LUI Revise the zoning map to reflect new General Plan designations</p> <p>2-LUI Revise zoning text to reflect General Plan changes, including density/intensity standards for zoning districts.</p> <p>3-LUI Review development regulations to assure adequately assess and mitigate environmental and fiscal impacts.</p> <p>4-LUI Establish and maintain a data base containing information needed to determine the City’s jobs-housing balance.</p> <p>5-LUI Review redevelopment and revitalization programs and activities, and adjust plans to meet the goals, objectives, and policies of the General Plan.</p> <p>6-LUI Review housing code enforcement practices, and adjust as needed to meet the goals, objectives, and policies of the General Plan.</p> <p>8-LUI Coordinate with LAFCo, Nevada County and other agencies and special districts regarding provisions of the General Plan, application of General Plan provisions incorporated portions of the Planning Area, and the timing and directions of future annexations.</p> <p>9-LUI Establish standard processes and procedures for planning, annexation and service provision in the unincorporated Planning Area.</p> <p>11 LUI Review service provision/extension plans, policies, and procedures to assure compatibility with the General Plan.</p>	<ul style="list-style-type: none"> • The City revises the zoning map and text, as needed, to reflect changes in State law and General Plan amendments. • The City staffs the Historical Commission, Development Review Committee, Planning Commission and City Council to ensure that development regulations and programs adequately assess and mitigate environmental and fiscal impacts. • The City updates the City’s Development Code as needed to reflect State law including SB 9, Accessory Dwelling Units, Density Bonus law, etc. Several amendments occurred in 2022 to reflect recently enacted State laws. • The City annually reviews development programs, goals, and objectives of the General Plan to assure that goals, policies and objectives of the General Plan are implemented and relevant. • The City provides code compliance duties on a complaint basis. In 2022, the City addressed 35 code compliance cases. • The City annexed ±425 acres with the Southern Sphere of Influence and Annexation and Grass Valley RV Park Resort and Annexation projects. Rezoning of the properties is consistent with the City’s 2020 General Plan land use designations. LAFCO approval of both the projects occurred in 2022. • For both the annexation projects noted above, the review and provision of services/extension plans are evaluated to assure compatibility with the General Plan.
<p>Circulation</p>	
<p>1-CI Adopt a roadway classification system outlined in the</p>	<ul style="list-style-type: none"> • The City is working with Caltrans to acquire Colfax Avenue,

<p>Circulation Element.</p> <p>2-CI Regularly update Development Impact Fees</p> <p>3-CI Ensure that proposed specific plans are consistent with the provisions of the functional classification component. This shall include incorporation of consistent design standards for roadways, associated bikeways and trails, and landscape areas.</p> <p>4-CI Work with neighboring jurisdictions and regional planning agencies to coordinate the classification of roadways that cross the City’s boundaries.</p> <p>5-CI Continue to refine and improve the design standards for the roadway system.</p> <p>8-CI Base the Capital Improvement Program on a 20-year horizon and update the program regularly. Update concurrently with the approval of any significant modification to the land use allocation assumed by the Citywide travel model.</p> <p>15-CI Ensure adequate funding to meet established Level of Service policies. Continue to implement and update traffic impact fees on new development and to obtain gas tax and other revenues to fund the Capital Improvement Program.</p> <p>18-CI Develop a plan for parking that identifies park and ride lots. Consider the need for park and ride facilities and for facilities serving alternative transportation modes when evaluating development proposals. Require construction of these facilities concurrent with development, or fair-share developer contributions in lieu of action construction.</p>	<p>Hansen Way, and portions of Tinloy Avenue. State Relinquishment is anticipated to occur in 2023.</p> <ul style="list-style-type: none"> • 2021 Annual Street Rehab Projects completed in 2022 included Freeman Lane and McCourtney Roads. • 2020 Measure E Street Rehab Project completed in 2022: Joerschke Dr, Maltman Dr, Manor Dr, Glenbrook Dr, Annex Avenue, Apple Ave, W Olympia Dr, Glenwood Rd (Approximately 2 miles of resurfaced roadway) • Slate Creek Road Improvements Project: Slate Creek Road from Ridge Road to the City limits (approximately 1,000 feet of resurfaced roadway). • Idaho Maryland Road Measure E Emergency Repaving: Idaho Maryland from Sutton Way to Brunswick Road, (approximately ½ mile of resurfaced roadway). • In partnership with Caltrans, Nevada County Transportation Commission and the City, completed an Intersection Control Evaluation for the S Auburn/Neal Street/Colfax Avenue intersection. An oval round-a-bout is the preferred improvement with funding being sought for environmental review and construction. An ATP grant application was unsuccessful, but the City is planning to reply in early 2023.
<p>Conservation/Open Space</p>	
<p>1-CONSI Identify, inventory and map essential information related to conservation and open space, utilizing the City’s geographic information system.</p> <p>4-COSI Maintain a development review process which documents compliance with the various goals, objectives, and</p>	<ul style="list-style-type: none"> • Engineering and Environmental Review is underway for the remainder of a Wolf Creek Trail through town. A preferred alignment has been selected and discussions with Caltrans are underway to finalize design details and right-of-way needs.

<p>policies of the Conservation/Open Space Element. 6-COSI Review development ordinances and regulations to assure adequate provision for clustering, density averaging, and other techniques. 11-COSI Review sign regulations and landscaping requirements, upgrade City ordinances as required, and develop an effective enforcement program. 16-COSI Study and consider a permanent ban on open burning within the City limits. 17-COSI Incorporate application mitigation measures specified in the Indirect Source Review Guidelines of the Northern Sierra Air Quality Management District in all future discretionary land use approvals.</p>	<ul style="list-style-type: none"> • City partnered with community groups Bear Yuba Land Trust and Wolf Creek Community Alliance to maintain and improve trail and open space areas. BYLT coordinated repaving of the ½ mile stretch of the popular Litton Trail with significant City contribution. • The City has codified the Quimby Act in Chapter 17.86 of the City’s Development Code at five acres per 1,000 persons. • The City promotes Planned Developments to assure clustering, density averaging and other techniques. For example, the City recently approved the Berriman Ranch Phase III Planned Development project consisting of 60 duet style lots on 10 acres. • The City’s Fire Department has implemented a permanent ban on open burning in the City. • The City implements Northern Sierra Air Quality Management District’s air quality rules and standards on all projects.
<p>Noise</p>	
<p>2-NI Prohibit development of new noise-sensitive land uses where noise levels due to fixed noise sources will exceed the noise levels of the Noise Element. 4-NI Require that an acoustical analysis be performed where new development of fixed noise sources, or modification of existing fixed noise sources, is likely to produce noise levels exceeding the performance standards of the Noise Element and that noise mitigation be included in the project design.</p>	<ul style="list-style-type: none"> • The City requires an acoustical analysis and conducts environmental analysis for discretionary projects to ensure that noise-sensitive land uses are mitigated.
<p>Safety</p>	
<p>1-SI Adhere to the Land Use Plan’s compact overall development pattern, including infill. A compact development pattern reduces total land area needed to accommodate projected development;</p>	<ul style="list-style-type: none"> • With exception to the recently annexed areas, development within the City of Grass Valley has been exclusive to infill development where services exist.

<p>facilitates quick response to emergencies.</p> <p>3-SI Amend land use regulations to allow clustering and density averaging in conjunction with restricted development of potentially hazardous areas.</p> <p>4-SI Encourage continuity and linkages within the circulation system. Require future developments to provide multiple ingress/egress points, to facilitate emergency vehicle access and mobility, and to facilitate emergency evacuation movements.</p> <p>5-SI Maintain high standards of fire preparedness, capacity, and response. Assure the City’s capability to maintain such standards as areas are annexed.</p> <p>8-SI Continue to require new development to utilize on-site storm water detention techniques.</p> <p>9-SI Continue to utilize site development standards designed to minimize the resulting area and percentage of impervious surface.</p> <p>11-SI Incorporate into City construction codes appropriate provisions and revisions of the CA Building Code regarding seismic safety.</p> <p>12-SI Maintain an active code enforcement program to assure the safety of residential and commercial structures.</p> <p>14-SI Enforce provisions of the Nevada County Airport Land Use Compatibility Plan, regarding development in designated Airport Compatibility Zones.</p>	<ul style="list-style-type: none"> • The City’s Development Code has been updated in 2007 to permit clustering, density averaging and Planned Developments. Environmental analysis for projects restricts and/or avoids potentially hazardous areas. • The Fire Department reviews all development proposals in accordance with the CA Fire Code as amended by the City of Grass Valley. The review ensures that linkages, multiple access points, emergency access and evacuation is planned. • With each respective development, a preliminary drainage study is required. On-site detention is the preferred drainage design, including development standards to minimize impervious surfaces and water quality. • For seismic safety, the City has adopted the CA Building Code as amended by the City of Grass Valley. • Although the City does not have a designated Code Compliance Officer, five Community Development Department staff members share Code Compliance duties. • The Community Development Department enforces the provisions of the 2011 Nevada County Land Use Compatibility Plan adopted by the Nevada County Transportation Commission.
<p>Recreation</p>	
<p>3-RI Establish and utilize neighborhood planning and participation to determine localized needs and desires for facilities and services.</p> <p>4-RI Pursue alternatives to city acquisition and maintenance of recreation areas via homeowners’ associations, assessment districts and private organizations.</p>	<ul style="list-style-type: none"> • The City updated Park restrooms (Memorial Park and Minnie Park) and playgrounds (Memorial Park and Minnie Park) to meet ADA requirements funded by Measure E (sales tax initiative). • The City completed the first phase of Wolf Creek Trail (Cohousing/River Otter way to Mining Museum Parking Lot

	at Mill Street & Freeman Lane) ±1.25 miles of trail constructed.
Historic	
<p>1-HI Maintain a Historic Resource Ordinance and active programs to implement City policy for historic conservation and enhancement.</p> <p>2-HI Continue to encourage the Grass Valley Historical Commission’s inventory of historical landmarks and sites within the original 1872 Townsite.</p> <p>4-HI Expand the “historical district” to include both sides of West Main Street between Church Street and Auburn Street and the north side of East Main Street between North Auburn Street and Washington Street.</p>	<ul style="list-style-type: none"> • The City maintains an active Historic Resource Ordinance and Historic Commission. The Historic Commission meets monthly and contains 5 members and 1 alternate member. • The Historic District has been expanded to include both sides of West Main Street between Church Street and Auburn Street and the north side of East Main Street between North Auburn Street and Washington Street.
Housing	
See attached goals, policies, and objectives.	<ul style="list-style-type: none"> • The City adopted the 2019-2027 State Certified Housing Element • The City adopted Accessory Dwelling Unit Ordinance in compliance with State law. • Updates to the City’s Density Bonus Ordinance and other housing laws in compliance with State law occurred in 2022.

HOUSING ELEMENT ANNUAL PROGRESS REPORT

The State Department of Housing and Community Development (HCD), acting as the City's Council of Governments, has determined the amount of affordable housing assigned to the City of Grass Valley for the planning period. Known as the Regional Housing Needs Assessment (RHNA). The 2019 - 2027 RHNA adopted by HCD allocates 743 housing units to the City of Grass Valley. This represents the number of housing units the City is responsible for accommodating during this planning period. The RHNA identifies 269 units, approximately 36 percent, to be affordable to very low- and low-income households. The above-moderate income category represents the greatest need for Grass Valley's total share of regional housing at 349 units or 47%.

Over the past several years, the Planning Division has processed an average of 50 planning and zoning applications annually. Applications include General Plan Amendments, Rezones, Development Review Permits, Tentative Maps, Planned Developments, Use Permits, Lot Line Adjustments, etc.

Building permits during this timeframe have also averaged ± 600 permits with the City averaging generally 50 permits annually for residential projects. Although building permits in 2021, have been less, several residential project sites, including Gilded Springs, Ridge Village, and Loma Rica Phase I are slated for development with several hundred lots available for the 2023 construction season.

State law requires the city to complete a review of the implementation of the programs in the State Certified Housing Element. **Table D** attached lists each of the programs in the Housing Element and indicates the timeframe to complete the program and the City's efforts to date. As the table illustrates, the City is on track with implementation of its 2019 - 2027 State Certified Housing Element.

The following information is a summary of the housing unit activity of the City of Grass Valley during 2022. The information is an excerpt summary of Tables of the State Department of Housing and Community Development.



City of Grass Valley City Council Agenda Action Sheet

Title: Review of 2022 Annual Housing Element Progress Report

CEQA: Not a Project

Recommendation: Receive and File. No formal action required.

Prepared by: Lance E. Lowe, AICP, Principal Planner

Council Meeting Date: March 28, 2023

Date Prepared: March 18, 2023

Agenda: Consent

Background Information: The City adopted its 2019 - 2027 Housing Element on August 13, 2019. The 2019-2027 Housing Element Regional Housing Needs Assessment allocates 743 housing units to the City of Grass Valley during the Housing Element planning period.

State law requires each city and county to prepare an Annual Progress Report (APR) on the status of the implementation of their Housing Element. This report must be submitted to the City Council, Governor's Office of Planning and Research (OPR), and Department of Housing and Community Development (HCD) by April 1.

Attached is an excerpt summary of the City's APR from the new forms adopted by HCD. Entitlements for City's housing numbers for 2022, are few, with only 4 units approved.

Although the Community Development Department has only issued 17 residential permits for 2022 with 13 units concluded from prior years, several projects are slated for construction in 2023-2024 including, The Pines of Grass Valley Multiple Family, Timberwood Estates, Gilded Springs, Ridge Village, Berriman Ranch Phases II & III, and Loma Rica Phase I.

Council Goals/Objectives: This APR does not meet any specific or general goal or objective but is mandated by the State.

Fiscal Impact: Preparation of the APR has been completed with existing staffing resources. No impact to the General Fund will occur.

Reviewed by: _____ Community Development Dir. _____ City Manager

ATTACHMENT:

Attachment 1 - Excerpt Summary form from the 2022 Housing Element Annual Progress Report

Jurisdiction	Grass Valley	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/15/2019 - 08/15/2027

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	6
Moderate	Deed Restricted	0
	Non-Deed Restricted	11
Above Moderate		0
Total Units		17

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	0	10	12
2 to 4	0	0	0
5+	0	0	0
ADU	0	6	1
MH	0	1	0
Total	0	17	13

Housing Applications Summary	
Total Housing Applications Submitted:	1
Number of Proposed Units in All Applications Received:	4
Total Housing Units Approved:	4
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas



City of Grass Valley City Council Agenda Action Sheet

Title: Condon Park Parking Improvements Project - Final Acceptance

CEQA: Exempt - Section 15301 "Existing Facilities"

Recommendation: That Council: 1) accept the Condon Parking Lot Improvements Project as complete, and 2) authorize the City Engineer to file a Notice of Completion with the County Recorder.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Consent

Background Information: On July 13, 2021, Council authorized the award of a contract for the Condon Park Parking Improvements Project to Deschaine Enterprises, Inc. in the amount of \$649,297.50. The project involved the realignment and expansion of the existing parking lot, adding 37 new parking spaces and four accessible spaces, construction of concrete shared use paths, sidewalks, curb ramps and a picnic area, and the installation of a new four stall prefabricated restroom.

Additionally, a contract amendment in the amount of \$43,750.00 plus contingencies was previously authorized by Council on March 22, 2022 for the construction of a new water main line through the parking lot area. A total of five contract change orders were authorized for the project. All the work has now been completed by the contractor with a final project cost of \$762,351.18, within the budgeted amount.

The Engineering Division has field accepted the work and the contractor has provided the City with a guarantee of work for a period of one year following the date of acceptance of the project. Upon Council's acceptance, Staff will file a Notice of Completion with the County Recorder's Office. If no Stop Notices are received by the City after a period of thirty-five (35) days from the filing date of the Notice, all appropriate bonds will be released to the contractor.

Council Goals/Objectives: The Condon Park Parking Improvements Project executes portions of work tasks towards achieving/maintaining Strategic Plan - Recreation & Parks.

Fiscal Impact: The project was fully funded in the FY 22/23 CIP Budget with Measure E Funds.

Funds Available: Yes

Account #: 300-406-64140

Reviewed by: _____ City Manager

RECORDING REQUESTED BY and
WHEN RECORDED MAIL TO:

**ENGINEERING DIVISION
CITY OF GRASS VALLEY
125 East Main Street
Grass Valley, CA 95945**

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. That the undersigned is OWNER or agent of the OWNER of the interest or estate stated below in the property hereinafter described.
2. The FULL NAME of the OWNER is the **City of Grass Valley**.
3. The FULL ADDRESS of the OWNER is **125 East Main Street, Grass Valley, CA 95945**.
4. The nature of the INTEREST or ESTATE of the undersigned is: **FEE**.
5. A work of improvement on the property hereinafter described was COMPLETED: **March 20, 2023**.
6. The work of improvement completed is described as follows: **Concrete accessibility improvements, asphalt concrete pavement parking lot construction and prefabricated restroom installation**.
7. The NAME OF THE ORIGINAL CONTRACTOR, if any, for such work of improvement is: **Deschaine Enterprises Inc.**
8. The street address of said property is: **660 Minnie St, Grass Valley, CA 95945**.
9. The property on which said work of improvement was completed is in the City of **Grass Valley**, County of **Nevada**, State of California and is described as follows: **Condon Park**.

City of Grass Valley
Owner

by: _____
Bjorn P. Jones, City Engineer

"I certify under penalty of perjury that the foregoing is true and correct."

(Date and Place)
(Signature)



City of Grass Valley City Council Agenda Action Sheet

Title: Ridge Village Development - Approve Final Map

CEQA: Negative Declaration

Recommendation: That Council 1) approve the Final Map 19PLN-24 for Ridge Village Subdivision, 2) accept the public improvements, and 3) approve Resolution 2023-10, accepting the public utility easements and roadway dedications.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Consent

Background Information: On July 22, 2020, Planning Commission approved a Tentative Subdivision Map 19PLN-24 for the Ridge Village Development, a division of the parcels APN 008-050-005 and 008-060-016, between Slate Creek Road and Ridge Road, into 24 parcels. On March 16, 2021, Planning Commission approved a Tentative Subdivision Map 20PLN-36 for the McKenna Development, a division of parcel APN 008-060-031, off of Slate Creek Road, into 11 parcels. This development was adjacent to the approved Ridge Village Development and after approval the two tentative maps were combined into the Ridge Village Development with 35 lots. The Final Map has been reviewed by the City Surveyor and deemed technically correct.

All public improvements are complete, and the subdivision improvements are substantially complete with a few minor items remaining that the developer has asked to defer due to delays in receiving materials. The developer has provided a letter committing to finalizing these items prior to building occupancy and has provided a performance security for the remaining work. The Engineering Division has field inspected the work and recommends accepting the public improvements, including the sewer and storm drain facilities underlying the public right of way.

Covenants, Conditions and Restrictions have been prepared to establish the formation of a Homeowners' Association for the Ridge Village Subdivision. These documents have been reviewed and judged acceptable by City legal counsel, and will be recorded concurrently with the Final Map. The street lights, landscaping of common areas and drainage facilities on private property will be privately owned and maintained by the Homeowners' Association.

Staff recommends that Council approve the Final Map 19PLN-24 and adopt the attached Resolution 2023-10. The Resolution accepts the public utility easements associated with the map and accepts the public roadways.

Council Goals/Objectives: Final Map approval executes portions of work tasks towards achieving/maintaining Strategic Goals - Community and Sense of Place, Transportation and Underground Infrastructure.

Fiscal Impact: N/A

Funds Available: Yes

Account #: N/A

Reviewed by: _____ City Manager

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
ACCEPTING THE RIDGE VILLAGE PUBLIC UTILITY EASEMENTS AND DEDICATION OF
ROADWAYS AND PUBLIC IMPROEVMENTS**

WHEREAS, the Planning Commission conditionally approved Tentative Subdivision Map 19PLN-24 on July 22, 2020; and

WHEREAS, the Planning Commission conditionally approved Tentative Subdivision Map 20PLN-36 on March 16, 2021; and

WHEREAS, a condition of approval required the dedication of Public Roadways and Public Utility Easements;

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

1. The City accepts the public roadways identified as Item #1 in the "Owner's Statement" on Final Map 19PLN-24 for public purposes.
2. The City accepts public utility easement identified as item #2 in the "Owner's Statement" on Final Map 19PLN-24 for public purposes.

ADOPTED as a Resolution by the City Council of the City of Grass Valley at a special meeting thereof held on the 28th day of March 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jan Arbuckle, MAYOR

APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, CITY ATTORNEY

Taylor Day, CITY CLERK



City of Grass Valley City Council Agenda Action Sheet

Title: On-Call Civil Plan Review Services - Contract Amendment

CEQA: Exempt - Not a Project

Recommendation: That Council 1) authorize a contract amendment with Bureau Veritas North America Inc. (BV) for on-call civil plan review services, and 2) authorize the City Engineer to execute a contract amendment with BV, pending legal review, in an amount not to exceed \$60,000 for the initial 2 year term of the project.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Consent

Background Information: On January 24, 2023, Council authorized a professional services agreement with Bureau Veritas North America Inc. for building and fire plan review and inspection services. City Staff performed an extensive Request for Proposals procurement in advance of recommending contract award to BV for these services. BV has had a working professional relationship with the City of Grass Valley since 2007 and has performed support services commendably over this time period.

The Engineering Division has a analogous need for plan review services for civil improvement plan and engineering building plan checks. BV has submitted a supplemental Statement of Qualifications related to the City's request for Civil Plan Review Services and is well qualified and licensed to perform this work. Due to the existing services agreement with BV and their knowledge and understanding of City policies and procedures, a contract amendment is the most logical and efficient use of resources to consolidate supplemental plan review across the City under one consultant.

The initial contract term will be a two year agreement with optional extensions. The annual contract amount will be established based upon the amount identified in the annual Engineering budget. Contractual services from BV and a separate agreement for Professional Engineering Services will replace an existing budgeted full time Assistant Engineer position. For fiscal year 2022/23, the Assistant Engineer position was budgeted at a fully loaded cost of \$130,000, with a mix of 50% funding from the General Fund and 50% of costs allocated directly to projects funded by development fees and non-General Fund sources (Rate, Measure E, grant funding, etc.).

Staff recommends that Council authorize a contract amendment based on; the previous Request for Proposals procurement process completed earlier this year, BV's existing professional services agreement with the City, and the consultant's satisfactory execution of work to date. Accordingly, it is requested that Council authorize the City Engineer to

execute a contract amendment with Bureau Veritas North America Inc. pending legal review, for on-call civil plan review services in an amount not to exceed \$60,000 for the initial 2 year term.

Council Goals/Objectives: A contract amendment for Civil Plan Review Services executes portions of work tasks towards achieving/maintaining Strategic Plan Goal - High Performance Government and Quality Service

Fiscal Impact: Civil Plan Review Services will replace the Assistant Engineer position that was fully funded in the 22/23 FY Budget

Funds Available: Yes

Account #: Various

Reviewed by: _____ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: On-Call Engineering Services - Authorization to Award Contract

CEQA: Exempt - Not a Project

Recommendation: That Council 1) authorize the City Engineer to execute a contract with Coastland Civil Engineering LLP., pending legal review, for on-call professional engineering services, in an amount not to exceed \$330,000 for the initial 3 year term of the project.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Consent

Background Information: On February 3, 2023, staff issued a Requests for Proposals (RFP) for on-call professional engineering services. The services will be utilized to assist the Engineering Division in the preparation of improvement plans, specifications and cost estimates and to provide support for the delivery of various capital improvement projects.

Four firms submitted proposals and a review committee evaluated and ranked the proposals. Staff recommends entering into Professional Services Agreements with the top ranking firm, Coastland Civil Engineering LLP. The standard professional service agreement will be utilized.

The initial contract term will be a three year agreement with optional one year extensions. The annual contract amount will be established based upon the amount identified in the annual Engineering budget. Contractual services from Coastland Civil Engineering LLP and a separate agreement for Engineering plan check services will replace an existing budgeted full time Assistant Engineer position. For fiscal year 2022/23, the Assistant Engineer position was budgeted at a fully loaded cost of \$130,000, with a mix of 50% funding from the General Fund and 50% of costs allocated directly to projects funded by development fees and non-General Fund sources (Rate, Measure E, grant funding, etc.).

Staff recommends that Council authorize the City Engineer to execute a contract with Coastland Civil Engineering LLP., pending legal review, for on-call professional engineering services in an amount not to exceed \$330,000 for the initial 3 year term.

Council Goals/Objectives: A contract for On-Call Engineering Services executes portions of work tasks towards achieving/maintaining Strategic Plan Goal - High Performance Government and Quality Service

Fiscal Impact: Contract Engineering Services will replace the Assistant Engineer position that was fully funded in the 22/23 FY Budget

Funds Available: Yes

Account #: Various

Reviewed by: _____ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: Pioneer Community Energy - Community Choice Aggregation Program (CCA) for the City of Grass Valley

CEQA: Not a project

Recommendation: That Council 1) approve Pioneer Community Energy to procure the necessary energy to serve the City of Grass Valley starting in January 2024, and 2) adopt a Resolution 2023-09 authorizing the Mayor to appoint City Council Members to the Pioneer Board of Directors.

Prepared by: Timothy Kiser, City Manager

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Consent

Background Information: Pioneer Community Energy (Pioneer) is a Joint Powers Authority (JPA) formed between the Counties of Placer and El Dorado, the Town of Loomis, and the Cities of Auburn, Colfax, Lincoln, Placerville, and Rocklin.

Pioneer is a Community Choice Aggregation Program (CCA) authorized under Assembly Bill 117 (2002). The CCA provides local control over the electricity supply with a primary goal of providing stable and competitive electricity rates to the residents and businesses within its member jurisdictions.

Pioneer purchases the electricity supply and PG&E transmits and delivers the power through PG&E's infrastructure (poles and wires). PG&E continues to own, operate, and maintain its distribution infrastructure. PG&E also continues to provide meter reading and billing services for Pioneer's customers.

On January 25, 2022, the Pioneer executive team gave a presentation to the City Council. This presentation was a general introduction to a CCA and Pioneer. At this meeting, the City Council authorized staff to proceed with an Impact Assessment Study.

At the September 15, 2022, Pioneer Governing Board meeting, the Board received results of the Impact Assessment Study and unanimously approved a resolution authorizing Pioneer staff to begin the process of amending the Joint Exercise of Powers Agreement to allow the City of Grass Valley and Nevada City to join the JPA.

At the October 11th, 2022 City Council Meeting, the City Council approved Resolution No. 2022-77 requesting membership in Pioneer Community Energy, and authorizing the Mayor to execute Amendment No. 5 to the Amendment and Restated Joint Powers

Agreement. At that meeting, City Council also introduced and conducted first reading of an ordinance authorizing the establishment of a CCA program in the City. Pioneer’s Board of Directors to took action on the Amendment to the Joint Powers Agreement, allowing the City to join Pioneer as a member.

The final steps in this process is to request Pioneer Community Energy to start procuring power to serve the City in January 2024. Additionally, City will need to appoint members (primary and alternate) to Pioneer Community Energy Board of Directors. Staff is proposing City Council approve Resolution 2023-09 providing the Mayor of Grass Valley the ability to appoint a Council Member to the Pioneer Board of Directors, which would then be added to City appointment list.

ENVIRONMENTAL CLEARANCE

The adoption of the Resolution does not constitute a project and is therefore exempt from the requirements of CEQA in accordance with Section 15378(b).

Council Goals/Objectives: The item executes portions of work tasks towards achieving/maintaining Strategic Plan - High Performance Government and Quality Service.

Fiscal Impact: There is no risk to the general fund related to joining of Pioneer and approving an ordinance to institute a CCA program in the City. The cost to serve the new members is funded through Pioneer rates. Overall, by joining Pioneer the City should save money on our yearly energy cost compared to PG&E.

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments: R2023-09,

RESOLUTION NO. 2023.09

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AUTHORIZING THE MAYOR TO APPOINT REPRESENTATIVES TO THE PIONEER BOARD OF DIRECTORS

WHEREAS, on September 24, 2002, the Governor of California signed into law Assembly Bill 117 (Statute 2002, Chapter 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine electricity load of its residents and businesses in a Community Choice Aggregation program (CCA); and

WHEREAS, the Act expressly authorizes participation in a CCA through a joint powers agency, and on February 22, 2017, Pioneer Community Energy (Pioneer) was established as a joint powers authority pursuant to an Amended and Restated Joint Powers Agreement, as amended from time to time, for the establishment of a CCA; and

WHEREAS, the California Public Utilities Commission certified the "Implementation Plan" of Pioneer, confirming Pioneer's compliance with the requirements of the Act; and

WHEREAS, currently electricity is generated and provided to the residents of the City of Grass Valley by Pacific Gas and Electric Company (PG&E) with no alternative provider for the City; and

WHEREAS, the City finds it important that its residents, businesses and public facilities have alternative choices to energy procurement beyond PG&E; and

WHEREAS, on October 25, 2022, the City Council approved Ordinance No. 819 conditionally authorizing the implementation of a Community Choice Aggregation Program within the areas currently served by PG&E in the City through participation in the Community Choice Aggregation Program of the Pioneer Community Energy Joint Powers Authority; and

WHEREAS, the California Public Utilities Commission has approved Pioneer Community Energy application to serve the Cities of Nevada City and Grass Valley beginning in January 2024; and

WHEREAS, the City finds that adoption of this resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, as it is not a "project" since it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (14 Cal. Code Reg. § 15378). Further, the resolution is exempt from CEQA, as there is no possibility that the resolution

or its implementation would have a significant effect on the environment. (14 Cal. Code Reg. § 15061 (b)(3)).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Grass Valley does hereby approve the Mayor to appoint a primary board member and an alternate board members to the Pioneer Community Energy Board of Directors to represent the City of Grass Valley.

The foregoing Resolution was passed and adopted at a regular meeting of the City Council of the City of Grass Valley held on the 28th day of March 2023, by the following vote:

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

Jan Arbuckle, Mayor

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael Colantuono, City Attorney



City of Grass Valley City Council Agenda Action Sheet

Title: Parks Capital Improvements Projects - Summary and Update

CEQA: Exempt - Not a Project

Recommendation: That Council 1) receive an update on the numerous Parks and Recreation improvements projects completed throughout the City in the past several years.

Prepared by: Bjorn P. Jones, PE, City Engineer

Council Meeting Date: 03/28/2023

Date Prepared: 03/23/2023

Agenda: Administrative

Background Information: The City of Grass Valley has over 108 acres of park lands and seven developed parks. In the past several years the City Engineering Division has delivered a number of significant park improvements projects across the City in order to modernize aging facilities and in an effort to enhance the recreation experience for City residents and for park users hailing from across all of Western Nevada County

Due to the transformational funding opportunity provided first by Measure N and expanded upon with Measure E, major park improvements such as entire artificial turf ball fields, new restrooms, new trail construction and an entire swimming pool replacement have been made possible. Additionally, the City has been very successful in securing grant funding to supplement City park improvement funds, including CMAQ, Prop 68, Prop 1 and CDBG funding.

A summary of all the major park improvements completed in the last few years is attached and will be discussed further at the Council meeting. In all, over \$15 million has been invested in parks and trail improvements across the City of Grass Valley.

Council Goals/Objectives: Park Improvement Projects execute portions of work tasks towards achieving/maintaining Strategic Plan Goal - Recreation and Parks

Fiscal Impact: N/A

Funds Available: Yes

Account #: N/A

Reviewed by: _____ City Manager



GRASS VALLEY
A PLACE TO LIVE AND THRIVE

Major Park Improvements Summary 2020-2023

Condon Park (\$2.4 million)

- Artificial Turf Ball field replacement (\$1.2 million, completion 2023)
- 4 stall prefab restroom installation (\$250,000, completion 2023)
- Upper ball field parking lot expansion (\$400,000, completion 2022)
- Basketball court resurfacing (\$20,000, completion 2022)
- Mastication and downed tree removal (\$200,000, completion 2022)
- Trail and connectivity improvements, (\$315,000, completion 2020)

Mautino Park (\$325,000)

- Turf Replacement, hybrid Bermuda sod (\$275,000, completion 2021)
- Tennis court resurfacing (\$50,000, completion 2021)

Scotten School (\$1.8 million)

- Artificial Turf Replacement, access road and parking lot (\$1.6 million, completion 2023)
- 2 stall prefab restroom installation (\$200,000, completion 2023)

Lyman Gilmore School (\$1.6 million)

- Artificial Turf Replacement, (\$1.6 million, completion 2020)

Minnie Park (\$820,000)

- Playground Replacement (\$610,000, completion 2020)
- Restroom replacement (\$145,000, completion 2020)
- Sidewalk and connectivity improvements, (\$65,000, completion 2020)

Memorial Park (\$6.8 million)

- Parkwide Improvements Project – Pool Replacement, 2 Pickleball courts, Basketball court, Artificial Turf Softball field, Maintenance Building and Restroom, Parking expansion and repaving, Water line, Sidewalk, and Landscaping. (\$5.5 million, completion 2023)
- Tennis court resurfacing (\$50,000, completion 2021)
- Pool Building locker room and office replacement (\$1.1 million, completion 2021)
- Restroom replacement (\$145,000, completion 2020)

Wolf Creek Trail (\$1.4 million)

- Phase 1 trail construction (\$1.2 million, completion 2019)
- Engineering Design and Environmental, Segments 2-6 (\$270,000, completion 2023)

Total since 2020 (\$15.2 million)