



GRASS VALLEY

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

Tuesday, December 12, 2023 at 7:00 PM

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

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

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

MEETING NOTICE

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

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

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

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

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

REPORT OUT OF CLOSED SESSION

INTRODUCTIONS AND PRESENTATIONS

1. Cal VIP Grant Presentation

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.*

2. Approval of the Regular Meeting Minutes of November 28, 2023

Recommendation: Council approve minutes as submitted.

3. Approval of the Special Meeting Minutes of November 28, 2023

Recommendation: Council approve minutes as submitted.

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

CEQA: Not a project

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

5. Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Project.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

6. Agreement with Nevada County Probation for AB109 Officer services

CEQA: Not a project

Recommendation: That Council 1) approve the agreement between the City of Grass Valley and the Nevada County Probation Department for Assembly Bill 109 Police Officer Services; and 2) authorize the Finance Director to make any budget amendments, budget transfers, and personnel allocation changes as necessary.

7. Grass Valley Police Officers’ Association - Unit 6 - Side Letter to July 1, 2023 - June 30, 2024 - Lateral Police Officer Recruitment Incentives

CEQA: Not a project

Recommendation: That Council adopt Resolution No. 2023-68 approving a Side Letter to the Labor Memorandum of Understanding for the period beginning July 1, 2023 through June 30, 2024 between the City of Grass Valley and the Grass Valley Police Officers’ Association (Unit 6) for recruitment incentives for lateral police officers.

8. Fees for Mailing Agenda Packets

CEQA: Not a project

Recommendation: That Council adopt a resolution setting the fee for mailing agenda packets recommended by the City Clerk.

9. 2022/23 Annual Street Rehabilitation Project - Final Acceptance

CEQA: N/A - Project is Complete

Recommendation Motion: That Council: 1) accept the 2022/23 Annual Street Rehabilitation Project as complete, and 2) authorize the City Engineer to file a Notice of Completion with the County Recorder.

10. 2022 Annual Measure E Street Rehabilitation Project - Final Acceptance

CEQA: N/A - Project is Complete

Recommendation Motion: That Council: 1) accept the 2022 Annual Measure E Street Rehabilitation Project as complete, and 2) authorize the City Engineer to file a Notice of Completion with the County Recorder.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

11. Interim Options for Fire Resiliency and Vegetation Management

CEQA: Not a Project.

Recommendation: That Council 1) consider and provide direction to staff on using up to \$100,000 of general fund reserves to hire a new police officer academy graduate to backfill a police officer for approximately 12 months to operate the City's masticator and assist with our vegetation management program; 2) consider and provide direction on authorizing up to \$50,000 of general fund reserves for vegetation management software, and 3) authorize the Finance Director to make any necessary budget transfers to implement any actions approved by City Council associated with this item.

12. Ophir and Bennet Circulation Improvements - Project Introduction

CEQA: N/A - Administrative Discussion

Recommendation Motion: That Council: 1) receive a presentation on proposed roadway circulation improvements on Ophir and Bennett Streets, and 2) provide direction to staff whether to proceed with further outreach and implementation work.

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, December 12, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, December 7, 2023.

Taylor Day, City Clerk



GRASS VALLEY

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

Tuesday, November 28, 2023 at 7:00 PM

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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 7:03 pm.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Mayor Arbuckle

ROLL CALL

PRESENT

Councilmember Bob Branstrom
Councilmember Haven Caravelli
Councilmember Tom Ivy
Mayor Jan Arbuckle

AGENDA APPROVAL -

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

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

REPORT OUT OF CLOSED SESSION

Nothing to report.

INTRODUCTIONS AND PRESENTATIONS

1. Wreaths Across America Proclamation
2. Presentation from the Food Bank of Nevada County

PUBLIC COMMENT -

Virtual public comments attached.

In person public comment: Yazmin, Yaseff, Josh, Loren O'seani, John, Estrati, Noga Wizanski, Mikos Favohsen, Michelle Amada, Tara Meriro,

Jeffery Gottesman(Michael Notes) Jeffery Casman, Susan Baider, Zalla, Reena Siegel, Sophia, Ian Amatine, Jillian Smith, Shirly Halsgood, Jack, Matthew Coulter.

CONSENT ITEMS -

Public comment by: Matthew Coulter

Motion made to approve consent as submitted by Councilmember Branstrom, Seconded by Councilmember Ivy.

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

3. Approval of the Regular Meeting Minutes of November 14, 2023

Recommendation: Council approve minutes as submitted.

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

CEQA: Not a project

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

5. Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Project.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

6. Memorandum of Understanding between the City of Grass Valley and County of Nevada Environmental Health Department for inspection services related to SB 1383.

CEQA: Not a Project

Recommendation: That Council 1) review the attached Memorandum of Understanding (MOU) with the County of Nevada; 2) adopt Resolution No. 2023-63 approving the Memorandum of Understanding (“MOU”) between the County of Nevada (“County”) and the City of Grass Valley (“City”); and 3) authorize the Mayor to execute MOU, subject to legal review.

7. Resolution to execute a contract with Northern Sierra Air Quality Management District and accept AB 2766 DMV Surcharge Funds.

CEQA: Not a Project

Recommendation: That Council 1) review the attached contract with Northern Sierra Air Quality Management District (NSAQMD); 2) adopt Resolution No. 2023-64 accepting the contract between NSAQMD and the City of Grass Valley; and 3) authorize the City Manager to be delegated the authority to conduct all negotiations, sign and submit all documents, including, but not limited to applications agreements, amendments, and payment request, which may be necessary for the completion of the grant scope, subject to legal review.

8. Close City Hall to the Public the week of 12/25-1/1

CEQA: Not a project

Recommendation: That Council approve the motion to close the City Hall office to the public during the week between Christmas and New Years (12/25-1/1) and resume

normal operating hours on Tuesday, January 2nd to allow for flexible staff schedules during this period.

9. Application to the Nevada County Landmarks Commission for consideration of establishing Memorial Park as an Historic Landmark.

CEQA: The project is exempt from review under the California Environmental Quality Act (CEQA) by the “common sense” rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Recommendation: That Council direct staff to complete an application to the Nevada County Landmarks Commission for consideration of establishing Memorial Park as an Historic Landmark and authorize the expenditure of up to \$2,000 for the erection of a plaque at a centralized location within the park.

10. Approval of a Three-year Renewal Agreement with Dell for Citywide Microsoft Licensing, Utilizing the County of Riverside Agreement, in the Amount of \$63,796.65 Annually

CEQA: Not a project

Recommendation: Authorize the City Manager or designee to execute a three-year agreement with Dell in the amount of \$63,796.65 annually to pay for the City’s annual Microsoft licensing and support (Attachment A).

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

11. Purchase of a new Ladder Truck for the Fire Department.

CEQA: Not a project

Recommendation: That Council 1) Adopt Resolution No. 2023-65 approving the purchase of one (1) Ladder Truck from Fire Apparatus Solutions/KME Corporation in the amount of \$2,151,138.36; 2) approve the Fire Chief to enter into an agreement, upon legal review, for the purchase through our existing Sourcewell Master Contract for REV Group- KME #113021-RVG-3 and, 3) authorize the Finance Director to make necessary budgets adjustments or transfers.

Mark Buttron, Fire Chief, gave presentation to the council.

Council had discussion of warranty of the engine and why the current truck is out of commission.

Public Comment: Matthew Coulter. Virtual Public Comment attached.

Motion made to 1) Adopt Resolution No. 2023-65 approving the purchase of one (1) Ladder Truck from Fire Apparatus Solutions/KME Corporation in the amount of \$2,151,138.36; 2) approve the Fire Chief to enter into an agreement, upon legal review, for the purchase through our existing Sourcewell Master Contract for REV Group- KME #113021-RVG-3 and, 3) authorize the Finance Director to make necessary budgets adjustments or transfers by by Councilmember Branstrom,

Seconded by Councilmember Caravelli.

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

12. Changing City Council Meeting Times

CEQA: Not a Project

Recommendation: That Council adopt Resolution No. 2023-66 changing the regular meetings of the City Council to 6:00 p.m. on the second and fourth Tuesdays of each calendar month beginning January 1, 2024.

Tim Kiser, City Manager, gave over view of the proposal of moving Council meeting time.

Council discussed the benefits of meeting times.

Motion made to adopt Resolution No. 2023-66 changing the regular meetings of the City Council to 6:00 p.m. on the second and fourth Tuesdays of each calendar month beginning January 1, 2024 by Councilmember Caravelli, Seconded by Councilmember Branstrom.

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

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Caravelli had nothing to report. Councilmember Ivy attended Cornish Christmas. Council Member Branstrom was not able to attend Cornish Christmas but watched the video, he went away from town for Thanksgiving, and attended a LAFCO meeting. Mayor Arbuckle attended the National League City Summit, Cornish Christmas, and held Monday with the Mayor. She want to make everyone aware that Decembers Monday with the mayor will be held on December 18th and not the fourth Monday of the month.

ADJOURN

Meeting adjourned at 8:47 pm.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Approved on:_____

Taylor Day

From: Art Krugler [REDACTED]
Sent: Tuesday, November 28, 2023 8:10 PM
To: Public Comments
Subject: Purchase of Fire Engine

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

To the Council - if the decision has not been made.:

Can the expenses be justified??

Can the present truck be upgraded at much lower cost??

Is this a 'need', or a 'want'. ?

My understanding of the request for a new engine is:

It is a "ladder truck" which can reach high buildings for rescue and also direct fire water.

It is special for Grass Valleys steep roads

The current truck is 14 years old and will b 17 years old when the new truck arrives.

Cost is \$2,151,138.36 but no information on cost of maintenance or operating crew.

As an invested ENDOWMENT, that lost revenue at 6% is \$129,068 compound interest.

How many times has the existing truck saved lives from high rises?

How many times has the truck travelled to other cities for similar use?

Can this truck negotiate all our hilly curves narrow roads?

It obviouly cannot travel to a fire but must wait for the fire to reach the road.

Art Krugler

125 Sparrow Circle

Grass Valley, CA 95945 530-446-6661

A 96 year old registered engineer who remembers the 1930"s.

Stock market crash

Depression

Drought

Forest fires

Dust Bowl

Bank "Holiday"

Anarchy - my Father was an anarchist for one day.

Taylor Day

From: Lindsay Bellows [REDACTED] >
Sent: Tuesday, November 28, 2023 4:04 PM
To: Public Comments
Subject: Public Comment for 11.28 Meeting

Follow Up Flag: Follow up
Flag Status: Completed

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

Dear Council,

As a resident of Grass Valley I urge you to support a resolution for an immediate and sustained ceasefire in Gaza.

"What does this have to do with our town?" you may ask. While a majority of the general public in the United States supports a ceasefire, the majority of elected officials in US Congress do not. This means that elected officials aren't representing the desires of their constituents and that the strength of our democracy is compromised.

You can model what representative government should look like by heeding the desires of *your* constituency, in this case, those calling for support to Gaza.

If all towns, cities, and county bodies made declarations in light of the desires of their constituents, the lawmakers at state and federal levels would no longer be able to ignore the will of the people.

This small town council has an important role to play in supporting our country's democracy.

Thank you for leaning in.

Sincerely, Lindsay Bellows

Taylor Day

From: Tammy Gregerson [REDACTED]
Sent: Tuesday, November 28, 2023 3:55 PM
To: Public Comments
Subject: Resolution for Ceasefire in Palenstine

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

Hello,

I live within the city limits of Grass Valley and have lived in Nevada County for over 40 years.

I urge you to pass a resolution calling for an immediate ceasefire in Palestine and an end to U.S. military aid to Israel. In addition, I am asking that you make the declaration that Grass Valley stands united against genocide.

Sincerely,
Tammy Gregerson

Taylor Day

From: Lisa Nowlain [REDACTED]
Sent: Tuesday, November 28, 2023 3:03 PM
To: Public Comments
Subject: Public comment

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

Hello,

I am a Nevada County resident in unincorporated Nevada City. My kids go and have gone to school in Grass Valley and I currently work in Grass Valley.

I am writing to encourage city council to pass a resolution calling for an immediate and permanent ceasefire in Gaza and affirm support for Congress Resolution HR 786. Every voice matters and we must put a stop to the genocide unfolding before our eyes. Especially as a county founded on the gold rush and its accompanying genocide and violent land grab, we have a duty to speak up when it's happening elsewhere.

Thank you,
Lisa Nowlain

Sent from a machine with tiny keys

Taylor Day

From: Rinah Segal [REDACTED]
Sent: Tuesday, November 28, 2023 1:53 PM
To: Public Comments
Subject: Call for Ceasefire

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

Hi, my name

Is Rinah Segal and I'm a (Jewish) citizen of Nevada County and I am standing strongly with calls for a permanent ceasefire in occupied Palestine and an end to this horrific violence against civilians. In support of Congress Resolution HR 786, I ask that Grass Valley adopt a resolution, as have many other American cities, calling for an end to the US military aid to Israel until major changes are made, an immediate and extended ceasefire, and a declaration that Grass Valley stands united against genocide.

as a Jew whose grandparents and great grandparents endured horrific treatment and loss of loved ones, and who were themselves refugees from their homelands, I cannot sit back and accept while the same kinds of atrocities are committed in my name. We must find a better way and break this cycle of never ending winnerless war.

Thank you for hearing my voice. God bless 🙏

Taylor Day

From: Pam Jung [REDACTED]
Sent: Tuesday, November 28, 2023 11:58 AM
To: Public Comments
Subject: For tonight's Council (11/28)

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

Sounds like a new ladder truck is needed. My concern is how we pay for it and would like that spelled out. Options: bequest, grants, funds from Measure E, sale of present ladder, and so on. If this truck is expected to service all of western Nevada County, will the other agencies involved help pay for it?

Thanks,
Pamela Jung
800 Freeman Lane
Grass Valley

Taylor Day

From: Jedidiah Watson [REDACTED]
Sent: Tuesday, November 28, 2023 8:22 AM
To: COGV General Voicemail
Subject: Storm Damage Repair Second Street

You don't often get email from jnathanw@hotmail.com. [Learn why this is important](#)

Good Evening Council Members,

As you vote to approve the continuation of the State of Emergency for the Winter Storm from February this year I ask that you task the city with the clean up and repair of Second St. a high priority. During the storm a large tree that was in the middle of Second St. uprooted and fell. The local residents cut the tree into rounds so that they could maneuver through the roadway, but the giant stump and hole in the middle of the street still remains.

Thanks,
Jedidiah

Taylor Day

From: Raya Grieb [REDACTED]
Sent: Tuesday, November 28, 2023 12:35 AM
To: Public Comments
Subject: Resolution for an immediate ceasefire

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

I beg you, the Grass Valley City Council to pass a resolution for an immediate ceasefire, an end of U.S. military aid to Israel, and for a declaration against the active genocide of Palestinians. Please, for the people starving in Gaza, without access to clean water and sufficient water, whose entire population have no safe place and are sleeping in the streets. For the 2 million people, half of whom are children, without any health care while they are being carpet bombed and phosphorus bombed so their skin will burn off. Please imagine living there, and being beside your child who is undergoing an amputation without anesthesia to do the right thing and pass this resolution. Imagine your wife undergoing a cesarean without anesthesia and do the right thing and declare your support for no US military aid to Israel who are actively shooting at innocent civilians attempting to flee. Or go home to get a jacket. Experts on genocide, declare this a textbook case of genocide. Israeli government rhetoric makes this very clear, as well as their actions. Shooting medical personnel inside a hospital caring for dying babies, setting dogs on them. What is happening is so outrageous and wrong. Major human rights organizations before Oct 7, have well documented the human rights abuses of Israel against Palestinians. They have tried peaceful protest and get shot at, in the prisons where they are subject to professionalized torture according to Dr. Gabor Mate, Holocaust survivor and trauma expert, they have tried hunger strikes. They tried to have cows to boycott Israeli milk, only to have the military hunt them down and take them, as they tried moving them from place to place. There are severe restrictions on their commerce. When there is no support for peaceful resistance, violence is what usually happens, except in the case of Tibetans, who no longer are able to live freely in their homeland. Judging Hamas's horrible and desperate action as a justifiable reason to maim and wound tens of thousands, wipe out entire extended families, the targeting of journalists homes and families is unjust. If our government sent a bomb to the Middle East and they suspected an official lived in a tunnel under Grass Valley, how would you feel about them that country destroying 50% of the homes in 4 weeks and we were living in those conditions with no safe place to flee. Please I beg you to pass this resolution. This continued genocide is undermining the authority and power of the UN and causing less security for Israel and the US from terror attacks. My children's great grandparents were in Auschwitz. They have blood family in Israel. I have many dear friends who have loved ones who died on Oct.7th. And I do not stand beside their racism, I pray for them to see a different way to peace. Israel is an official apartheid system. Well declared by experts. How can we support that? How?

As our elected representatives, this bloodshed is on your hands, even more so than mine. Please do the right thing and pass a resolution for an immediate and lasting ceasefire, for internationally mediated peace talks and accountability to hold to the agreement or completed sanctions.

Thank you for listening to me. I can't sleep or live normally knowing my tax dollars are supporting massive, disgusting killing of so many people.

Amanda Grieb
 530 277-7928.

Taylor Day

From: Patricia Cotter [REDACTED]
Sent: Monday, November 20, 2023 2:19 PM
To: COGV General Voicemail
Subject: Thank you and a question

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

Hello!

We so appreciate all of the amazing changes that have been made to downtown. So fun to hang out, dine, and shop. Great job! Thank you.

One request/suggestion...might you consider dimmers for the lights downtown? It's great that it's bright but it's a bit *too* bright - especially with the holiday decorations.

Again thank you for all you are doing to make Grass Valley an even more beautiful place.

Thank you,
Patricia

--
(she/her)



GRASS VALLEY
Special City Council Meeting

Tuesday, November 28, 2023 at 4:45 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 4:50 pm

ROLL CALL

PRESENT

Councilmember Bob Branstrom
Councilmember Haven Caravelli
Mayor Jan Arbuckle

ABSENT

Councilmember Tom Ivy
Vice Mayor Hilary Hodge

PRESENT AT 5:21 PM Councilmember Tom Ivy

AGENDA APPROVAL -

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

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Mayor Arbuckle

ADMINISTRATIVE

- 1. Code of Conduct & Political Activity of City Officials and Employees

Michael Colantuono, City Attorney, gave "Political Activity of City Officials and Employees" presentation to the City Council. Recess taken at 5:16 pm. Meeting resumed at 5:21 pm. Councilmember Ivy was in attendance at this time. Michael Colantuono, City Attorney, gave "Code of Conduct of Council" presentation to the Council.

ADJOURN

Adjourned at 6:14 pm

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Approved on: _____

Taylor Day

From: Larry Hoffman [REDACTED]
Sent: Wednesday, November 22, 2023 10:28 AM
To: Public Comments
Subject: Upcoming Special Council Meeting

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

Council Members and Staff.

It was 15 years ago when I attended a Grass Valley City Council meeting at which the following happened. I would like you to take this incident and type of behavior into account when discussing expectations and consequences for city officials and employees, per the item on your agenda.

The council was discussing a referendum measure that was placed on the ballot by a citizen. At the previous council meeting that man (who was a member of a group called CCAT - Citizens Concerned About Traffic) was in attendance with a lawyer to explain and answer questions about the measure. He was questioned and in my opinion harassed by Councilmember Dan Miller.

The chamber was nearly full as the council members expressed their concerns. At one point Miller started talking about communism and how bad it was. He then went on to state that he didn't want to see a person like that sitting on the council. He was specifically referring to the man who wrote the measure.

Ironically, most of the audience started clapping. A few other council members were smiling and seemingly encouraging Dan's behavior. At the time I was a sitting planning commissioner. I found the incident revolting and felt compelled to leave. I expressed my concern the next day to then Mayor Mark Johnson.

It was clear none of the council members even considered censuring Miller for his outburst. Nor did anyone suggest that Miller make an apology, which he never did. In other council meetings I attended, Miller also bragged about his "Republican" roots.

City and county elected (and appointed positions) are and should be non-partisan. Calling out a citizen as a liberal, radical, right wing nut, communist or any other political label should never be tolerated. Furthermore there should be consequences for those who do.

I'll be very interested in watching how this unfolds.

Regards,

Larry Hoffman
266 N Auburn Street



**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: 12/12/2023

Date Prepared: 12/7/2023

Agenda: Consent

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

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

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

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

Funds Available: N/A

Account #: N/A

Reviewed by: ___ City Manager



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

Title: Local Emergency Proclamation (Drought Conditions)

CEQA: Not a Project.

Recommendation: Drought Conditions proclamation declaring a Local State of Emergency

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 12/12/2023

Date Prepared: 12/7/2023

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: Agreement with Nevada County Probation for AB109 Officer services

CEQA: Not a project

Recommendation: That Council 1) approve the agreement between the City of Grass Valley and the Nevada County Probation Department for Assembly Bill 109 Police Officer Services; and 2) authorize the Finance Director to make any budget amendments, budget transfers, and personnel allocation changes as necessary.

Prepared by: Deputy Chief Steve Johnson

Council Meeting Date: December 12, 2023

Date Prepared: November 27, 2023

Agenda: Consent

Background Information: In July of 2017, the Grass Valley City Council approved the addition of an officer that would split time between functioning as a School Resource Officer (SRO) and as a Probation Liaison Officer working with Nevada County Probation on AB109 initiatives.

Also in July 2017, Council authorized the Chief of Police to negotiate and execute agreements associated with this hybrid position. The Police Department and Nevada County Probation Department finalized an agreement and it underwent legal review by the city attorney and county counsel. It was approved by City Council on June 12, 2018. This agreement has been approved many times over the year. This agreement is due to be renewed to cover the period of July 1, 2023 - June 30, 2024. Funds recovered in this contract will offset a portion of a police officer position within the Police Department budget.

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

Fiscal Impact: Nevada County will be billed quarterly for Probation Liaison Officer hours worked up to \$20,000 per fiscal year to offset costs. The Probation Liaison Officer invoice will be based on the direct salary and benefit cost of the assigned officer for the hours worked on AB109 initiatives during that quarter.

Funds Available: N/A

Account #: N/A

Reviewed by:

Attachments: Two (2) copies of the proposed agreement between the City of Grass Valley and the Nevada County Probation Department for Assembly Bill 109 Police Officer Services. Both copies need to be signed. Note: This agreement has already gone before Nevada County Officials and was approved.

**AGREEMENT BETWEEN THE CITY OF GRASS VALLEY AND THE
NEVADA COUNTY PROBATION DEPARTMENT
FOR ASSEMBLY BILL 109 POLICE OFFICER SERVICES**

THIS AGREEMENT is effective July 1, 2023, between the CITY OF GRASS VALLEY, a municipal corporation, hereinafter referred to as “CITY,” and the COUNTY OF NEVADA, a political subdivision of the State of California, hereinafter referred to as “NEVADA COUNTY.” CITY and NEVADA COUNTY may be referred to herein individually as “Party” and collectively as the “Parties.”

WHEREAS, the California Legislature passed Assembly Bill 109 (AB 109) which provided for the realignment of funding and supervision for certain low level offenders, adult parolees, and juvenile offenders from state prisons and institutional facilities to the local jurisdiction (“Realignment”).

WHEREAS, the California Community Corrections Incentives Act of 2009 established a Community Corrections Partnerships (CCP) in each county and AB 109 expanded the role of CCP to provide planning, oversight, implementation, and assessment of Realignment in Nevada County.

WHEREAS, Nevada County CCP approved a plan and funding for CITY and the NEVADA COUNTY Probation Department to partner together to deliver AB 109 services to Nevada County.

WHEREAS, CITY and NEVADA COUNTY wish to collaborate in order to better achieve AB 109 initiatives.

WHEREAS, CITY is willing to partner with NEVADA COUNTY by providing a Grass Valley Police Officer to work side-by-side with NEVADA COUNTY to deliver AB109 services.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, it is agreed by and between the parties hereto as follows:

1. SCOPE OF SERVICES AND TERM

- A. CITY agrees to provide and dedicate to NEVADA COUNTY a sworn police officer to work alongside probation officers to further AB 109 initiatives. (the “AB 109 Officer”) The AB 109 Officer shall serve up to those number of yearly hours working on probation efforts, not to exceed the compensation as outlined in this agreement. The officer will work in partnership with the Probation Department on adult drug court and other initiatives in furtherance of the AB109 objectives.
- B. Representatives of the CITY and NEVADA COUNTY shall make recommendations for the AB 109 Officer position to the CITY Chief of Police who shall assign such officer.
- C. The term of the Agreement shall commence July 1, 2023 and conclude June 30, 2024, unless extended by mutual written consent. If the parties find it mutually desirable to extend this Agreement, additional one-year extensions may be negotiated annually.

Written notice of intent to negotiate an additional one-year extension shall be given by the party desiring such extension no later than May 1st of each year.

2. **RESPONSIBILITY OF CITY: OFFICER'S DUTIES**

- A. CITY shall administer this contract and provide AB 109 Officer services as set forth in **Attachment A**, which is attached to this Agreement and incorporated by his reference, at those times when appropriate or at those times designated therein. Services shall include, but not be limited to the enforcement of all state and local criminal laws and coordination with other enforcement details targeting AB 109 initiatives. The allocation of the AB 109 Officer's time will be mutually agreed upon between a representative of NEVADA COUNTY and the CITY Chief of Police or his designee.
- B. CITY shall control and determine the performance of CITY personnel serving under this Agreement, including, but not limited to the standards of personnel performance and discipline.
- C. CITY shall provide and supervise all personnel, establish all work schedules, furnish all equipment including vehicles, if any, and provide all supplies necessary to perform its duties as provided herein.

3. **COMPENSATION**

- A. As consideration for providing the services outlined above during the term of this Agreement, NEVADA COUNTY shall reimburse CITY up to \$20,000 per fiscal year as set forth herein:
 - 1. CITY shall submit a quarterly invoice to NEVADA COUNTY for the cost of providing the services for the previous quarter. Such invoice will be based on the direct salary and benefit costs of the assigned CITY Police Officer.
 - a. The CITY will invoice NEVADA COUNTY for direct salary and benefit costs of the assigned officer based on the actual hours spent providing AB 109 Officer services. The invoice shall contain sufficient detail to reasonably identify the date, time, location and nature of any services provided pursuant to this Agreement.
 - 2. NEVADA COUNTY shall pay such invoice to the City within thirty (30) days of receipt of said invoice.

4. **STATUS OF PERSONNEL UTILIZED**

- A. All personnel furnished by CITY shall at all times remain employees of CITY and be considered as such for all purposes. They shall not have, nor acquire, any benefits or rights NEVADA COUNTY may confer on NEVADA COUNTY employees.
- B. CITY shall be solely responsible for all salary, benefits, workers' compensation, and insurance for CITY employees performing duties under this Agreement, and CITY

shall be solely responsible for all supervisory, disciplinary and other employment related purposes for CITY employees performing duties under this Agreement. NEVADA COUNTY shall not be liable for the payment of any salaries, wages, overtime, vacation or other benefits or compensation to any CITY personnel performing duties under this Agreement. CITY shall retain the right to exercise its professional control over the manner in which it renders services, except as otherwise set forth in this Agreement.

- C. NEVADA COUNTY shall have the right to reject for reasonable cause any employee of CITY assigned by the CITY to perform duties or services for NEVADA COUNTY.

5. INDEMNITY

Each party hereto (hereafter, “indemnifying Party”) shall indemnify, defend and hold harmless the other party, its officers, agents, employees and volunteers against any loss, cost, damage, expense, claim, suit, demand, or liability of any kind or character, including but not limited to reasonable attorney fees, arising from or relating to any negligent or wrongful act or omission of the Indemnifying Party, its officers, agents or employees, which occurs in the performance of, or otherwise in connection with, this agreement, but only in proportion to and to the extent such loss, cost, damage, expense, claim, suit, demand, or liability of any kind or character, including reasonable attorney fees, is caused by or results from the negligent or wrongful act or omission of the Indemnifying Party, its officers, agents, or employees.

In no event shall the indemnification of an employee or former employee of the City exceed that provided in California Government Code Article 4 of Chapter 1 of Part 2 of Division 3.6, beginning with Section 825, as it now exists or may hereafter be amended.

6. INSURANCE

It is agreed that each Party shall maintain at all times during the performance of this Agreement insurance coverage or self-insurance in the amounts of not less than One Million Dollars (\$1,000,000) to cover all of its operations. Specifically, but not limited to not less than One Million Dollars (\$1,000,000) General Liability, One Million Dollars (\$1,000,000) Automotive Liability, and One Million Dollars (\$1,000,000) Workers’ Compensation.

6. NON-DISCRIMINATION

During the performance of this Agreement, no Party shall unlawfully discriminate against any employee or applicant for employment, or recipient of services, because of race, religion, color, national origin, ancestry, physical disability, medical condition, sexual orientation, marital status, age or gender, pursuant to all applicable State and Federal statutes and regulations.

7. RECORDS, AUDITS AND INSPECTIONS

Each Party shall, at any time upon reasonable notice during business hours, and as often as may be deemed reasonably necessary, make available for examination by the other Party, State, local, or federal authorities all of its records and data with respect to the matters covered by this Agreement as may be required under State or federal law or regulation or a Party’s contract with a State agency.

8. GOVERNING LAW AND FORUM

This Agreement shall be subject to and interpreted in accordance with the laws of the State of California and any action to enforce the terms of the Agreement for the breach thereof shall be brought in County of Nevada.

9. NO THIRD PARTY RIGHTS

The terms and provisions of this Agreement are intended solely for the benefit of each party hereto, and it is not the intention of the parties to confer third-party beneficiary rights upon any other party.

10. AGREEMENT INTERPRETATION

The Parties acknowledge that they have caused this Agreement to be reviewed and approved by legal counsel of their own choice. This Agreement has been specifically negotiated, and any presumption that an ambiguity contained in this Agreement shall be construed against the party that caused this Agreement to be drafted shall not apply to the interpretation of this Agreement.

11. SEVERABILITY

If any provision, or any portion of any provision hereof, is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

12. COMPLETE CONTRACT: MODIFICATIONS

This Agreement is to be read as a whole. This is an integrated agreement that contains all of the terms, considerations, understanding and promises of the parties as well as the fees, charges, and authorized expenses to be paid under the terms of this Agreement. No purported modifications of this Agreement shall be effective unless reduced to writing and mutually signed by authorized representative of the CITY and NEVADA COUNTY.

13. TERMINATION OR WITHDRAWAL

At any time and without cause, either Party may terminate in whole or in any part, its participation in this Agreement by giving at least 30 days advance written notice to the other Party prior to the termination date.

14. NOTICES

All notices required or permitted to be given under this Agreement shall be in writing and mailed postage prepaid by certified or registered mail to the appropriate address indicated below.

To CITY of GRASS VALLEY:

Grass Valley Police Department
Attn: Deputy Chief Steve Johnson
125 East Main Street
Grass Valley CA 95945

To NEVADA COUNTY:

Nevada County Probation Department
Attn: Jeff Goldman, Chief Probation Officer
109 1/2 N Pine Street
Nevada City, California 95959

IN WITNESS WHEREOF, the City Council of the City of Grass Valley, has approved this Agreement on the ____ day of _____, 20____, and authorized the Mayor to execute same on behalf of the City.

IN WITNESS WHEREOF, the Chair of the Board of Supervisors, on behalf of the Nevada County Board of Supervisors is hereby authorized to approve and sign the Agreement, on behalf of the County of Nevada.

“NEVADA COUNTY”

“CITY”

Ed Scofield
Chair, Board of Supervisors

Jan Arbuckle
Mayor, City of Grass Valley

APPROVED AS TO FORM

APPROVED AS TO FORM

County Counsel, County of Nevada

Michael G. Colantuono, City Attorney

ATTEST

Taylor Day, Deputy City Clerk

ATTACHMENT A
AGREEMENT WITH THE NEVADA COUNTY PROBATION DEPARTMENT
FOR AB109 OFFICER SERVICES

The following are examples of services to be performed by the AB109 Officer:

- Act as the primary police department liaison with the Probation Department.
- Perform analytical work as assigned.
- Assist with probation supervision activities and program implementation.
- Act as an extension of the Probation Department for assignments consistent with this Agreement.
- Be a visible, active law enforcement figure working alongside probation officers on AB109 related activities.
- Share and receive information with the Probation Department about persons and conditions that pertain to AB109 initiatives. Attend and participate in Drug Court. Develop relationships with various community partners such as mental health and drug treatment providers, transitional housing resources, 2-1-1, etc. The AB109 Officer will make referrals to community partners when appropriate.
- Create, pursue, and maintain effective working relationships with Probation Department personnel, with other law enforcement agencies, with juvenile and social service agencies, and with other community partners.
- Wear approved department uniform, formal business attire or business casual attire with appropriate logos and name badges depending on the type of activity or program.



RESOLUTION No. 23-542

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF GRASS VALLEY AND THE NEVADA COUNTY PROBATION DEPARTMENT FOR AB109 POLICE OFFICER SERVICES FOR THE FISCAL YEAR 2023/2024

WHEREAS, the 2011 Public Safety Realignment and Post Release Community Supervision Acts requires postrelease probation supervision for certain offenders released from state prison; and

WHEREAS, the Community Corrections Partnership (CCP) Plan for Fiscal Year 2023/2024 is before the Board of Supervisors of the County of Nevada for approval; and

WHEREAS, the Nevada County CCP Plan provides for collaborations amongst local justice agencies to enhance local supervision for offenders subject to postrelease probation supervision; and

WHEREAS, the Community Corrections Partnership Executive Committee agreed the City of Grass Valley may receive a distribution of Nevada County AB109 Realignment funds in the maximum amount of \$20,000 for AB109 related police services; and

WHEREAS, the Nevada County Chief Probation Officer and the Grass Valley Chief of Police mutually accept the policies, procedures, cost reimbursement requirements, and other matters established by the Agreement for Fiscal Year 2023-2024 as approved by the Community Corrections Partnership Executive Committee.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Chair of the Board of Supervisors, on behalf of the Nevada County Board of Supervisors, upon approval of the Community Corrections Partnership Plan, be and is hereby authorized to approve and sign, on behalf of the County of Nevada, the agreement between the Nevada County Probation Department and the City of Grass Valley effective July 1, 2023 through June 30, 2024.

Funds to be disbursed from 0101-20320-201-1000 / 521520 not to exceed the maximum agreement amount of \$20,000.

BE IT FURTHER RESOLVED, that the Nevada County Board of Supervisors hereby directs the Auditor-Controller to encumber \$20,000 for Fiscal Year 2023/24.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 7th day of November, 2023, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

for

By: Heidi Hall, Deputy COB

Edward C. Scofield
Edward C. Scofield, Chair



City of Grass Valley City Council Agenda Action Sheet

Title: Grass Valley Police Officers' Association - Unit 6 - Side Letter to July 1, 2023 - June 30, 2024 - Lateral Police Officer Recruitment Incentives

CEQA: Not a project

Recommendation: That Council adopt Resolution No. 2023-68 approving a Side Letter to the Labor Memorandum of Understanding for the period beginning July 1, 2023 through June 30, 2024 between the City of Grass Valley and the Grass Valley Police Officers' Association (Unit 6) for recruitment incentives for lateral police officers.

Prepared by: Timothy M. Kiser City Manager

Council Meeting Date: 12/12/2023

Date Prepared: 12/05/2023

Agenda: Consent

Background Information: With the difficulty of police departments recruiting lateral police officers statewide, jurisdictions are offering various incentives to attract experienced qualified police officers. In an effort to maintain the City of Grass Valley's ability to attract experienced police officers competitive with other jurisdictions, staff would like to amend the current Labor Memorandum of Understanding (MOU) with the Grass Valley Police Officers' Association (Unit 6) to add discretionary recruitment incentives through Side Letter. These discretionary recruitment incentives for a lateral hire would provide the ability for the City to allow salary step placement to match experience within the salary range, and up to 80 hours vacation incentive at date of hire. Unit 6 has agreed to these recruitment incentives. All other terms, conditions, and provisions of the MOU, to the extent not modified by this Agreement, shall remain in full force and effect.

This provision was incorporated into a side letter with Unit 6 during the previous fiscal year, spanning from July 1, 2022 to June 30, 2023, although it remained unused. The Staff is proposing the renewal of this side letter as an effective tool to attract experienced officers to our team.

Council Goals/Objectives: Approval of the updated negotiated Side Letter between the City and Unit 6 executes portions of the work tasks towards achieving /maintaining the Strategic Plan goal to maintain a Productive and Efficient Workforce.

Fiscal Impact: The fiscal impact will be minor and will vary from year to year but should be handled annually within the department's budget.

Funds Available: Yes **Account #:** N/A **Reviewed by:** ___ City Manager

Attachments: Resolution No. 2023-68 - Approval of Unit 6 Side-Letter & Side Letter - Unit 6

RESOLUTION NO. 2023-68

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
ADOPTING A SIDE LETTER TO THE MEMORANDUM OF
UNDERSTANDING WITH THE GRASS VALLEY POLICE OFFICERS’
ASSOCIATION (UNIT #6) FOR THE PERIOD JULY 1, 2023 – JUNE 30, 2024
AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID SIDE
LETTER AGREEMENT**

WHEREAS, the City and the association recognize the benefit of recruiting lateral police officers, and

WHEREAS, the City and the association have met and conferred over possible incentives to recruit lateral police officers.; and

WHEREAS, the parties came to an agreement which incorporates updates to the attached Side Letter;

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

1. The above recitals are true and correct and are a substantive part of this Resolution.
2. The City Council of the City of Grass Valley approves the Side Letter to the current Memorandum of Understanding for the Grass Valley Police Officers’ Association (Unit #6) and authorizes the City Manager to execute said Side Letter.

PASSED AND ADOPTED as a Resolution of the City Council of Grass Valley at a meeting thereof held on the 12th day of December 2023 by the following vote:

AYES: Councilmember
 NOES: Councilmember
 ABSENT: Councilmember
 ABSTAINING: Councilmember

Jan Arbuckle, Mayor

ATTEST:

APPROVED AS TO FORM:

Taylor Day, Deputy City Clerk

Michael Colantuono, City Attorney



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

Title: Fees for Mailing Agenda Packets

CEQA: Not a project

Recommendation: That Council adopt a resolution setting the fee for mailing agenda packets recommended by the City Clerk.

Prepared by: Taylor Day, City Clerk

Council Meeting Date: 12/12/2023

Date Prepared: 12/7/2023

Agenda: Consent

Background Information: The Ralph M. Brown Act, Government Code section 54950 and following (“Brown Act”), requires the City to mail or email copies of public meeting agendas and agenda packets to anyone who asks. A request for a copy of meeting agendas or agenda packets is good for the calendar year in which it is made. Although such requests used to be common, they are now rare because the City posts agenda packets to its website and distributes them electronically by email without charge to any who ask.

Agenda packets can run to hundreds of pages. Printing and mailing paper copies of agenda materials costs the City office supplies and staff time. The Brown Act allows the City to recover these costs from any person who requests agenda materials via mail. The City Council “may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service.” (Gov. Code, § 54954.1.)

The City Clerk has estimated the reasonable cost of complying with the Brown Act’s mailing requirement. Resolution No. 67 would establish the fee recommended by the City Clerk.

Council Goals/Objectives: The action reflects the City Council’s commitment to prudent fiscal management.

Fiscal Impact: None

Funds Available: N/A

Account #: N/A

Reviewed by: _City Manager

Attachments: R2023-67

RESOLUTION NO. 2023-67

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
ESTABLISHING A FEE FOR MAILING AN AGENDA OR AGENDA PACKET**

WHEREAS, section 54954.2 of the Ralph M. Brown Act requires legislative bodies of local agencies to prepare and post an agenda for each meeting;

WHEREAS, section 54954.1 of the Ralph M. Brown Act requires local governments to mail copies of meeting agendas or agenda packets to anyone who requests a copy;

WHEREAS, a request for copies of meeting agendas under section 54954.1 of the Ralph M. Brown Act is effective for the calendar year during which the request was made;

WHEREAS, section 54954.1 of the Ralph M. Brown Act allows legislative bodies to establish a fee to cover the reasonable cost of printing and mailing agendas and agenda packets;

WHEREAS, the City of Grass Valley wishes to update its fee for printing and mailing agendas and agenda packets in accordance with the Ralph M. Brown Act;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Grass Valley as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein.
2. **Council Agenda Fee.** The City Council of the City of Grass Valley finds that the reasonable cost of printing and mailing agendas (but not agenda packets) for City Council meetings to be for one Calendar year a cost of \$25.
3. **All other Legislative body Agenda Fee.** The City Council of the City of Grass Valley finds that the reasonable cost of printing and mailing agendas (but not agenda packets) for each legislative body of the City for one calendar year is \$10.00.
4. **Council Agenda Packet Fee.** The City Council of the City of Grass Valley finds that the reasonable cost of printing and mailing agenda packets (including agendas) for City Council meetings to be for one Calendar year a cost of \$495.00.
5. **Planning Commission Agenda Packet Fee.** The City Council of the City of Grass Valley finds that the reasonable cost of printing and mailing agenda packets (including agendas) for City Council meetings to be for one Calendar year a cost of \$150.00.
6. **All other Legislative Agenda Packet Fee.** The City Council of the City of Grass Valley finds that the reasonable cost of printing and mailing agenda packets (including agendas) for City Council meetings to be for one Calendar year a cost of \$40.00.

7. **Copying Fee.** Requests for existing, published packets or parts of packets, but not year-long advance service, shall be charged at the City’s current rate for photocopies of other public records of the City.

8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

9. **Certification.** The Grass Valley City Clerk shall attest to the passage and adoption of this Resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

ADOPTED as a Resolution by the City Council of the City of Grass Valley at a regular meeting thereof held on the 12th day of December 2023, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

Jan Arbuckle, Mayor

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney



City of Grass Valley City Council Agenda Action Sheet

Title: 2022/23 Annual Street Rehabilitation Project - Final Acceptance

CEQA: N/A - Project is Complete

Recommendation Motion: That Council: 1) accept the 2022/23 Annual Street Rehabilitation 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: 12/12/2023

Date Prepared: 12/06/2023

Agenda: Consent

Background Information: On July 25, 2023, Council authorized the award of a contract for the 2022/23 Annual Street Rehabilitation Project to Consolidated Engineering Inc. in the amount of \$625,970.00. The project involved pavement rehabilitation, concrete sidewalk and curb ramp construction and pavement striping and marking on Lucas Avenue, Miners Trail, French Street, and portions of Clark Street, Clipper Lane, Wiley Lane, Fiddick Lane, and Neville Way.

All the work has been completed by the contractor with two contract change orders issued. Final project costs totaled \$659,547.21.

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 2022/23 Annual Street Rehabilitation Project executes portions of work towards achieving/maintaining Strategic Plan - City Infrastructure Investment.

Fiscal Impact: The project was fully funded in the FY 23/24 CIP Budget with a combination of RMRA, RSTP and Gas Tax Funds.

Funds Available: Yes

Account #: 300-406-61330

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: **December 6, 2023.**
6. The work of improvement completed is described as follows: **Pavement rehabilitation on Lucas Avenue, Miners Trail, French Street, Clark Street, Clipper Lane, Wiley Lane, Fiddick Lane, and Neville Way.**
7. The NAME OF THE ORIGINAL CONTRACTOR, if any, for such work of improvement is: **Consolidated Engineering, Inc.**
8. The street address of said property is: **Lucas Avenue, Miners Trail, French Street, Clark Street, Clipper Lane, Wiley Lane, Fiddick Lane, and Neville Way.**
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: **Pavement Rehabilitation.**

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: 2022 Annual Measure E Street Rehabilitation Project - Final Acceptance

CEQA: N/A - Project is Complete

Recommendation Motion: That Council: 1) accept the 2022 Annual Measure E Street Rehabilitation 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: 12/12/2023

Date Prepared: 12/06/2023

Agenda: Consent

Background Information: On August 23, 2022, Council authorized the award of a contract for the 2022 Annual Measure E Street Rehabilitation Project to JV Lucas Paving Inc. in the amount of \$978,413.75. The project involved pavement rehabilitation, concrete sidewalk and curb ramp construction and pavement striping and marking on portions of Idaho Maryland Road, Scandling Avenue and Sierra College Drive.

All the work has been completed by the contractor with two change orders being issued. Final project costs totaled \$980,102.75

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 2022 Annual Measure E Street Rehabilitation Project executes portions of work towards achieving/maintaining Strategic Plan - City Infrastructure Investment.

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

Funds Available: Yes

Account #: 300-406-63850

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: **December 6, 2023.**
6. The work of improvement completed is described as follows: **Pavement rehabilitation on Idaho Maryland Road, Scandling Avenue and Sierra College Drive.**
7. The NAME OF THE ORIGINAL CONTRACTOR, if any, for such work of improvement is: **JV Lucas Paving Inc.**
8. The street address of said property is: **Idaho Maryland Road, Scandling Avenue and Sierra College Drive.**
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: **Pavement Rehabilitation.**

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: Interim Options for Fire Resiliency and Vegetation Management

CEQA: Not a Project.

Recommendation: That Council 1) consider and provide direction to staff on using up to \$100,000 of general fund reserves to hire a new police officer academy graduate to backfill a police officer for approximately 12 months to operate the City's masticator and assist with our vegetation management program; 2) consider and provide direction on authorizing up to \$50,000 of general fund reserves for vegetation management software, and 3) authorize the Finance Director to make any necessary budget transfers to implement any actions approved by City Council associated with this item.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: December 12, 2023

Date Prepared: December 6, 2023

Agenda: Administrative

Background Information: On August 22, 2023, City Council heard an item discussing Fire and Vegetation Management and the potential interim options items that could be implemented.

Initially, the consideration was to hire seasonal firefighters, but the staff's suggestion now is to defer this option until after the March 2024 election. Instead, we propose recruiting new candidates and establishing a hiring list for various firefighter positions, a process anticipated to span approximately three months. This strategic approach positions us favorably to swiftly adapt based on the election's outcome.

During the City Council Meeting on August 22nd, the second option focused on Vegetation Management, a pivotal element in shielding our city from the perils of wildland fires. As an interim measure, the staff proposes assigning a Police Officer to operate the City's newly acquired masticator. This officer would not only address vegetation concerns but also handle issues like illegal camping, encompassing a broad spectrum of vegetation management duties. Leveraging the comprehensive capabilities of a police officer facilitates a collaborative and versatile approach to vegetation management, covering both private and public properties.

Since the inception of the Wolf Creek Trail in 2016, officers from the General Valley Police Department (GVPD) have honed their skills in safely and compassionately managing trespassing and unlawful camping on public and private lands. Appointing a new graduate to the police officer position allows us to develop a session plan and train the officer for future replacements, ensuring readiness for impending retirements. This approach



City of Grass Valley City Council Agenda Action Sheet

Title: Ophir and Bennet Circulation Improvements - Project Introduction

CEQA: N/A - Administrative Discussion

Recommendation Motion: That Council: 1) receive a presentation on proposed roadway circulation improvements on Ophir and Bennett Streets, and 2) provide direction to staff whether to proceed with further outreach and implementation work.

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

Council Meeting Date: 12/12/2023

Date Prepared: 12/06/2023

Agenda: Administrative

Background Information: At the Council meeting Engineering Staff will present a proposal for intersection and roadway modifications on Ophir and Bennett Streets. The concept involves constructing a permanent barrier at Ophir St and Colfax Ave to prohibit vehicular traffic from turning from Colfax Ave onto Ophir St in the northbound direction. Southbound traffic from Ophir onto Colfax would still be permitted.

With the heavy reliance on navigation apps, more and more motorists are unnecessarily using Ophir to Bennett St as the default route from Colfax Ave to Highway 49 and areas to the north. This has led to an increase in traffic on the more residential portion of Bennett St and a subsequent increase in truck traffic for a roadway that was not designed to handle heavy loads. Additionally, Engineering has seen a notable rise in the number of traffic calming requests received for Bennett St, as well as added speeding and safety concerns at the Ophir and Colfax Ave intersection. Barring the turning movement from Colfax onto Ophir will eliminate use of Bennett St as a quick “cut through” and diminish the sense of Bennett St as a main thoroughfare. It would also greatly alleviate traffic congestion at the Ophir and Bennett intersection which currently operates at a failing level of service at certain times of day.

The second component of the proposal would be to enact a weight limit restriction on Bennett St, to prohibit heavy truck traffic. Staff would work with Platt Electric Supply and Durham School Services to ensure that deliveries and normal operations would not be adversely affected, but would seek a suitable weight limit to remove overweight vehicles from this primarily residential roadway.

Staff will request Council’s guidance on the proposed modifications and if in concurrence would seek to pursue further design work and then outreach efforts with the local community and stakeholders in the coming months.

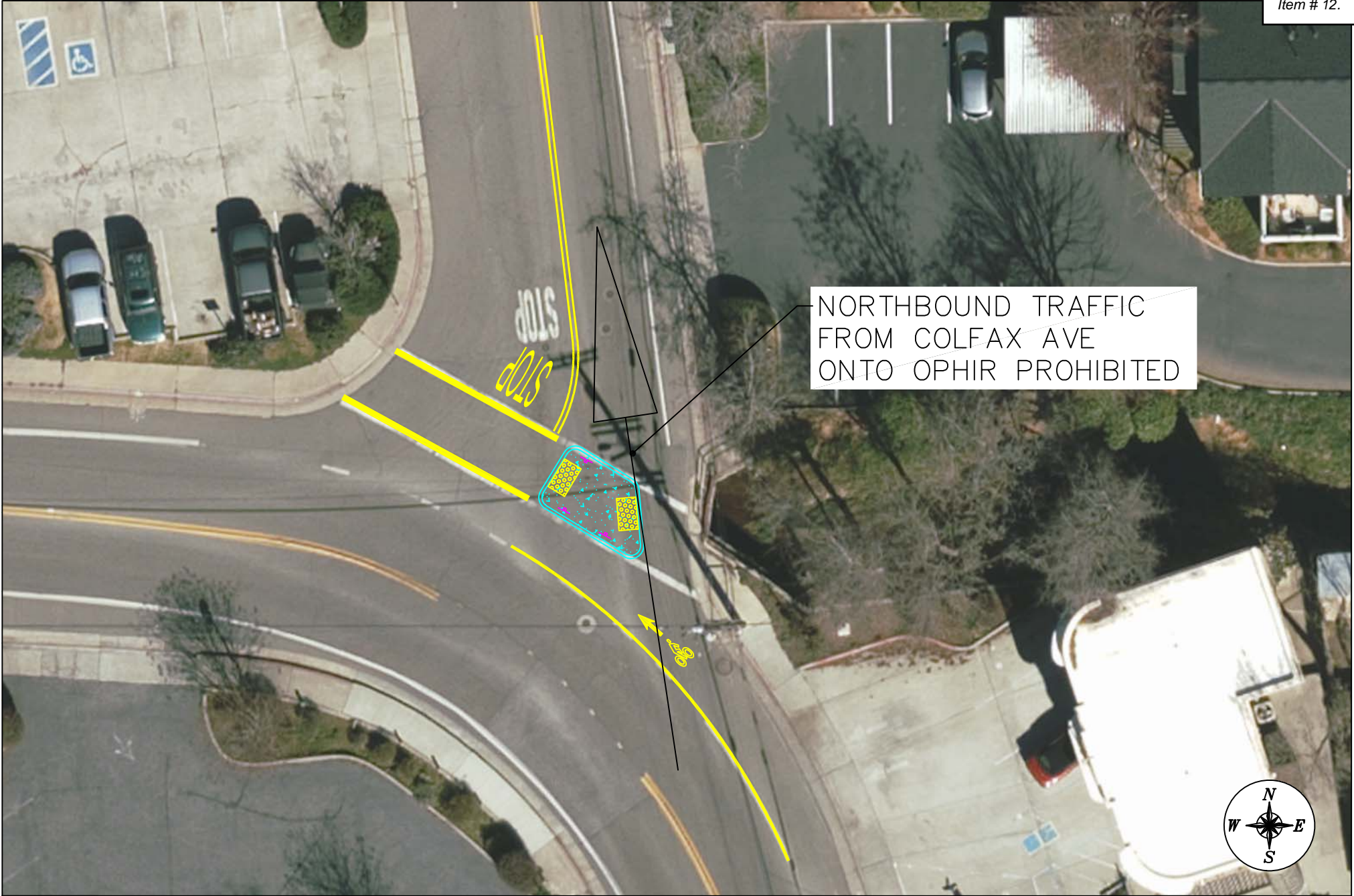
Council Goals/Objectives: The Ophir and Bennett St Circulation Improvements Project executes portions of work towards achieving/maintaining Strategic Plan - City Infrastructure Investment.

Fiscal Impact: The project is fully funded in the FY 23/24 CIP Budget with Traffic Impact Fee Program funds.

Funds Available: Yes

Account #: 300-406-TBD

Reviewed by: City Manager



NORTHBOUND TRAFFIC FROM COLFAX AVE ONTO OPHIR PROHIBITED



COLFAX AT OPHIR INTERSECTION
CONCEPTUAL LAYOUT

CITY OF GRASS VALLEY
125 E MAIN ST GRASS VALLEY, CA 95945
P: 530-274-4350 F: 530-274-4399

DRAWN BY: B. JONES
PROJECT # TBD
DEC 6, 2023

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