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## GRASS VALLEY

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

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Tuesday, June 27, 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](mailto:info@cityofgrassvalley.com)

Web Site: [www.cityofgrassvalley.com](http://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](http://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](mailto: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](http://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](http://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](mailto: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 June 16, 2023.

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

2. 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

3. Local Emergency Proclamation (Drought Conditions)

**CEQA:** Not a Project.

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

4. Identify the terms of reimbursement and other conditions for the fire department response away from their official duty station and assigned to an emergency incident as part of the California Fire Assistance Agreement (CFAA).

**CEQA:** Not a Project

**Recommendation:** That Council 1) adopt Resolution No. 2023-30, identifying the terms and conditions for the fire departments response away from their official duty station and assigned to emergency incidents as part of California Fire Assistance Agreement (CFAA).

5. Awarding a Five-year contract with Michael Baker International to assist with management and reporting services related to the City's HOME and CDBG programs.

**CEQA:** Not a project.

**Recommendation:** That Council authorize the City Manager to sign the five-year contract with MBI pending legal review, for assistance in the management and reporting requirements of several existing grants, in an amount not to exceed \$150,000 for the 5 year term of the contract.

6. SB 584 - Letter Opposing Unless Amended

**CEQA:** Not a Project.

**Recommendation:** That Council 1) approves the letter opposing SB 584; and 2) authorizes the Mayor to sign the letters opposing SB 584.

7. Extension and cost adjustment of the School Resource Officer services agreement between the City of Grass Valley and Nevada Joint Union High School District

**CEQA:** Not a Project

**Recommendation:** Approve the new agreement to provide School Resource Officer services for Nevada Joint Union High School District at the Park Avenue Campus

8. Local Transportation Fund (LTF) Claim for Transit and Paratransit Operations

**CEQA:** N/A - Not a Project

**Recommendation:** That Council adopt a resolution requesting that Nevada County Transportation Commission (NCTC) allocate \$507,556 of the City's FY 2023/24 estimated apportionment of LTF in support of transit and paratransit services.

9. Condon and Scotten Turf Replacement Project - Final Acceptance

**CEQA:** Exempt - Section 15301 "Existing Facilities"

**Recommendation:** That Council: 1) accept the Condon and Scotten Turf Replacement Project as complete, 2) authorize final payment to the Contractor, and 3) authorize the City Engineer to file a Notice of Completion with the County Recorder.

10. Employment Agreement for Fire Investigation Services

**CEQA:** Not a Project

**Recommendation:** That Council 1) Adopt resolution 2023-31 and 2) Approve the Public Employees' Retirement System (PERS) for hiring of an annuitant for, fire investigation and special enforcement services related to investigation, prevention, and enforcement pursuant to Government Code Section 21224(a). Agreement subject to legal review.

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

**REORGANIZATION RELATED ITEMS**

## **PUBLIC HEARING**

### **11. Sewer System Management Plan**

**CEQA:** Not a Project

**Recommendation:** Council to adopt a revised SSMP

### **12. Water Shortage Contingency Plan**

**CEQA:** Not a Project

**Recommendation:** Council to adopt a WSCP

### **13. Adopt ten Resolutions confirming diagram and assessment and levying assessment, and requesting the County Auditor-Controller to place assessment on tax roll for FY 2023-24 Landscaping and Lighting Districts (LLD) and Benefit Assessment Districts (AD)**

**CEQA:** Not a Project.

**Recommendation:** After conducting the public hearing, adopt resolutions related to the Commercial (District No. 1988-1) Landscaping and Lighting Districts, as follows: 1) Resolution No. 2023-32 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 1988-1. 2) Resolution No. 2023-33 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-1. 3) Resolution No. 2023-34 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 1988-2. 4) Resolution No. 2023-35 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-2. 5) Resolution No. 2023-36 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2003-1. 6) Resolution No. 2023-37 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-Unit 7 Benefit Assessment District No. 2003-1. 7) Resolution No. 2023-38 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2010-1. 8) Resolution No. 2023-39 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-West Assessment District No. 2010-1. 9) Resolution No. 2023-40 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2016-1. 10) Resolution No. 2023-41 Requesting the County Auditor to Place Assessment on Tax Roll - Ridge Meadows Assessment District No. 2016-1.

### **14. Development Impact Fees - Update of Development Impact Fees and Water & Wastewater Capacity Fees**

**CEQA:** Not a Project

**Recommendation:** That Council hold a public hearing and adopt a resolution amending the City's Development Impact Fees and the Water and Wastewater Capacity Fees.

## **ADMINISTRATIVE**

### **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, June 27, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, June 23, 2023.

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**Taylor Day, City Clerk**



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## GRASS VALLEY

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

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Tuesday, June 13, 2023 at 7:00 PM

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

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## MINUTES

### CALL TO ORDER

Meeting called to order at 7:02 pm.

### PLEDGE OF ALLEGIANCE

Mayor Arbuckle led the Pledge of Allegiance.

### ROLL CALL

#### PRESENT

Councilmember Bob Branstrom

Councilmember Haven Caravelli

Councilmember Tom Ivy

Vice Mayor Hilary Hodge

Mayor Jan Arbuckle

### AGENDA APPROVAL -

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

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

### REPORT OUT OF CLOSED SESSION

Closed door meeting was call to order at 6:30, all Councilmembers present. The Council voted 5-0 to authorize the filing of a code enforcement lawsuit. Details to be made public when the complaint is served on the property owner. Adjourned by consensus and without motion at 7:00.

### INTRODUCTIONS AND PRESENTATIONS

1. Proclamation for June 2023 as Pride Month
2. Proclamation for June 2023 as Small Cities Month

**PUBLIC COMMENT** -

Virtual public comments attached.

In person public comment: Thomas Stone, Sandra Byode, Robin Davis

**CONSENT ITEMS** -

Motion made to approve consent by Vice Mayor Hodge, Seconded by Councilmember Ivy.  
Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

3. Approval of the Regular Meeting Minutes of May 23, 2023.

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

4. Local Emergency Proclamation (Drought Conditions)

**CEQA:** Not a Project.

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

5. 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

6. Road Maintenance and Rehabilitation Account Funding - Adopt Project List

**CEQA:** N/A - Not a Project

**Recommendation:** That Council adopt a Resolution to include Road Maintenance and Rehabilitation Account (RMRA) funding in the Fiscal Year 2023/24 budget and specifying a list of projects to be funded with RMRA funds.

7. Magenta Drain Restoration Project - Authorized Representative Designation

**CEQA:** N/A - Procedural Motion

**Recommendation:** That Council adopt Resolution 2023-23, designating an authorized representative to execute an agreement with the State of California for a Round 2 IRWM Implementation Grant.

8. CDBG Memorial Park Facilities Improvement Project - Final Acceptance

**CEQA:** N/A - Project is Complete

**Recommendation:** That Council 1) accept the CDBG Memorial Park Facilities Improvement Project as complete, 2) authorize the City Engineer to execute a change order and process final payment to the contractor for a total contract amount of \$5,615,275.70, and 3) Authorize the City Engineer to file a Notice of Completion with the County Recorder.

9. Adoption of five Resolution of Intention to Order Improvements for Landscaping and Lighting Districts (LLD) - Annual Assessments for Fiscal Year 2023-24 and Benefit Assessment Districts (AD) - Annual Assessments for Fiscal Year 2023-24 and set public hearing on June 27, 2023

**CEQA:** Not a project

**Recommendation:** It is recommended that the City Council adopt five Resolutions (2023-25, 2023-26, 2023-27, 2023-28, 2023-29) of Intention for Commercial LLD #1988-1, Residential LLD #1988-2, Morgan Ranch Unit 7 A.D. #2003-1, Morgan Ranch West A.D. #2010-1 and Ridge Meadows A.D. and set public hearing on June 27, 2023. The five Resolutions related to the Commercial and Residential Landscaping and Lighting Districts, the Morgan Ranch-Unit 7 Benefit Assessment District, the Morgan Ranch West Benefit Assessment District and Ridge Meadows Benefit Assessment District are as follows: 1) Resolution of Intention No. 2023-25 to Order Improvements Pursuant to the Landscaping and Lighting Act of 1972 - Assessment District No. 1988-1, Commercial Landscaping and Lighting District, 2) Resolution of Intention No. 2023-26 to Order Improvements Pursuant to the Landscaping and Lighting Act of 1972 - Assessment District No. 1988-2, Residential Landscaping and Lighting District, 3) Resolution of Intention No. 2023-27 to Order Improvements Pursuant to the Benefit Assessment Act of 1982 (Sections 54703 and following, California Government Code; hereafter the "1982 Act") - Morgan Ranch - Unit 7 Benefit Assessment District No. 2003-1, 4) Resolution of Intention No. 2023-28 to Order Improvements Pursuant to the Benefit Assessment Act of 1982 (Sections 54703 and following, California Government Code; hereafter the "1982 Act") - Morgan Ranch West Benefit Assessment District No. 2010-1, and 5) Resolution of Intention No. 2023-29 to Order Improvements Pursuant to the Benefit Assessment Act of 1982 (Sections 54703 and following, California Government Code; hereafter the "1982 Act") - Ridge Meadows Benefit Assessment District No. 2016-1.

10. Consideration of Waste Management's annual fee adjustments and new fees for service

**CEQA:** Not a project

**Recommendation:** That Council adopt Resolution 2023-22 adjusting service rates to Waste Management's fee schedule

11. SB 1383 - Purchase Energy Credits to meet requirements

**CEQA:** Not a Project.

**Recommendation:** That Council 1) approval the concept of the City purchasing Energy Credits to meet the SB 1383 requirements; 2) authorize the City Manager to negotiate and execute an agreement with Desert View Power LLC not exceed \$70,000, subject to legal review; and 3) authorize the Administrative Services Director to make any necessary budget adjustments and/or transfers to implement this agreement.

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

**REORGANIZATION RELATED ITEMS**

**PUBLIC HEARING**

12. Wolf Creek Trail Project - Environmental Determination

**CEQA:** Initial Study - Mitigated Negative Declaration.

**Recommendation:** That the City Council take the following actions: 1) Adopt a Mitigated Negative Declaration prepared for the project, as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 2) Adopt a Mitigation Monitoring & Reporting Plan (MMRP), implementing and monitoring all Mitigation Measures in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and, 3) Approve the Wolf Creek Trail Project, as presented.

Bjorn Jones, City Engineer, gave presentation to council.

Council had questions about following EIR & CEQA mitigation requirements, funding from our parks bond, and if tonight's actions are permanently setting the path of the trail.

Public Comment: Beth More, Ralph Silberstine, Denise Silbrststine, Shilar Barney

Motion made to 1) Adopt a Mitigated Negative Declaration prepared for the project, as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 2) Adopt a Mitigation Monitoring & Reporting Plan (MMRP), implementing and monitoring all Mitigation Measures in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and, 3) Approve the Wolf Creek Trail Project, as presented by Councilmember Branstrom, Seconded by Vice Mayor Hodge.

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

## **ADMINISTRATIVE**

### **BRIEF REPORTS BY COUNCIL MEMBERS**

Councilmember Caravelli attended ERC meeting, Skate Park Public meeting, GVDA meeting, and all of the Murals now have QR code plaques. Councilmember Ivy attended Pioneer Energy Meeting, Solid Hazardous Waste Meeting. Councilmember Branstrom will be on vacation on August 8th and not be in attendance for that council meeting. He attended a Nevada County Library event, Cal Cities speakers zoom meeting, Thursday Night Market, and went out and played pickle ball. Vice Mayor Hodge gave her congratulations to the class of 2023, attended the Thursday Night Market, and she will be missing the upcoming June 27th meeting. Mayor Arbuckle attended the Memorial Day celebration at Memorial Park, the Sierra College President Lunch In, the Thursday Night Market, the Lilly Purit Softball game, and the GVDA strategic planning meeting.

### **ADJOURN**

Meeting adjourned at 7:55 pm.

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Jan Arbuckle, Mayor

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Taylor Day, City Clerk

Adopted on: \_\_\_\_\_

**Taylor Day**

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**From:** [REDACTED]  
**Sent:** Monday, June 12, 2023 9:51 PM  
**To:** Public Comments  
**Subject:** Public comment

Public comment from political prisoner, Matthew Coulter, Inmate #B23000683

AI has long been used in Nevada county to cut corners. The DA's office, the hospital, as well as many other tax payer funded entities depend on it. The corruption inside said agencies is on the rise, and as been for sometime. Most citizens are not aware of just where their tax dollars go, or for what they are used.

The lack of involvement and chosen ignorance isn't a surprise due to the government shutting out the people who pay their salaries.

The sad reality is they don't want to know how the sausage is made and what's in it. Because they would surely vomit if they did. Trust has been deeply eroded between the people and their government from the supreme court to the city council who place themselves above the people and when questioned lash out with the full force of willing law enforcement and thugs who are on their payroll through no bid contracts that are grossly inflated.

Officials both drunk and drunk on power sit like kings and queens during the inquisition. Questions are are considered blasphemy and to be answered by burning quickly at the stake.

Who do you serve?

From the outside looking in the answer is obvious to many who care to look. Things that used to go before the voters are now conducted in backroom deals away from the light of transparency and once enacted are almost impossible to repel by design.

We live in a special place with special people or I wouldn't even comment or accept my punishment with grace for doing so.

I am just one of many political prisoners who through history that have demanded change of their government and paid the price for doing so. I feel I'm in good company. Freedom of speech is dead in America. We are told what to say and how to say it, or else.

I would like to comment on an agenda item but I am unable to from jail.

Written from Wayne Brown Correctional Facility  
June 11th 2023



**Taylor Day**

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**From:** Arianna Lang [REDACTED]  
**Sent:** Saturday, June 3, 2023 6:49 PM  
**To:** Public Comments  
**Subject:** Follow up - Mill Street Permit Parking

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello,

I am following up on an email I sent about petitioning to have the current public parking in front of residences on Mill Street changed to permit only parking. Due to the new parking lot being added on Mill Street I think this would be a good time to transition to permit only parking for residents who have no driveways and rely on the parking directly in front of our home. Let me know if you have any questions or updates.

Thank you,  
Arianna Lang

On May 19, 2023, I had an extremely unsettling experience on the Wolf Creek Trail. I have walked with my dog, Oliver (he became disabled last year and now walks with "wheels") on the Trail pretty much since it opened. My experiences have been very positive, and I always felt safe. I have seen folks in the area who appear to be temporarily staying/living there, but they never bothered me except to ask for cigarettes. On the date noted above when I was walking and was getting near the GV wastewater treatment facility, I heard a male yelling, swearing, etc. Eventually I ended up passing him sitting on the side of a trail-he had all his bags and a grocery cart. Usually I see other walkers, but today no one was near. He immediately started asking for money, calling me swear words, etc. I kept moving but I couldn't run since I had Oliver with his wheels on...I then called Grass Valley Police Department number and spoke with the dispatcher and told him about the individual and my concerns for his mental health. As I continued, he started following me, still agitated, and screaming. SO I called dispatch back as I was definitely feeling I could be harmed. The dispatcher stayed on the phone with me but said he was not familiar with Wolf Creek; plus, since we were moving, the situation was fluid. The dispatcher was having trouble telling the Grass Valley Police Officers where to go to find us. One other lady was walking towards me and saw him behind me so we kept moving away with him following and continually screaming; pushing his belongings in the shopping cart. As he came closer, we were pleading with the dispatcher to please get us help.... the dispatcher said "let him pass". So we moved out of his way and he then sat on one of the benches...we then encountered a third Lady and we all kept moving; the man in question then got off the bench and started coming at us again. Throughout this ordeal we took turns trying to explain to the dispatcher our location (the one woman resides in the Wolf Creek Lodge and was quite specific regarding where we were on the trail). The dispatcher just kept asking us if we were behind Tripp's Auto Body and we kept telling him over and over we had no idea as we couldn't see through the trees. Eventually the dispatcher patched us through to the GVPD Officer who were frantically looking for us. We were nearing the end of the trail at the "River

Otter" Rd. trailhead. Two of the Officers met us there; the third was tracking down the threatening individual. The Officers said they were sent by dispatch to the Northstar Mining Museum trailhead and could not understand from dispatch where we were.

I am bringing my experience to you hoping it will improve safety in our community – below are my two points I wish to present:

1. Concern for locating folks on this mile long trail who could need medical or safety response. Officer John Herrera and Officer Evan Butler who met us on the trailhead brought up the concept of trail markers so location of walkers could be immediately determined. As a mountain biker I have regularly seen these types of markers often with instructions to note where one is located on the trails.
2. Concern regarding the communication breakdown between us and the dispatcher. I wish to note that I retired from Nevada County Children's Services; as such I spent 20 years working daily with every law enforcement agency in Nevada County that involved at risk children. At the time of my employment, dispatch went direct to the Sheriff's office and GVPD. I have learned that now dispatch is one location and not jurisdiction based. I obviously do not know how this current system is working; however, for me it was terrifying to not be able to be located through an emergency system that had always put me in touch with Officers during threatening situations with no delays or miscommunications.

Sandra Boyd



## City of Grass Valley City Council Agenda Action Sheet

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

**CEQA:** Not a project

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

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**Prepared by:** Timothy M. Kiser, City Manager

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/21/2023

**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 24<sup>th</sup>, 2023 to March 1<sup>st</sup>, 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 2<sup>nd</sup>, Tim Kiser, the Emergency Services Director, proclaimed an existence of a local emergency. On March 8<sup>th</sup>, 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:** 6/27/2023

**Date Prepared:** 6/21/2023

**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:** Identify the terms of reimbursement and other conditions for the fire department response away from their official duty station and assigned to an emergency incident as part of the California Fire Assistance Agreement (CFAA).

**CEQA:** Not a Project

**Recommendation:** That Council 1) adopt Resolution No. 2023-30, identifying the terms and conditions for the fire departments response away from their official duty station and assigned to emergency incidents as part of California Fire Assistance Agreement (CFAA).

**Prepared by:** Mark Buttron- Fire Chief

**Council Meeting Date:** 06-27-2023

**Date Prepared:** 06-19-2023

**Agenda:** Consent

**Background Information:** The CFAA agreement is used for response to incidents within California which require large resource commitments. These deployments are most noticeable in the summer during wildland season when our fire engines and personnel are deployed throughout the State in support of other agencies. The CFAA is the negotiated reimbursement mechanism for local government fire agency responses through the California Fire Service and Rescue Emergency Mutual Aid System. The terms and conditions that outline the methods of reimbursement are recommended for developing business practices when responding under the Mutual Aid System. In compliance with the CFAA agencies must provide to Cal OES a MOU or resolution stating employees are reimbursed portal to portal, from incident dispatch to return of incident.

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

**Fiscal Impact:** N/A

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:**

**Attachments:** Resolution



RESOLUTION OF THE CITY OF GRASS VALLEY IDENTIFYING THE TERMS AND CONDITIONS FOR THE FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT.

*WHEREAS*, the City of Grass Valley Fire Department is a public agency located in the County of Nevada, State of California

*WHEREAS*, it is the City of Grass Valley Fire Department desire to provide fair and legal payment to all its employees for time worked; and

*WHEREAS*, the City of Grass Valley Fire Department has in its employee, fire department response personnel including: Fire Chief, Battalion Chief, Fire Captain, Fire Engineer, Firefighter, and Fleet Supervisor (Mechanic) and

*WHEREAS*, the City of Grass Valley Fire Department will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

*WHEREAS*, the City of Grass Valley Fire Department will compensate its employees overtime in accordance with their current Memorandum of Understanding while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response.

*NOW, THEREFORE, BE IT RESOLVED* by the Council of the City of Grass Valley, that:

1. Personnel shall be compensated according to the Memorandum of Understanding (MOU), Personnel Rules and Regulations, and/or other directives that identifies personnel compensation in the workplace
2. In the event a personnel classification does not have an assigned compensation rate, a "Base Rate" as set forth in an organizational policy, administrative directive or similar document will compensate such personnel.
3. The City of Grass Valley Fire Department will maintain a current salary survey or acknowledgement of acceptance of the "base rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division
4. Personnel will be compensated (portal to portal) beginning at the time of dispatch to return of jurisdiction when equipment and personnel are in service and available for agency response.
5. Fire department response personnel include: Fire Chief, Battalion Chief, Fire Captain, Fire Engineer, and Firefighter and Fleet Supervisor (mechanic)

ADOPTED as a Resolution of the Council of the City of Grass Valley at a meeting thereof  
held on \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINING:

\_\_\_\_\_  
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:** Awarding a Five-year contract with Michael Baker International to assist with management and reporting services related to the City's HOME and CDBG programs.

**CEQA:** Not a project.

**Recommendation:** That Council authorize the City Manager to sign the five-year contract with MBI pending legal review, for assistance in the management and reporting requirements of several existing grants, in an amount not to exceed \$150,000 for the 5 year term of the contract.

**Prepared by:** Taylor Day, City Clerk

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/22/2023

**Agenda:** Consent

**Background Information:** On May 2, 2023, staff issued a Requests for Proposals (RFP) to provide contract staff services to assist the City with the management and reporting requirements of several existing grants. The services will be utilized to assist the Community Development Department with grant management and administrative services for the City's HOME program (First Time Homebuyer) and its CDBG Housing Rehabilitation program, including the ongoing reporting requirements and other portfolio management requirements related to older HOME and CDBG housing loans.

Two firms submitted proposals and a review committee evaluated and ranked the proposals. Staff recommends entering into Professional Services Agreements with the top ranking firm, Michael Baker International. The standard professional service agreement will be utilized.

The contract term will be a five year agreement. The state's Housing and Community Development Department (HCD) requires all agencies that contract for HOME and CDBG management services to go through a new procurement, or request for proposals (RFP), process every five (5) years. The City approximates an annual spending of approximately \$30,000 a year. This amount would be assuming the city is issuing 1 to 2 loans a year and the annual monitoring amounts. Currently Housing and Community Development Department (HCD) has the grants allotted to the City frozen and has been for the past two years. Which has frozen the City's ability to issue loans at the current time. The amount approximated for this contract will allow for annual rate increases due to cost of living increases. Costs associated with this service are paid with program income earned from CDBG and HOME loan programs.

Staff recommends that Council authorize the City Manager to execute a contract with Michael Baker International, pending legal review, assistance in the management and reporting requirements of several existing grants, in an amount not to exceed \$150,000 for the 5 year term of the contract.

**Council Goals/Objectives:** This item supports the City's goals associated with providing efficient government services.

**Fiscal Impact:** Costs associated with this service are paid with program income earned from CDBG and HOME loan programs.

**Funds Available:** Yes

**Account #:** 233-304 & 241-303

**Reviewed by:** \_\_\_ City Manager

**Attachments:** Proposed Agreement

# PROFESSIONAL SERVICES AGREEMENT FOR CONSULTANT SERVICES

(City of Grass Valley / *Michael Baker International*)

## 1. IDENTIFICATION

This PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Grass Valley, a California municipal corporation (“City”), and Michael Baker International, Inc, a Pennsylvania corporation (“Consultant”).

## 2. RECITALS

- 2.1. City has determined that it requires the following professional services from a consultant: Grant management, reporting, and administrative services related to the City’s First Time Homebuyer Program and Community Development Block Grant Program.
- 2.2. Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.
- 2.3. Consultant represents that it has no known relationships with third parties, City Council members, or employees of City which would (1) present a conflict of interest with the rendering of services under this Agreement under Government Code Section 1090, the Political Reform Act (Government Code Section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this Agreement, or (3) present a significant risk of the disclosure of confidential information.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

## 3. DEFINITIONS

- 3.1. “Scope of Services”: Such professional services as are set forth in Consultant’s May 19, 2023 proposal to City attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2. “Agreement Administrator”: The Agreement Administrator for this project is Taylor Day, City Clerk. The Agreement Administrator shall be the principal point of contact at the City for this project. All services under this Agreement shall be performed at the request of the Agreement Administrator. The Agreement Administrator will establish the timetable for completion of services and any interim milestones, which shall be accepted in writing by Consultant. City reserves the right to change this designation

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upon written notice to Consultant.

- 3.3. “Approved Fee Schedule”: Consultant’s compensation rates are set forth in the fee schedule attached hereto as Exhibit B and incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.
- 3.4. “Maximum Amount”: The highest total compensation and costs payable to Consultant by City under this Agreement. The Maximum Amount under this Agreement is one hundred and fifty thousand dollars (\$150,000).
- 3.5. “Commencement Date”: July 1, 2023.
- 3.6. “Termination Date”: June 30, 2028

#### 4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Termination Date unless extended by written agreement of the parties or terminated earlier under Section 16 (“Termination”) below. Consultant may request extensions of time to perform the services required hereunder. Such extensions shall be effective if authorized in advance by City in writing and incorporated in written amendments to this Agreement.

#### 5. CONSULTANT’S DUTIES

- 5.1. **Services.** Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement.
- 5.2. **Coordination with City.** In performing services under this Agreement, Consultant shall coordinate all contact with City through its Agreement Administrator.
- 5.3. **Budgetary Notification.** Consultant shall notify the Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the Maximum Amount. Consultant shall concurrently inform the Agreement Administrator, in writing, of Consultant’s estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the Maximum Amount.
- 5.4. **Business License.** Consultant shall obtain and maintain in force a City business license for the duration of this Agreement.
- 5.5. **Professional Standards.** Consultant shall perform all work to the standards used by

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- members of Consultant's profession practicing under similar circumstances at the same time and in the same locality (the "Standard of Care"). Consultant shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules, and regulations in any manner affecting the performance of this Agreement, including all Cal/OSHA requirements, the conflict of interest provisions of Government Code § 1090 and the Political Reform Act (Government Code § 81000 et seq.).
- 5.6. **Avoid Conflicts.** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if such work would present a conflict interfering with performance under this Agreement. However, City may consent in writing to Consultant's performance of such work.
  - 5.7. **Appropriate Personnel.** Consultant has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. Taylor Day shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent, which shall not be unreasonably withheld.
  - 5.8. **Substitution of Personnel.** Naming any persons in the proposal or Scope of Services constitutes a promise to the City that those persons will perform and coordinate their respective services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of City, which shall not be unreasonably withheld. If City and Consultant cannot agree as to the substitution of key personnel, City may terminate this Agreement for convenience.
  - 5.9. **Permits and Approvals.** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits, and building and safety permits and inspections.
  - 5.10. **Notification of Organizational Changes.** Consultant shall notify the Agreement Administrator, in writing, of any change in name, ownership or control of Consultant's firm or of any subcontractor. Change of ownership or control of Consultant's firm may require an amendment to this Agreement.
  - 5.11. **Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular

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business hours, upon oral or written request of City. In addition, pursuant to Government Code § 8546.7, if the amount of public funds expended under this Agreement exceeds \$10,000, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of City, for a period of three (3) years after final payment under this Agreement.

## 6. SUBCONTRACTING

- 6.1. **General Prohibition.** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed other than by an amendment to this Agreement.
- 6.2. **Consultant Responsible.** Consultant shall be responsible to City for all services to be performed under this Agreement.
- 6.3. **Identification in Fee Schedule.** All subcontractors shall be specifically listed and their billing rates identified in the Approved Fee Schedule, Exhibit B. Any changes must be approved by the Agreement Administrator in writing.
- 6.4. **Compensation for Subcontractors.** City shall pay Consultant for work performed by its subcontractors, if any, only at Consultant's actual cost plus an approved mark-up as set forth in the Approved Fee Schedule, Exhibit B. Consultant shall be liable and accountable for any and all payments, compensation, and federal and state taxes to all subcontractors performing services under this Agreement. City shall not be liable for any payment, compensation, or federal and state taxes to or for any subcontractors.

## 7. COMPENSATION

- 7.1. **General.** City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Fee Schedule in full satisfaction for such services. Compensation shall not exceed the Maximum Amount. Consultant shall not be reimbursed for any expenses unless provided for in this Agreement or authorized in writing by the Agreement Administrator in advance.
- 7.2. **Invoices.** Consultant shall submit to City an invoice, on a monthly basis or as otherwise agreed to by the Agreement Administrator, for services performed pursuant to this Agreement. Each invoice shall identify the Maximum Amount, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. All labor charges shall be itemized by employee name and classification or position with the firm, the corresponding hourly rate, the hours worked, a description of each labor charge, and the total amount due for labor charges. All invoices shall be paid within thirty (30) days of receipt.

- 7.3. **Taxes.** City shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall be solely responsible for calculating, withholding, and paying all taxes.
- 7.4. **Disputes.** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts in an invoice submitted by Consultant.
- 7.5. **Additional Work.** Consultant shall not be reimbursed for any expenses incurred for work performed outside the Scope of Services unless prior written approval is given by the City through a fully executed written amendment to this Agreement. Consultant shall not undertake any such work without prior written approval of the Project Administrator.
- 7.6. **City Satisfaction as Precondition to Payment.** Notwithstanding any other terms of this Agreement, no payments shall be made to Consultant work that does not meet the Standard of Care.
- 7.7. **RESERVED.**

## 8. PREVAILING WAGES

Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., (“Prevailing Wage Laws”), which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects. This Agreement is subject to Prevailing Wage Laws, for all work performed under this Agreement for which the payment of prevailing wage is required by those laws. Consultant shall defend, indemnify, and hold the City, its elected officials, officers, employees, and agents free and harmless from any claim or liability arising out of any failure of Consultant to comply with the Prevailing Wage Laws.

## 9. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material, and all electronic files, including computer-aided design files, developed by Consultant exclusively in the performance of this Agreement (such written material and electronic files are collectively known as “written products”) shall be and remain the property of City following receipt of final payment without restriction or limitation upon its use or dissemination by City except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant. Nothing herein shall be construed to grant ownership or any other rights to City of any of Consultant’s pre-existing and/or background Intellectual Property or of any information, data, or property that was in Consultant’s possession prior to the execution of this Agreement. Any reuse of Consultant’s work product without written verification or adaptation by Consultant will be at the City’s own risk and without

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liability or legal exposure to Consultant. The City shall indemnify and hold harmless Consultant from all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of or resulting therefrom. Any such verification or adaptation will entitle Consultant to further compensation at rates to be agreed upon by the City and Consultant.

## 10. RELATIONSHIP OF PARTIES

- 10.1. **General.** Consultant is, and shall at all times remain as to City, a wholly independent contractor.
- 10.2. **No Agent Authority.** Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or to otherwise act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent in any manner that it is, or that any of its agents or employees are, employees of City.
- 10.3. **Independent Contractor Status.** Under no circumstances shall Consultant or its employees look to the City as an employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned California Public Employees Retirement System ("CalPERS") retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation, and other applicable federal and state taxes.
- 10.4. **Indemnification of CalPERS Determination.** If Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

## 11. INDEMNIFICATION

- 11.1 **Definitions.** For purposes of this Section 11, "Consultant" shall include Consultant, its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement. "City" shall include City, its officers, agents, employees and volunteers.
- 11.2 **Consultant to Indemnify City.** To the fullest extent permitted by law, Consultant shall indemnify it from and against third party claims, losses, costs or expenses for any

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personal injury or property damage to the extent arising directly out of Consultant's negligence, recklessness or willful misconduct, errors or omissions of Consultant.

- 11.3 **Scope of Indemnity.** Personal injury shall include injury or damage due to death or injury to any person, whether physical, emotional, consequential or otherwise. Property damage shall include injury to any personal or real property. Consultant shall not be required to indemnify City for such loss or damage to the extent caused by the negligence or willful misconduct of the City.
- 11.4 **Attorney Fees.** Such costs and expenses shall include reasonable attorney' fees for counsel of City's choice, expert fees, and all other direct costs and fees of litigation.
- 11.5 **RESERVED**
- 11.6 **Waiver of Statutory Immunity.** The obligations of Consultant under this Section 11 are not limited by the provisions of any workers' compensation act or similar act.
- 11.7 **Indemnification by Subcontractors.** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 11 from each and every subcontractor or any other person or entity involved in the performance of this Agreement on Consultant's behalf.
- 11.8 **Insurance Not a Substitute.** City does not waive any indemnity rights by accepting any insurance policy or certificate required pursuant to this Agreement. Consultant's indemnification obligations apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

## 12. INSURANCE

- 12.1. **Insurance Required.** Consultant shall maintain insurance as described in this section and shall require all of its subcontractors, consultants, and other agents to do the same. Approval of the insurance by the City shall not relieve or decrease any liability of Consultant. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.
- 12.2. **Documentation of Insurance.** City will not execute this Agreement until it has received a complete set of all required documentation of insurance coverage. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. Consultant shall file with City:
- Certificate of Insurance, indicating companies acceptable to City, with a Best's Rating of no less than A:VII showing. The Certificate of Insurance must include the following reference: First Time Home Buyer, CDBG, and Program Income Grants Consultant
  - Documentation of Best's rating acceptable to the City.

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- Original endorsements effecting coverage for all policies required by this Agreement.

**12.3. Coverage Amounts.** Insurance coverage shall be at least in the following minimum amounts:

- Professional Liability Insurance: \$1,000,000 per occurrence,  
\$2,000,000 aggregate
- General Liability:
  - General Aggregate: \$2,000,000
  - Products Comp/Op Aggregate \$2,000,000
  - Personal & Advertising Injury \$1,000,000
  - Each Occurrence \$1,000,000
  - Fire Damage (any one fire) \$ 50,000
  - Medical Expense (any 1 person) \$ 5,000
- Workers' Compensation:
  - Workers' Compensation Statutory Limits
  - EL Each Accident \$1,000,000
  - EL Disease - Policy Limit \$1,000,000
  - EL Disease - Each Employee \$1,000,000
- Automobile Liability
  - Any vehicle, combined single limit \$1,000,000

**12.4. General Liability Insurance.** Commercial General Liability Insurance shall be no less broad than ISO form CG 00 01. Coverage must be on a standard Occurrence form. Claims-Made, modified, limited or restricted Occurrence forms are not acceptable.

**12.5. Worker's Compensation Insurance.** Consultant is aware of the provisions of Section 3700 of the Labor Code which requires every employer to carry Workers' Compensation (or to undertake equivalent self-insurance), and Consultant will comply with such provisions before commencing the performance of the work of this Agreement. If such insurance is underwritten by any agency other than the State Compensation Fund, such agency shall be a company authorized to do business in the State of California. If Consultant is an individual and has no employees, the Project Administrator may accept an affirmation of that fact in lieu of proof of workers compensation insurance.

**12.6. Automobile Liability Insurance.** Covered vehicles shall include owned, if any, non-owned, and hired automobiles and trucks.

**12.7. Professional Liability Insurance or Errors & Omissions Coverage.** If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement

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of the work. Coverage shall be continued for two years after the completion of the work by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.

The Project Administrator may, in his or her sole discretion, waive the requirement for Professional Liability Insurance by initialing here:

Initials: \_\_\_\_\_

Name: \_\_\_\_\_

- 12.8. **Claims-Made Policies.** If any of the required policies provide coverage on a claims-made basis, the Retroactive Date must be shown and must be before the date of this Agreement or the beginning of work under this Agreement. Claims-Made Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of work under this Agreement. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the effective date of this Agreement, the Consultant must purchase “extended reporting” coverage for a minimum of five (5) years after completion of work under this Agreement.
- 12.9. **Additional Insured Endorsements.** The City, its City Council, Commissions, officers, and employees must be endorsed as additional insureds for each policy required herein, other than Professional Errors and Omissions and Worker’s Compensation, for liability arising out of ongoing and completed operations by or on behalf of the Consultant. Consultant’s insurance policies shall be primary as respects any claims related to or as the result of the Consultant’s work. Any insurance, pooled coverage or self-insurance maintained by the City, its elected or appointed officials, officers, agents, employees, volunteers, or consultants shall be non-contributory. All endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. General liability coverage can be provided using an endorsement to the Consultant’s insurance at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37.
- 12.10. **Failure to Maintain Coverage.** In the event any policy is canceled prior to the completion of work under this Agreement and the Consultant does not furnish a new certificate of insurance prior to cancellation, City has the right, but not the duty, to obtain the required insurance and deduct the premium(s) from any amounts due the Consultant under this Agreement. Failure of the Consultant to maintain the insurance required by this Agreement, or to comply with any of the requirements of this section, shall constitute a material breach of this Agreement.
- 12.11. **Notices.** Contractor shall provide immediate written notice if (1) any of the required insurance policies is terminated; or (2) the limits of any of the required policies are reduced below the amounts required above. Consultant shall provide no less than 30

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days' notice of any cancellation or material change to policies required by this Agreement. Consultant shall provide proof that cancelled or expired policies of insurance have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks before expiration of the coverages. The name and address for Additional Insured Endorsements, Certificates of Insurance and Notices of Cancellation is: City of Grass Valley, Attn: Taylor Day, 125 East Main Street, Grass Valley, CA 95945.

- 12.12. **Consultant's Insurance Primary.** The insurance provided by Consultant, including all endorsements, shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 12.13. **Waiver of Subrogation.** Consultant hereby waives all rights of subrogation against the City. Consultant shall additionally waive such rights either by endorsement to each policy or provide proof of such waiver in the policy itself.
- 12.14. **Report of Claims to City.** Consultant shall report to the City, in addition to the Consultant's insurer, any and all insurance claims submitted to Consultant's insurer in connection with the services under this Agreement.
- 12.15. **Premium Payments and Deductibles.** Consultant must disclose all deductibles and self-insured retention amounts to the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within retention amounts. Ultimately, City must approve all such amounts before execution of this Agreement. City has no obligation to pay any premiums, assessments, or deductibles under any policy required in this Agreement. Consultant shall be responsible for all premiums and deductibles in all of Consultant's insurance policies.
- 12.16. **Duty to Defend and Indemnify.** Consultant's duties to defend and indemnify City under this Agreement shall not be limited by the foregoing insurance requirements and shall survive the expiration of this Agreement or its early termination.

### 13. MUTUAL COOPERATION

- 13.1. **City Cooperation in Performance.** City shall provide Consultant with all pertinent data, documents and other requested information as are reasonably available for the proper performance of Consultant's services under this Agreement.
- 13.2. **Consultant Cooperation in Defense of Claims.** If any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim or action at the sole expense of City.

### 14. NOTICES

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Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

## If to City

Taylor Day  
 City of Grass Valley 125  
 E Main Street  
 Grass Valley, CA 95945  
 Telephone: (530) 274-4716  
 Facsimile: (530) 274-4399

## If to Consultant

[Name]  
 [Address]  
 [Address]  
 Telephone:  
 Facsimile:

## With courtesy copy to:

Michael G. Colantuono, Esq.  
 Grass Valley City Attorney  
 Colantuono, Highsmith & Whatley, PC  
 420 Sierra College Drive, Suite 140 Grass  
 Valley, CA 95945  
 Telephone: (530) 432-7357  
 Facsimile: (530) 432-7356

## 15. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 5.11 (Records), Section 10.4 (Indemnification of CalPERS Determination), Section 11 (Indemnification), Section 12.8 (Claims-Made Policies), Section 13.2 (Consultant Cooperation in Defense of Claims), and Section 18.1 (Confidentiality) of this Agreement shall survive the expiration or termination of this Agreement.

## 16. TERMINATION

- 16.1. **City Termination.** City may terminate this Agreement without cause on five calendar days' written notice to Consultant. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement and following receipt of final payment. In the event that Consultant materially defaults on any of its obligations under this Agreement, City shall provide written notice of such default and Consultant shall have no less than ten (10) business days following receipt of notice to cure such default. If Consultant fails to cure within the specified time period, City may terminate this Agreement for cause upon written notice to Consultant.
- 16.2. **Consultant Termination.** Consultant may terminate this Agreement for a material breach of this Agreement upon 30 days' notice to allow City time to procure replacement services.
- 16.3. **Compensation Following Termination.** Upon termination, Consultant shall be paid based on the work performed in accordance with the Standard of Care through the date of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement. The City shall have the benefit of such work as may have been completed up to the time of such termination following Consultant's receipt of final payment.
- 16.4. **Remedies.** City retains any and all available legal and equitable remedies for Consultant's breach of this Agreement.

## 17. INTERPRETATION OF AGREEMENT

- 17.1. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 17.2. **Integration of Exhibits.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the provisions of this Agreement and its exhibits, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral

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or written agreements are binding upon the parties. Amendments hereto or deviations from this Agreement shall be effective and binding only if made in writing and executed by City and Consultant.

- 17.3. **Headings.** The headings and captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are for convenience of reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the language of the section or paragraph shall govern in the construction of this Agreement.
- 17.4. **Pronouns.** Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).
- 17.5. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 17.6. **No Presumption Against Drafter.** Each party had an opportunity to consult with an attorney in reviewing and drafting this agreement. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting to any party.

## 18. GENERAL PROVISIONS

- 18.1. **Confidentiality.** All data, documents, discussion, or other information developed or received by Consultant for performance of this Agreement are deemed confidential and Consultant shall not disclose them without prior written consent by the Project Administrator. City shall grant such consent if disclosure is legally required. Consultant shall return all City data to City upon the termination or expiration of this Agreement.
- 18.2. **Conflicts of Interest.** Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subcontractors to file, a Statement of Economic Interest under the Political Reform Act with the City's Filing Officer if required under state law in the performance of the services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. No City Councilmember, officer, or employee of City,

Professional Services Agreement – Consultant Services (No Federal Funding)

Approved for use 09/22/2022

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during the term of his or her service to City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising from it.

- 18.3. **Non-assignment.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant. City shall not assign this Agreement in whole or in part without the prior written consent of Consultant.
- 18.4. **Binding on Successors.** This Agreement shall be binding on the successors and permitted assigns of the parties.
- 18.5. **No Third-Party Beneficiaries.** Except as expressly stated herein, there is no intended third-party beneficiary of any right or obligation assumed by the parties under this Agreement.
- 18.6. **RESERVED**
- 18.7. **Non-Discrimination.** Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation or any other unlawful basis. Employment actions to which this provision applies shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant shall post this nondiscrimination clause in conspicuous places, available to employees and applicants for employment.
- 18.8. **Waiver.** No provision, covenant, or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing signed by one authorized to bind the party asserted to have consented to the waiver. The waiver by City or Consultant of any breach of any provision, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other provision, covenant, or condition.
- 18.9. **Excused Failure to Perform.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.10. **Remedies Non-Exclusive.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the

Professional Services Agreement – Consultant Services (No Federal Funding)

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commencement of the exercise, or the forbearance from the exercise by either party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies.

**18.11. RESERVED**

**18.12. Venue.** The venue for any litigation shall be Nevada County, California and Consultant hereby consents to jurisdiction there for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.

**18.13. Counterparts; Electronic Signatures.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed one and the same instrument. The parties acknowledge and agree that this Agreement may be executed by electronic signature, which shall be considered as an original signature for all purposes. Without limitation, “electronic signature” shall include faxed or emailed versions of an original signature, electronically scanned and transmitted versions (e.g., via pdf) of an original signature, or a digital signature.

**LIMITATION OF LIABILITY.** To the fullest extent permitted by law, the City agrees to limit Consultant’s liability to the City and to all other contractors or subcontractors on the project for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the project or this Agreement from any cause or causes including but not limited to Consultant’s negligent acts, errors, omissions, strict liability, breach of contract, or breach of warranty, such that the total aggregate of liability of Consultant to all those named shall not exceed \$50,000 or the total fee for Consultant’s services rendered in the project, whichever is greater. To the extent that this limitation of liability conflicts with any other provision(s) of this Agreement or any Task Orders associated therewith, said provision(s) shall be considered amended to whatever extent required to make such provision(s) consistent with this provision.

**ESTIMATES.** Any estimates provided for cost of construction, financing, and acquisition of land and rights-of-way shall be made in accordance with good engineering practice and procedure. It is understood, however, that Consultant has no control over construction costs, competitive bidding and market conditions, nor over costs of financing, acquisition of land or rights-of-way, and Consultant does not guarantee the accuracy of such cost estimates as compared to actual cost or contractors’ bids.

**WAIVER OF CONSEQUENTIAL DAMAGES.** In no event shall either Consultant or the City have any claim or right against the other, whether in contract, warranty, tort (including negligence), strict liability or otherwise, for any special, indirect, incidental, or consequential damages or any kind or nature whatsoever, such as but not limited to loss of revenue, loss of profits on revenue, loss of customers or contracts, loss of use of equipment or loss of data, work interruption, increased cost of work or cost of any financing, howsoever caused, even if same were reasonably foreseeable.

**TO EFFECTUATE THIS AGREEMENT,** the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

Professional Services Agreement – Consultant Services (No Federal Funding)

Approved for use 09/22/2022

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“City”  
City of Grass Valley

“Consultant”  
Michael Baker International, Inc.

By: \_\_\_\_\_  
*Signature*

By: \_\_\_\_\_  
*Signature*

Printed: Tim Kiser  
Title: City Manager  
Date: \_\_\_\_\_

Printed: William Hoose  
Title: Vice President  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
*Signature*

Printed: Tanya Bilezikjian  
Title: Assistant Secretary  
Date: \_\_\_\_\_

**Attest:**

By: \_\_\_\_\_  
Taylor Day, Deputy City Clerk

Date: \_\_\_\_\_

**Approved as to form:**

By: \_\_\_\_\_  
Michael G. Colantuono, City Attorney

Date: \_\_\_\_\_



# Request for Proposals – Contract Staff Services to Assist with the Management and Reporting Requirements of Several Existing Grants

**Michael Baker**

**INTERNATIONAL**



**GRASS VALLEY**  
A PLACE TO LIVE AND THRIVE

**May 19, 2023**



[MBAKERINTL.COM](http://MBAKERINTL.COM)

Submitted by:  
**Michael Baker International**  
3760 Kilroy Airport Way, Suite 270  
Long Beach, CA 90806  
Phone: (562) 200-7100  
Fax: (562) 200-7100

May 19, 2023

Taylor Day, City Clerk  
CITY OF GRASS VALLEY  
125 East Main Street  
Grass Valley, CA 95945

RE: **PROPOSAL FOR CONTRACT STAFF SERVICES FOR GRANT MANAGEMENT AND REPORTING**

Dear Ms. Day:

Michael Baker International is pleased to provide the City of Grass Valley with this proposal to assist the City with its HOME and CDBG grant program reporting, monitoring, subordinations, and assistance with the City's First Time Homebuyer Program as well as other administrative assistance.

Michael Baker has considerable experience working with jurisdictions on a range of grant administration services, from grant application submittal to program implementation. This experience, in addition to our history of housing-related projects with the City, gives us the knowledge to administer the grant effectively. We understand the details of the HOME and CDBG programs, including program income, loan processing, subordination requests, borrower monitoring, and the critical functions of record-keeping and fiscal management.

Shannon Andrews will be the lead person to provide you this assistance. Other Michael Baker staff listed below will provide back up support as needed.

**TASK A: FY 2023–2024 HOME FIRST-TIME HOMEBUYER PROGRAM: PROGRAM INCOME – PROGRAM IMPLEMENTATION**

**Review Applications and Determine Eligibility**

Michael Baker will collect and review applications from individuals interested in the program. We will qualify applicants for the program based on a verification of income, current employment, and credit history. Qualified applicants will attend a mandatory homebuyer counseling session, during which information on finding a home, securing a loan, and related matters will be discussed. The applicants who are determined to be most qualified and who have attended the homebuyer counseling program will be sent a "Preliminary Eligibility Letter" along with information to assist them in finding an eligible home and primary lender.

### **Guide Homebuyers through Home Selection and Loan Process**

Michael Baker staff will work closely with selected participants to guide them through the home-buying process and particularly through the loan process. We will ensure that the homebuyer understands the terms of the loan from the City and any shared appreciation agreement. We will also package and process the loans on the City's behalf. Staff will coordinate the execution of the loan documents with the homeowner and escrow company and ensure that the City has a complete file package.

The cost per first-time homebuyer loan processing is \$4,500 and will be undertaken on an on-call basis, as requested by the City.

### **TASK B: FY 2023–2024 HOME REPORTS**

Michael Baker will assist the City with HOME program reporting for FY 2023–2024. We will prepare and submit all Quarterly Program Income Reports. The Annual Performance Report must be submitted to HCD on an annual basis at the end of each fiscal year.

- Four (4) Quarterly Program Income Reports
- One (1) Annual Performance Report

Quarterly Program Income Reports and the Annual Performance Report are submitted for all present and prior HOME grants obtained by the City of Grass Valley from HCD.

Assumption: The City Finance Department will provide the necessary financial information to complete all the reports (program income and recapture funds), as well as the list of projects funded using program income or recaptured funds, if any, for every quarter and the fiscal year.

### **TASK C: FY 2023–2024 CDBG REPORTS**

Michael Baker will assist the City with CDBG program reporting for FY 2023–2024.

- Two (2) Semi-Annual Program Income Reports
- One (1) Combined Annual Program Income Report

The first Semi-Annual Report is for the first part of the fiscal year (July–December). The second Semi-Annual Report is for the second part of the fiscal year (January–June). The Combined Annual Program Income Report summarizes the entire fiscal year.

Assumption: The City Finance Department will provide the necessary financial information to complete all the reports (program income), as well as the list of projects funded using program income, if any, for every reporting period.

#### **TASK D: FY 2023–2024 PORTOFLIO MANAGEMENT**

Michael Baker will assist the City with the monitoring of existing HOME first-time homebuyer program loans and CDBG housing rehabilitation loans. We will work to obtain verification of insurance, taxes, ownership, and residency from borrowers using various sources, as required under program guidelines and as specified under loan documents. Letters, phone calls, emails and in-person visits, and research may be used to confirm borrower compliance with these requirements. Should a borrower become noncompliant with any of the above items, triggering more serious actions such as full payment or foreclosure, then additional activities may be necessary, at the request of the City, which are not yet included in this scope.

Michael Baker will also assist the City with the monitoring of existing CDBG housing rehabilitation loans. Michael Baker will work to obtain verification of insurance, taxes, ownership, residency from borrowers, and five-year deferral reviews using various sources, as required under program guidelines and as specified under loan documents. Letters, phone calls, emails and in-person visits, and research may be used to confirm borrower compliance with these requirements. Should a borrower become noncompliant with any of the above items, triggering more serious actions such as full payment or foreclosure, then additional activities may be necessary, at the request of the City, which are not yet included in this scope.

#### **TASK E: DEFAULTS OR SHORT SALE LOANS – ON CALL**

Michael Baker will assist the City with defaults or short sale loans in which the City is in second position. Staff will assist with any necessary research, document preparation, coordinating with title companies, lenders, and trustees, and document filing to help make sure that defaults and short sales meet funding requirements.

The cost per loan request is \$2,500 and will be undertaken on an on-call basis, as requested by the City.

#### **TASK F: HOME PROGRAM SUBORDINATIONS – ON CALL**

Michael Baker will assist the City with the administration of subordination requests for existing HOME loans. We will work closely with the borrower, the first lender, and the escrow company to obtain a full subordination request package, review the request for compliance with program guidelines, present it to the City for approval, and prepare the Subordination Agreement and deliver it to the escrow company for execution by the borrower.

The cost per subordination request is \$500 and will be undertaken on an on-call basis, as requested by the City.

Assumption: The City will provide Michael Baker a copy of the Subordination Agreement.

#### **TASK G: 19-HOME-14968 GENERAL ADMINISTRATION**

Michael Baker will assist the City with the general administration of its 2019 HOME grant for its First-Time Homebuyer Program:

- Create a marketing flyer for the City to post on their website, social media, and notice boards
- Prepare the appropriate environmental compliance documents
- Provide necessary certifications and documents to meet the General Set-up/Completion and Disbursement Conditions identified in the Standard Agreement
- Assist the City as needed in preparation of required financial and performance reports, certifications, and other documents required for the HOME Program.
- Monthly Status Reports to the City on overall FTHB Program activity
- Update FTHB Applicant Waiting List

#### **TASK H: 19-HOME-14968 ACTIVITY DELIVERY COSTS (6 FTHB LOANS)**

Michael Baker will assist the City with the activity delivery of its 2019 HOME grant for its First-Time Homebuyer Program:

- Applicant Eligibility
- Loan Origination and Processing
- Loan Committee Review
- Loan Document Preparation
- Loan Grant Approval and Closing
- HCD Project Set-up/Completion Report

A summary of the proposed Budget is included with this proposal as Attachment A.

#### **PROJECT TEAM**

##### **DAMIEN DELANEY, PROJECT DIRECTOR – BILL RATE \$185**

Mr. Delany is a Principal Planner and the Lead for Housing and Community Development Services for Michael Baker in California. Mr. Delany has over 30 years of experience in the grant administration and project management field. He has overseen project management, Consolidated Plan report creation, and associated documentation such as Annual Action Plans and Assessments of Impediments to Fair Housing Choice. He has also overseen or personally managed the operation of federally funded construction programs for 14 California cities, working with a variety of agencies. He will serve as the Project Director overseeing the City's Community Development Block Grant program, including grant administration, reporting,

ensuring compliance with HUD regulations, and creating plans and planning manuals. Mr. Delany is particularly well qualified to serve as overall Project Manager and Housing Discipline Task Manager with over 25 years of experience administering state and HUD grant-funded programs.

**Shannon Andrews, Project Manager – Bill Rate \$140**

Shannon Andrews has more than 16 years of experience on projects throughout California. She is experienced in managing in-take, income qualification and loan management for the City's First-time Homebuyer Program. She is well qualified to serve in this capacity, having assisted with the administration of CDBG, HOME, and bond financed programs for the Cities of South San Francisco, Union City, Calimesa, La Habra, Norco, Rancho Palos Verdes, Citrus Heights, and Grass Valley.

**BRENT SCHLECK, ENVIRONMENTAL SPECIALIST – BILL RATE \$125**

Mr. Schleck is a Senior Environmental Planner with Michael Baker's Long Beach Office. Prior to joining Michael Baker International, Brent assisted in and managed the preparation of environmental documentation in accordance with the National Environmental Policy Act (NEPA) and the Endangered Species Act for a variety of federal actions. He has prepared documentation for controversial and environmentally sensitive projects throughout the country including a dune restoration project in Superior, WI, public access infrastructure in coastal Indiana, and the installation of environmental monitoring equipment in nearshore waters off of Hawai'i Island. In addition, Brent's resume includes preparing Biological Evaluations required under the ESA for the National Oceanic and Atmospheric Administration (NOAA), which included documenting the environmental baseline and cumulative effects of Hawai'i-based longline fisheries targeting swordfish and tuna on protected marine species and habitats. With Michael Baker, Brent assists in and manages the preparation of California Environmental Quality Act and NEPA documentation, including EIRs, IS/MNDs, Categorical Exemptions, Categorical Exclusions, and EA/FONSIs for land development projects, such as hospitals, schools, affordable housing developments, assisted living facilities, and market rate housing projects.

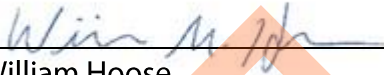
**ADDITIONAL STAFF RESOURCES**

The above list represents the staff which Michael Baker International anticipates will be required; however, it is possible that the need for additional staff may arise. Therefore, Michael Baker may assign additional staff types as necessary to complete the services required under this agreement. Compensation rates for additional staff types will be determined by Michael Baker and will be consistent with the rates listed herein.

Resumés of the Project Team are included with this proposal as Attachment B.

Please contact Shannon Andrews at (562) 202-0893 or by email at [shannon.andrews@mbakerintl.com](mailto:shannon.andrews@mbakerintl.com) should you have any questions. We look forward to the opportunity to work with you.

Sincerely,

  
\_\_\_\_\_  
William Hoose  
Vice President

  
\_\_\_\_\_  
Shannon Andrews  
Project Manager

DRAFT

ATTACHMENT A

BUDGET

DRAFT



Task Description	Project Director	Project Manager	Environmental Specialist	Admin	Expenses	Totals
	\$185	\$140	\$125	\$75		

<b>TASK: GRANT MANAGEMENT AND REPORTS</b>						
A) FY 2023-2024 HOME FTHB PI – Activity Delivery Fee						\$4,500
B) FY 2023-2024 Home Reports						\$5,600
C) FY 2023-2024 CDBG Reports						\$2,800
D) FY 2023-2024 Loan Portfolio Management (includes annual and 5-year recertifications, demand statements, and full reconveyances)						
HOME Monitoring						\$5,600
CDBG Monitoring						\$4,200
E) Default or Short Sale Loan Assistance (On-Call)						\$2,500
F) Subordinations (On-Call)						\$500
G) 19-HOME-14968 General Administration						\$12,500
H) 19-HOME-14968 Activity Delivery Costs (6 FTHB loans)						\$37,500
<b>Total Costs (excluding Tasks A, E, &amp; F which are flat rates to be charged)</b>						<b>\$68,200</b>

### Travel and Expenses

To reduce costs, Michael Baker staff will communicate and coordinate with City staff through email, phone, and mail. We do not anticipate any travel to the City.

**ATTACHMENT B**

**PROJECT TEAM RESUMES**

DRAFT

## **DAMIEN DELANEY, PROJECT DIRECTOR**

Mr. Delany is experienced in the planning field. He has worked for a nonprofit housing corporation and major private residential and commercial developers and as a planning and community development consultant to a number of Southern California cities. He has personally served as project manager for many community development projects in Southern California. In his capacity as a project manager, Mr. Delany has coordinated the work of technical staff and subconsultants and administered Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and other state/federal grant-funded projects and programs.

### **RELEVANT EXPERIENCE:**

**City of San Fernando.** Responsible for managing the City's annual CDBG grant and performing labor standards compliance monitoring for CDBG-funded public works projects.

**City of Redondo Beach.** Responsible for administering the City's annual CDBG grant received from US Department of Housing and Urban Development (HUD) and managing CDBG-funded mobility access and home repair grant programs.

**City of Montebello.** Responsible for administering the City's annual CDBG grant received from HUD and assisting with the implementation of CDBG-funded activities.

**City of Lomita.** Responsible for overseeing the management of the Lomita Manor Senior Housing Project, a conventional public housing project, and compliance with all related HUD reporting requirements.

**City of Anaheim.** Responsible for the general administration of the City's CDBG program. This included the preparation of the Consolidated Plan, the annual program budget, and all reports required by HUD. Assisted the City with the management of its CDBG-funded public improvement projects.

**City of Woodland.** Responsible for oversight of the City's CDBG, HOME, and Supportive Housing Grant funded activities. This included general administration of the grants, implementation of housing rehabilitation, public service, and first-time homebuyer projects, and compliance with labor standards. Coordinated the preparation of environmental review documents, the Consolidated and Annual Funding Plans, and the Consolidated Annual Performance and Evaluation Report.

**City of Paramount.** Responsible for oversight of the City's CDBG and HOME programs, while also overseeing the operation of CDBG/HOME and redevelopment agency-funded housing and commercial rehabilitation programs.

**City of Thousand Oaks.** Assisted the City with the implementation of its redevelopment agency-funded residential rehabilitation program.

**City of Rosemead.** Assisted with the overall administration of the CDBG program, and specifically compliance with reporting requirements and the implementation of projects. Assisted with the operation of commercial and residential rehabilitation programs, as well as the formulation of the Consolidated Plan.

**City of Rancho Cucamonga.** Administered the day-to-day operations of the CDBG program. This included preparing the City's Grantee Performance Report and the Annual Funding Plan.

**City of San Joaquin.** Assisted with the development of a down payment assistance program, including preparation of the guidelines and procedures for the program, application forms, and covenants.

**City of Culver City.** Responsible for conducting inspections in support of the City's Section 8 rental assistance program.

**City of Fountain Valley.** Assisted with the preparation of the City's Consolidated Plan.

**City of Costa Mesa.** Assisted with the administration of a CDBG-funded single-family housing rehabilitation program and a redevelopment agency-funded rental rehabilitation program.

## **SHANNON ANDREWS, PROJECT MANAGER**

Ms. Andrews serves as a Housing & Grants Specialist in support of Michael Baker International's housing and community development assignments throughout the State of California. She also has extensive working knowledge of the affordable housing, housing rehabilitation, first-time homebuyer, and economic development processes. Ms. Andrews also has considerable experience in securing and subsequently administering grants for Michael Baker clients. Her experience also includes grant writing and grant administration for over \$10-million dollars in state and federal grants.

### **RELEVANT EXPERIENCE:**

**City of Beverly Hills.** Contract Staff overseeing the applicant qualifications for the City's Below-Market Rate Program for the Garden House project.

**City of Chowchilla.** Project Manager for grant writing and administration of an economic development small business grant program.

**City of Dublin.** Contract staff overseeing the annual monitoring for the City's Below-Market Rate Program for 11 rental properties.

**City of Grass Valley.** Project Manager overseeing the securing and administration of a first-time homebuyer program and both CDBG and HOME monitoring.

**City of Laguna Woods.** Contract staff overseeing the annual monitoring for the City's San Sebastian Affordable Housing property for 15 rental properties.

**Monterey County.** Project Manager overseeing the applicant qualifications of the East Garrison Affordable Housing Program.

**City of Norco.** Project Manager for the administration of a housing trust/bond-funded housing rehabilitation program.

**City of South San Francisco.** Contract staff overseeing the applicant qualifications for the City's Below-Market Rate Program for both buyers and renters.

**City of Union City.** Contract staff overseeing the applicant qualifications for the City's Below-Market Rate Program for buyers.

## BRENT SCHLECK, ENVIRONMENTAL SPECIALIST

Mr. Schleck is a Senior Environmental Planner with Michael Baker's Long Beach Office. Prior to joining Michael Baker International, Brent assisted in and managed the preparation of environmental documentation in accordance with the National Environmental Policy Act (NEPA) and the Endangered Species Act for a variety of federal actions. He has prepared documentation for controversial and environmentally sensitive projects throughout the country including a dune restoration project in Superior, WI, public access infrastructure in coastal Indiana, and the installation of environmental monitoring equipment in nearshore waters off of Hawai'i Island. In addition, Brent's resume includes preparing Biological Evaluations required under the ESA for the National Oceanic and Atmospheric Administration (NOAA), which included documenting the environmental baseline and cumulative effects of Hawai'i-based longline fisheries targeting swordfish and tuna on protected marine species and habitats. With Michael Baker, Brent assists in and manages the preparation of California Environmental Quality Act and NEPA documentation, including EIRs, IS/MNDs, Categorical Exemptions, Categorical Exclusions, and EA/FONSIs for land development projects, such as hospitals, schools, affordable housing developments, assisted living facilities, and market rate housing projects.

### RELEVANT EXPERIENCE:

**Norwalk-CDBG Administration.** *City of Norwalk, CA.* Assistant Planner. Associate Planner. Prepared environmental documentation per HUD 24 CFR part 58.

**Union City Grant Assistance.** *City of Union City.* Assistant Planner. Associate Planner. Prepared environmental documentation per HUD 24 CFR part 58. Michael Baker assisted Union City with the development and implementation of the Federal Community Development Block Grant.

**Old Gym Modernization.** *South Pasadena Unified School District.* Planner. Managed the preparation of a categorical exclusion memo and findings document for a gym renovation project conducted by the South Pasadena Unified School District. Managed project budget and tasks and conducted billing.

**Homeless & Homelessness Prevention.** *City of Fresno.* Assistant Planner. Associate Planner. Prepared environmental documentation per HUD 24 CFR part 58.

**Bridge Point South Bay II T&M.** *Bridge Point South Bay II, LLC.* Assistant Planner. Associate Planner. Prepared environmental documentation.

**South San Francisco Grant Assistance.** *City of South San Francisco.* Assistant Planner. Associate Planner. Prepared environmental documentation per HUD 24 CFR part 58.



## City of Grass Valley City Council Agenda Action Sheet

**Title:** SB 584 - Letter Opposing Unless Amended

**CEQA:** Not a Project.

**Recommendation:** That Council 1) approves the letter opposing SB 584; and 2) authorizes the Mayor to sign the letters opposing SB 584.

**Prepared by:** Timothy M. Kiser, City Manager

**Council Meeting Date:** June 27, 2023

**Date Prepared:** June 21, 2023

**Agenda:** Consent

**Background Information:** There is a new proposed bill in California, known as SB 584, that seeks to implement a 15% tax on short-term rental occupancy across the state. The money generated from this tax would be used to create grants for the development of "laborforce housing". However, this tax could negatively impact cities that rely on tourism and hospitality as their primary source of income, as a transient occupancy tax is already in place, with an average rate of 10%. Implementing an additional 15% tax could be a financial burden for these providers and harm local revenue streams. In our opinion, SB 584's approach to providing affordable housing is flawed and could have unintended consequences.

Staff is recommending City Council approve the letters opposing SB 584 and authorize the Mayor to sign the letters.

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

**Fiscal Impact:** If SB 584 is passed and not amended, the City might see a reduction in short-term rental TOT funds.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** Tim Kiser, City Manager

**Attachments:** Draft Letters opposing SB 584



**CITY OF GRASS VALLEY**  
**ADMINISTRATION**  
 125 East Main Street  
 Grass Valley, CA 95945  
 (530)274-4310

**Council Members**

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

6/27/2023

The Honorable Jacqui Irwin  
 Chair, Assembly Revenue, and Taxation Committee  
 1020 N Street, Room 167A  
 Sacramento, CA 95814

**RE: SB 584 (Limón) Laborforce housing: Short-Term Rental Tax Law.**  
**Notice of OPPOSE UNLESS AMENDED**

Dear Assembly Member Irwin,

The City of Grass Valley regrettably must oppose unless amended measure SB 584, which would impose a 15% tax on the occupancy of short-term rentals. Proceeds of the tax would be used to provide grants for the creation of "labor force housing."

SB 584's intent is laudable, and we appreciate the author's desire to provide cities with funding for housing development. But, the ends do not always justify the means. We support efforts to reduce the cost of developing affordable housing and expand affordable housing statewide. However, this measure takes a flawed approach by creating a statewide 15% tax on the occupancy of short-term rentals, paid for by the renter of the property. Currently, more than 400 cities and 55 counties impose a local Transient Occupancy Tax (TOT), with the most common rate being 10%. Current TOT rates have taken a long time to reach their current levels and are often increased incrementally over many years.

For many cities, tourism, and hospitality are essential economic drivers, resulting in cities relying on their local TOT as a primary source of General Fund revenue. In fact, in some instances, TOT can represent over two-thirds of General Fund revenues, funding fire, police, and other essential services. Imposing a 15% statewide tax on top of existing local rates averaging 10% would cripple this critical local revenue source for these communities by making the cumulative TOT a fiscal burden for tourists who would like to visit the community and invest in the local economy.



This cost burden would effectively put crippling downward pressure on communities throughout the state, making it unlikely cities will be able to raise their local TOTs in the future to keep up with inflation to appropriately fund the services that their residents need.

The City is deeply worried about how SB 584 could affect TOT revenues. While the need for workforce housing is acknowledged, there are no assurances that the collected funds will be reinvested into the local community. As a result, the City is struggling to secure funding for this essential housing. If SB 584 were modified to require that the funds are returned to their source for creating affordable workforce housing, the City's stance on this proposed bill might change.

Rather than directly saddling Californians and tourists with an additional tax and restricting the local government's ability to meet the needs of their residents, we recommend levying a tax or fee on the activity identified in the bill as contributing to the housing crisis, the "commercial use of residential homes and apartments for transient occupancies." The person/entity engaged in that activity is the home/apartment owner, not the transient lodger.

For these reasons, the City of Grass Valley respectfully opposes unless amended SB 584.

Sincerely,

Jan Arbuckle  
Mayor  
City of Grass Valley

Cc:

Your Senator and Assembly Member

Your Cal Cities Regional Public Affairs Manager (via email)

League of California Cities, (via email: [cityletters@calcities.org](mailto:cityletters@calcities.org))



**CITY OF GRASS VALLEY**  
**ADMINISTRATION**  
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 Haven Caravelli  
 Tom Ivy

6/27/2023

The Honorable Buffy Wicks  
 Chair, Assembly Housing, and Community Development Committee  
 1020 N Street, Room 156  
 Sacramento, CA 95814

**RE: SB 584 (Limón) Laborforce housing: Short-Term Rental Tax Law.**  
**Notice of OPPOSE UNLESS AMENDED**

Dear Assembly Member Irwin,

The City of Grass Valley regrettably must oppose unless amended measure SB 584, which would impose a 15% tax on the occupancy of short-term rentals. Proceeds of the tax would be used to provide grants for the creation of "labor force housing."

SB 584's intent is laudable, and we appreciate the author's desire to provide cities with funding for housing development. But, the ends do not always justify the means. We support efforts to reduce the cost of developing affordable housing and expand affordable housing statewide. However, this measure takes a flawed approach by creating a statewide 15% tax on the occupancy of short-term rentals, paid for by the renter of the property. Currently, more than 400 cities and 55 counties impose a local Transient Occupancy Tax (TOT), with the most common rate being 10%. Current TOT rates have taken a long time to reach their current levels and are often increased incrementally over many years.

For many cities, tourism, and hospitality are essential economic drivers, resulting in cities relying on their local TOT as a primary source of General Fund revenue. In fact, in some instances, TOT can represent over two-thirds of General Fund revenues, funding fire, police, and other essential services. Imposing a 15% statewide tax on top of existing local rates averaging 10% would cripple this critical local revenue source for these communities by making the cumulative TOT a fiscal burden for tourists who would like to visit the community and invest in the local economy.

This cost burden would effectively put crippling downward pressure on communities throughout the state, making it unlikely cities will be able to raise their local TOTs in the future to keep up with inflation to appropriately fund the services that their residents need.

The City is deeply worried about how SB 584 could affect TOT revenues. While the need for workforce housing is acknowledged, there are no assurances that the collected funds will be reinvested into the local community. As a result, the City is struggling to secure funding for this essential housing. If SB 584 were modified to require that the funds are returned to their source for creating affordable workforce housing, the City's stance on this proposed bill might change.

Rather than directly saddling Californians and tourists with an additional tax and restricting the local government's ability to meet the needs of their residents, we recommend levying a tax or fee on the activity identified in the bill as contributing to the housing crisis, the "commercial use of residential homes and apartments for transient occupancies." The person/entity engaged in that activity is the home/apartment owner, not the transient lodger.

For these reasons, the City of Grass Valley respectfully opposes unless amended SB 584.

Sincerely,

Jan Arbuckle  
Mayor  
City of Grass Valley

Cc:

Your Senator and Assembly Member

Your Cal Cities Regional Public Affairs Manager (via email)

League of California Cities, (via email: [cityletters@calcities.org](mailto:cityletters@calcities.org))



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Extension and cost adjustment of the School Resource Officer services agreement between the City of Grass Valley and Nevada Joint Union High School District

**CEQA:** Not a Project

**Recommendation:** Approve the new agreement to provide School Resource Officer services for Nevada Joint Union High School District at the Park Avenue Campus

**Prepared by:** Steve Johnson, Deputy Chief of Police

**Council Meeting Date:** June 27, 2023

**Date Prepared:** June 22, 2023

**Agenda:** Consent

**Background Information:** With the approval of City Council, the City of Grass Valley and Nevada Joint Union High School District (NJUHSD) entered into an agreement on July 11, 2017, to provide School Resource Officer services for NJUHSD, specifically at the High School campus located on Park Avenue in Grass Valley. The agreement was set to expire on June 30, 2018, but was extended by mutual written consent for a five-year extension which will expire June 30, 2023.

This School Resource Officer position has proven to be an effective community policing asset and the SRO presence on campus provides an additional layer of campus security and enhances police-student relationships. Both the NJUHSD and the Grass Valley Police Department recognize the value of the School Resource Officer and wish to see the agreement continue.

This new agreement has been negotiated between NJUHSD and the Grass Valley Police Department. It contains a price adjustment for SRO services which takes into account increased police officer staffing costs. All other provisions of the agreement remain the unchanged.

**Council Goals/Objectives:** Strategic Goal #1 - Exceptional Public Safety

**Fiscal Impact:** The annual fiscal impact of \$60,000 will offset approximately 50% of the fully burdened costs of a senior level Police Officer. The agreement requires that the School Resource Officer serve 50% of their annual hours on the Park Avenue campus performing School Resource Officer duties.

**Funds Available:** Yes -budgeted

**Account #:** N/A

**Reviewed by:**

**Attachments:** Proposed Agreement

## **AGREEMENT WITH NEVADA JOINT UNION HIGH SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER SERVICES**

THIS AGREEMENT is dated this 21st DAY OF July, 2023, between the CITY OF GRASS VALLEY, a municipal corporation, having a principal place of business at 125 East Main Street, Grass Valley, California; 95945, hereinafter referred to as "CITY," and NEVADA JOINT UNION HIGH SCHOOL DISTRICT, whose business address is, 11761 Ridge Road, Grass Valley, California 95945 hereinafter referred to as "NJUHSD."

**WHEREAS**, NJUHSD wishes to obtain the services of a sworn police officer to serve as its school resource officer on its campus; and

**WHEREAS**, CITY is willing to contract with NJUHSD for such 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 NJUHSD a sworn uniformed police officer to serve as the School Resource Officer for NJUHSD on NJUHSD campus. The officer, shall serve 50% of his/her time on NJUHSD campus, except during critical incidents or other emergencies, which may arise, which may require his/her presence elsewhere in the city.
- B. Representatives of the CITY and NJUHSD shall make recommendations for the SRO 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, 2027, unless extended by mutual written consent. If the parties find it mutually desirable to extend this Agreement, additional extensions may be negotiated . Notice of intent to negotiate an additional extension shall be given by the party desiring such extension no later than March 1st of each year.

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

- A. CITY shall administer this contract and provide school resource officer (SRO) services as set forth in **Attachment A** 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 truancy, violence, gangs, and drug activity as well as campus safety. The allocation of the officer's time will be mutually agreed upon between a representative of NJUHSD and the Chief of Police or his designee. It is the intent of both parties that the SRO's duty hours on NJUHSD campus shall conform to the hours of the school day.

- 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, 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, NJUHSD shall reimburse CITY up to \$60,000 per year as set forth herein:
  - 1. CITY shall submit a quarterly invoice to NJUHSD for the cost of providing the services for the previous quarter. Such invoice will be based on the direct salary and benefit costs of City of Grass Valley Police Officer position.
    - a. The CITY will invoice NJUHSD no more than \$15,000 per quarter.
  - 2. NJUHSD 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 NJUHSD may confer on NJUHSD employees.
- B. NJUHSD 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. NJUHSD shall have the right to reject for reasonable cause any employee of CITY assigned by the CITY to perform duties or services for NJUHSD.

### 5. INDEMNITY

To the furthest extent allowed by law, each Party (the "Indemnifying Party") shall indemnify, hold harmless and defend the other Party (the "Indemnified Party") and each of its officers, officials, employees, and agents from any and all loss, liability, fines, penalties, forfeitures, costs, and damages (whether in contract, tort or strict liability, including, but not limited to, personal injury, death at any time and property damage), and from any and all claims, demands and actions in law or equity (including reasonable attorneys' fees and litigation expenses) that arise out of or pertain to the negligence, recklessness, or willful misconduct of the

Indemnifying party, its principals, officers, employees, or agents. The provisions of this Section shall survive termination or suspension of this Agreement.

6. **WORKERS COMPENSATION INSURANCE**

CITY is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and will comply with such provisions before commencing the performance of the work of this contract.

6. **GOVERNING LAW**

This Contract shall be subject to and interpreted in accordance with the laws of the State of California.

7. **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.

8. **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 NJUHSD.

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.

"NJUHSD"

"CITY"




ATTEST

APPROVED AS TO FORM

\_\_\_\_\_  
Taylor Day, City Clerk

\_\_\_\_\_  
Michael G. Colantuono, City Attorney



**ATTACHMENT A****AGREEMENT WITH NEVADA JOINT UNION HIGH SCHOOL DISTRICT  
FOR SCHOOL RESOURCE OFFICER SERVICES****GENERAL:**

Under the direction of an assigned supervisor, perform law enforcement services, youth crime prevention programs, intervention in juvenile delinquency and welfare issues, and relationship building and education within the community and on campus.

**DISTINGUISHING CHARACTERISTICS:**

The School Resource Officer is an experienced level classification in the police officer rank. Officers involved in these programs do not typically participate in enforcement activities while in the schools, except in case of life threatening emergency or at the discretion of the supervisor in coordination with the school/District.

**SUPERVISION RECEIVED AND EXERCISED BY:**

Direct supervision is provided by a police sergeant, with general supervision provided by a police department manager.

**REPRESENTATIVE ESSENTIAL DUTIES:**

Be an extension of the principal's office for assignments consistent with this Agreement.

Be a visible, active law enforcement figure on campus dealing with law enforcement matters and school code violations originating on the assigned campus. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by the school officials.

Act as the designee of the campus administrator in maintaining the physical plant of the assigned campus to provide a safe environment. This includes building(s), grounds, parking lot(s), lockers and other public school property.

Share information with the administrator about persons and conditions that pertain to campus safety concerns. The SRO and the principal will develop plans and strategies to prevent and/or minimize dangerous situations.

Report all crimes originating on campus. Information on cases that are worked off-campus by the Police Department or other agencies involving students on a campus served by an SRO will be provided to the SRO.

Be involved in school discipline, when it pertains to preventing a disruption that would, if ignored, place students, faculty and staff at risk of harm. The SRO will resolve the problem to preserve the school climate. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by school officials.

Be familiar with helpful community agencies, such as mental health and drug treatment resources among others. Referrals will be made when necessary.

Participate as a member of a multi-agency or community task group, which supports delinquency prevention and campus safety activities as assigned.

Deliver classroom instruction appropriate to their respective positions and training while providing guidance on ethical issues in the classroom setting.

Be a resource to students, their families and school district personnel in the form of an information source, problem-solving assistance, and/or referral to appropriate personnel or agencies.

Make appearances before site councils, parent groups, and other groups associated with the campus as a speaker on a variety of requested topics, particularly drug, alcohol abuse, and campus safety.

Provide career information and experience opportunities, and promote an accurate and positive image of law enforcement in modern society.

In the case of incidents requiring enforcement action or official investigation, make referrals to the appropriate police division (Patrol/Investigations) or juvenile or social service agency.

Under the direction of the Chief of Police, create and maintain effective working relationships with the community, school district personnel, other law enforcement agencies, and juvenile and social service agencies. The SRO will act as a department liaison with other groups as needed in the course of their duties, or as designated by the Chief of Police because of the nature of their duties.

Wear approved department uniform, formal business attire or business casual with appropriate logos and name badges depending on the time of school year, the type of school activity or program, and the requests of the school and/or police department. The Chief of Police and the principal shall jointly set expectations and resolve any disputes in this area.

Wear their department authorized duty weapon(s) in accordance with department policy.

#### KNOWLEDGE, ABILITIES, SKILLS AND QUALIFICATIONS:

The Grass Valley Police Department shall work in collaboration with NJUHSD for the continued implementation of youth crime prevention programs.





## City of Grass Valley City Council Agenda Action Sheet

**Title:** Local Transportation Fund (LTF) Claim for Transit and Paratransit Operations

**CEQA:** N/A - Not a Project

**Recommendation:** That Council adopt a resolution requesting that Nevada County Transportation Commission (NCTC) allocate \$507,556 of the City's FY 2023/24 estimated apportionment of LTF in support of transit and paratransit services.

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

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/22/2023

**Agenda:** Consent

**Background Information:** Grass Valley is eligible for an estimated Local Transportation Fund (LTF) apportionment of \$507,556, based upon NCTC's Revised Findings of Apportionment adopted on May 17, 2023, which shows an estimated City population of 13,488. These funds are managed by the NCTC and are committed to first support the needs of transit and paratransit activities per a Joint Powers Agreement with Nevada City and Nevada County. The Nevada County Board of Supervisors held its FY 2023/24 final budget hearings on June 20, 2023 and approved the budget, including the Transit Services Commission (TSC) FY 2023/24 budget.

The Nevada County Transit Services Division (TSD), in the attached letter from TSD Manager, Robin Van Valkenburgh, has requested that the City submit a claim to NCTC to allocate the City's entire FY 2023/24 estimated apportionment of LTF to support transit and paratransit services. Attached is a resolution that would fulfill that request.

Also attached is the NCTC Resolution 23-07 regarding "Revised Findings of Apportionments FY 2023/24"

**Council Goals/Objectives:** Approval of the LTF Claim for Transit and Paratransit Operations executes portions of work tasks towards achieving/maintaining Strategic Goal - City Infrastructure Investment.

**Fiscal Impact:** 100% of Local Transportation Funds apportioned to the City by NCTC will be allocated directly to Nevada County TSD, resulting in no net impact to the City's budget.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** \_\_\_\_\_ City Manager

**RESOLUTION NO: 2023-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY  
REQUESTING THE NEVADA COUNTY TRANSPORTATION COMMISSION (NCTC)  
ALLOCATE \$507,556 OF THE CITY'S FY 2023/24 ESTIMATED APPORTIONMENT OF  
LOCAL TRANSPORTATION FUNDS (LTF)**

**WHEREAS**, the City of Grass Valley has entered into a Joint Exercise of Powers Agreement with the City of Nevada City and the County of Nevada for the purpose of establishing and funding a Public Transportation Program; and

**WHEREAS**, Transportation Development Act Funds are apportioned annually for the City of Grass Valley and are available to support the Program; and

**WHEREAS**, the Nevada County Transportation Commission (NCTC) adopted Resolution #23-07 showing that the City of Grass Valley has an estimated apportionment of Local Transportation Funds in Fiscal Year 2023/24 of \$507,556; and

**WHEREAS**, Grass Valley shares proportionately in the cost for such program under the terms of the Joint Powers Agreement; and

**WHEREAS**, on June 20, 2023, the Nevada County Board of Supervisors adopted the Fiscal Year 2023/24 budget. including the Transit Services Commission FY 2023/24 budget;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY**; that the City requests NCTC allocate \$507,556 of Grass Valley's Fiscal Year 2023/24 estimated apportionment of LTF for transit and paratransit services and the Grass Valley LTF funds available for allocation per NCTC Financial Report.

**ADOPTED** as a Resolution by the City Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June 2023, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

\_\_\_\_\_  
Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Michael G. Colantuono, City Attorney

\_\_\_\_\_  
Taylor Day, City Clerk

DANIELA FERNANDEZ – Nevada City City Council  
 SUSAN HOEK – Nevada County Board of Supervisors  
 TOM IVY – Grass Valley City Council, Vice Chair  
 ED SCOFIELD – Nevada County Board of Supervisors, Chair  
 JAY STRAUSS – Member-At-Large  
 DUANE STRAWSER – Member-At-Large  
 JAN ZABRISKIE – Town of Truckee



MICHAEL WOODMAN, Executive Director  
 AARON HOYT, Deputy Executive Director


Grass Valley • Nevada City

Nevada County • Truckee

File: 720.1, 1400.0

## MEMORANDUM

TO: Nevada County Transportation Commission

FROM: Michael Woodman, Executive Director 

SUBJECT: Revised Findings of Apportionment for FY 2023/24, Resolution 23-07

DATE: May 17, 2023

**RECOMMENDATION:** Approve Resolution 23-07 adopting the Revised Findings of Apportionment for FY 2023/24.

**BACKGROUND:** Prior to March 1 of each year, Nevada County Transportation Commission (NCTC), pursuant to California Code of Regulations Section 6644, transmits Findings of Apportionment for all prospective claimants.

The apportionments are determined from the Auditor-Controller's estimate of Local Transportation Funding (LTF) for the ensuing fiscal year, less those funds made available for Transportation Development Act administration, planning projects, pedestrian/bicycle projects, and community transit service projects. The remaining funds are apportioned by each jurisdiction's percentage of the total population.

On March 20, 2023, NCTC approved Resolution 23-04 adopting the FY 2023/24 Preliminary Findings of Apportionment based on the California Department of Finance Population Estimates 2022 E-1 Report. On May 1, 2023, NCTC obtained the 2023 E-1 Report with updated population figures. In accordance with Section 6655.5 of the California Code of Regulations, the attached Resolution 23-07, Revised Findings of Apportionment for FY 2023/24, has been prepared to update the apportionments with the latest population data. The apportionment adjustments are as follows:

COMPARISON OF POPULATION ESTIMATES AND APPORTIONMENTS						
Department of Finance E-1 Report May 1, 2022 and May 1, 2023				Apportionments		
Jurisdiction	1/1/2022 Population	1/1/2023 Population	Population Change	Resolution 23-04 3/20/23 Preliminary Findings	Resolution 23-07 5/17/23 Revised Findings	Difference
Nevada County	67,191	67,214	23	\$2,515,373	\$2,529,275	\$13,902
Grass Valley	13,617	13,488	-129	\$509,768	\$507,556	-\$2,212
Nevada City	3,334	3,342	8	\$124,812	\$125,760	\$948
Truckee	17,100	16,676	-424	\$640,158	\$627,521	-\$12,637
<b>Total</b>	<b>101,242</b>	<b>100,720</b>	<b>-522</b>	<b>\$3,790,111</b>	<b>\$3,790,111</b>	

Totals may not equal sum of amounts in column due to rounding.

**RESOLUTION 23-07  
OF THE  
NEVADA COUNTY TRANSPORTATION COMMISSION**

**REVISED FINDINGS OF APPORTIONMENT FOR FISCAL YEAR 2023/24**

WHEREAS, Section 6655.5 of the California Code of Regulations states that the transportation planning agency may, at any time before the conveyance of initial allocation instructions pursuant to Section 6659, issue a revised determination of apportionments based on a revised determination of populations; and

WHEREAS, the Auditor-Controller of Nevada County has issued an estimate of \$4,963,460 as the amount available for allocation in FY 2023/24; and

WHEREAS, the amount subject to apportionment is to be determined by subtracting the anticipated amounts to be allocated, or made available for allocation, for administration of the Transportation Development Act, for transportation planning, for facilities for the exclusive use of pedestrians and bicycles, and for community transit services, from the total estimate of monies to be available for apportionment and allocation during the ensuing fiscal year; and

WHEREAS, the following figures represent the amount described above:

Estimated LTF Available for FY 2023/24

Sales and Use Tax	\$4,902,460
Interest	\$61,000
Subtotal	\$4,963,460

Anticipated Allocations

Administration and Planning	-\$892,449
Pedestrian and Bicycles	-\$81,420
Community Transit Services	-\$199,480

<b>Total Estimated FY 2023/24 LTF Available for Apportionment</b>	<b>\$3,790,111</b>
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Area apportionments based on population: Population figures from State of California Department of Finance 2023 E-1 Report, May 1, 2023

Jurisdiction	Estimated Population	Percent of Estimated Total	Apportionment
Nevada County	67,214	66.73%	\$2,529,274
Grass Valley	13,488	13.39%	\$507,556
Nevada City	3,342	3.32%	\$125,760
Truckee	16,676	16.56%	\$627,521
<b>TOTAL</b>	<b>100,720</b>	<b>100.00%</b>	<b>\$3,790,111</b>

Totals may not equal sum of amounts in column due to rounding.

NOW, THEREFORE, BE IT RESOLVED, that Nevada County Transportation Commission finds that the above figures represent area apportionments to be used for FY 2023/24. These apportionments will be used as the basis for allocations throughout FY 2023/24, unless these findings are revised in accordance with statutes and regulations contained in the Transportation Development Act.

PASSED AND ADOPTED by the Nevada County Transportation Commission on May 17, 2023 by the following vote:

Ayes: Commissioner Fernandez, Commissioner Ivy, Commissioner Scofield, Commissioner Strauss, Commissioner Strawser

Noes:

Absent: Commissioner Hoek, Commissioner Zabriskie

Abstain:

  
\_\_\_\_\_  
Ed Scofield, Chair  
Nevada County Transportation Commission

Attest:   
\_\_\_\_\_  
Dale D. Sayles  
Administrative Services Officer



**STATE'S POPULATION DECLINE SLOWS WHILE HOUSING GROWS**  
**PER NEW STATE DEMOGRAPHIC REPORT**

FOR IMMEDIATE RELEASE:  
May 1, 2023

**CONTACT:** Walter Schwarm  
(916) 323-4086  
H.D. Palmer  
(916) 323-0648

**SACRAMENTO**— Stable births, fewer deaths, and a rebound in foreign immigration slowed California's recent population decline in 2022, with the state's population estimated at 38,940,231 people as of January 1, 2023, according to new data released today by the California Department of Finance.

Over the same period, statewide housing growth increased to 0.85 percent – its highest level since 2008. California added 123,350 housing units on net, including 20,683 accessory dwelling units (ADUs), to bring total housing in the state to 14,707,698 units. New construction represents 116,683 housing units with 63,423 single family housing units, 51,787 multi-family housing units, and 1,473 mobile homes.

The 0.35-percent population decline for 2022, roughly 138,400 persons, marks a slowdown compared to the recent decline during the COVID-19 Pandemic. Between 2021 and 2022, California's population decreased 0.53 percent or 207,800 persons, due mainly to sharp declines in natural increase and foreign immigration.

For 2022, natural increase – the net amount of births minus deaths -- increased from 87,400 in 2021 to 106,900 in 2022. Births decreased slightly from 420,800 in 2021 to 418,800 in 2022, while deaths declined gradually from 333,300 persons in 2021 to 311,900 persons in 2022, respectively.

Foreign immigration nearly tripled in 2022 compared to the prior year, with a net gain of 90,300 persons in 2022 compared to 31,300 in 2021. While foreign immigration to California has nearly returned to pre-pandemic levels, natural increase has not rebounded. Total births remain low due to fertility declines; while deaths have eased gradually from their pandemic peak, they remain elevated.

With slower domestic in-migration and increased domestic out-migration likely the result of work-from-home changes, declines in net domestic migration offset the population gains from natural increase and international migration.

The report contains preliminary year-over-year January 2023 and revised January 2021 and January 2022 population data for California cities, counties, and the state. These estimates are based on information through January 1, 2023. Significant changes over the year include:

- Population growth slowed but remained positive in the interior counties of the Central Valley and the Inland Empire, while most counties saw declines, including every coastal county except San Benito (0.2 percent).
- Only two counties had growth above a half of a percent: Madera (0.6 percent) and Yuba (0.6 percent), due to housing gains. The next largest in percentage growth were San Joaquin (0.4 percent), Merced (0.4 percent), and Imperial (0.4 percent) counties.

- Forty-six of the state's fifty-eight counties lost population. The ten largest percentage decreases were: Lassen (-4.3 percent), Del Norte (-1.3 percent), Plumas (-1.2 percent), Santa Cruz (-1.0 percent), Marin (-1.0 percent), Tehama (-1.0 percent), Napa (-1.0 percent), Lake (-0.9 percent), Monterey (-0.8 percent), and Los Angeles (-0.8 percent).
- The state's three most populous counties all experienced population loss: Los Angeles declined by 73,293 persons (-0.75 percent), San Diego by 5,680 persons (-0.2 percent), and Orange by 14,782 persons (-0.5 percent).
- The top five cities where housing production drove population growth include: Paradise (24.1 percent) in Butte County, Lathrop (11.1 percent) in San Joaquin County, Duarte (6.6 percent) in Los Angeles County, Wheatland (4.6 percent) in Yuba County, and Shafter (4.3 percent) in Kern County.

County housing highlights include:

- Yuba had the highest housing growth (2.3 percent) of all counties, followed by: Placer, Butte, Madera, San Joaquin, Yolo, Alameda, San Benito, Merced, and Imperial.
- Twelve counties gained housing at or above 1.0 percent.
- One county lost housing: Mariposa due to a wildfire in 2022.
- Ranked by net housing gains, Los Angeles (19,556), San Diego (7,034), Oakland (4,005), San Francisco (2,823), and Unincorporated Riverside County (2,106) added the most housing units in 2022.
- Larger densely populated urban areas built most of the multi-family housing throughout the state. Los Angeles led the state gaining 12,074 multi-family units, comprising 61.7 percent of their net housing growth, followed by San Diego (4,568 for 64.9 percent), Oakland (3,880 for 96.9 percent), and San Francisco (2,573 for 91.1 percent).
- Conversely, single family housing is more likely to be built further inland in typically more suburban cities. Cities with a high proportion of single family growth include: Roseville (100 percent single family), Santa Clarita (100 percent single family), Fresno (91.7 percent single family), and Irvine (71 percent single family).

Also of note in the report:

- 356 cities lost population, while 125 gained population and one had no change.
- Of the ten largest cities in California, only three gained population: Sacramento had the largest percentage gain in population (0.2 percent, or 1,203) followed by Bakersfield (0.2 percent, or 882) and Fresno (0.1 percent, or 599).
- Accessory dwelling unit production increased by 60.6 percent, with the state adding 20,638 ADUs in 2022.
- Group quarters represent 2.4 percent (926,000) of the total state population. This population includes those living in college dormitories (269,000) and in correctional facilities (168,000). In 2022, California's group quarters population increased by 11,000 people or 1.2 percent. The college dormitory population grew by 16,000 (6.2 percent). Correctional facilities declined in population in 2022 by 4,200 people (-2.5 percent) across federal, state and local facilities. As college dormitory populations continue to return to a post-

pandemic normal, several jurisdictions saw significant gains in population due to this population. The City of Arcata in Humboldt County grew by 4.1 percent due to a 45.1 percent increase at Cal Poly Humboldt. The City of Marina in Monterey County grew by 2.5 percent due to a 12.6 percent increase at California State University at Monterey Bay.

State prisons are generally located in remote areas; as a result, increases or decreases can account for significant changes in their respective area populations. For example, prison declines led to population decreases in Susanville (-9.5 percent) in Lassen County, Calipatria (-5.6 percent) in Imperial County, and Crescent City (-4.4 percent) in Del Norte County.

#### Background Information:

These population estimates are produced annually by Finance for use by local areas to calculate their annual appropriations limit. The State Controller's Office uses Finance's estimates to update their population figures for distribution of state subventions to cities and counties, and to comply with various state codes. Additionally, estimates are used for research and planning purposes by federal, state, and local agencies, the academic community, and the private sector.

Changes to the housing stock are used in the preparation of the annual city population estimates. Estimated occupancy of housing units and the number of persons per household further determine population levels. Changes in city housing stock result from new construction, demolitions, housing unit conversions, and annexations. The sub-county population estimates are then adjusted to be consistent with independently produced county estimates.

Comparing Census Bureau's recently released July 1, 2022 estimates with Finance's January 1, 2023 estimates should generally be avoided since they refer to different points in time. In addition, there are numerous differences between the two series including the effects of the wildfires, changes in migration patterns, accelerating slowdown in births, and excess deaths due to the COVID-19 Pandemic that make comparisons difficult.

All Finance population and housing estimates are benchmarked to a decennial census. The estimates in this report are benchmarked to the 2020 decennial census.

Related population reports are available on the Department's website:

<http://www.dof.ca.gov/Forecasting/Demographics/>

# # #

**E-1: City/County/State Population Estimates with Annual Percent Change**  
**January 1, 2022 and 2023**

Item # 8.

JURISDICTION	Total Population		Percent Change	JURISDICTION	Total Population		Percent Change
	1/1/22	1/1/23			1/1/22	1/1/23	
<b>Napa</b>	135,941	134,637	-1.0	<b>Placer</b>	409,441	410,305	0.2
American Canyon	21,631	21,338	-1.4	Auburn	13,596	13,365	-1.7
Calistoga	5,162	5,127	-0.7	Colfax	2,038	2,016	-1.1
Napa	77,533	76,821	-0.9	Lincoln	51,199	52,313	2.2
St Helena	5,380	5,355	-0.5	Loomis	6,715	6,607	-1.6
Yountville	2,819	2,778	-1.5	Rocklin	71,655	71,179	-0.7
Balance of County	23,416	23,218	-0.8	Roseville	151,450	152,928	1.0
<b>Nevada</b>	100,973	100,720	-0.3	Balance of County	112,788	111,897	-0.8
Grass Valley	13,474	13,488	0.1	<b>Plumas</b>	19,232	18,996	-1.2
Nevada City	3,256	3,342	2.6	Portola	2,129	2,094	-1.6
Truckee	16,693	16,676	-0.1	Balance of County	17,103	16,902	-1.2
Balance of County	67,550	67,214	-0.5	<b>Riverside</b>	2,430,976	2,439,234	0.3
<b>Orange</b>	3,151,946	3,137,164	-0.5	Banning	30,856	31,250	1.3
Aliso Viejo	51,016	50,766	-0.5	Beaumont	54,349	56,590	4.1
Anaheim	335,946	328,580	-2.2	Blythe	17,417	17,265	-0.9
Brea	46,947	48,184	2.6	Calimesa	10,950	10,962	0.1
Buena Park	83,359	83,517	0.2	Canyon Lake	11,003	10,949	-0.5
Costa Mesa	111,649	111,183	-0.4	Cathedral City	51,621	51,433	-0.4
Cypress	49,877	49,818	-0.1	Coachella	41,935	42,462	1.3
Dana Point	33,009	33,155	0.4	Corona	157,139	157,005	-0.1
Fountain Valley	56,976	56,987	0.0	Desert Hot Springs	32,389	32,608	0.7
Fullerton	143,013	142,873	-0.1	Eastvale	69,978	69,514	-0.7
Garden Grove	171,195	171,183	0.0	Hemet	89,170	89,918	0.8
Huntington Beach	196,469	195,714	-0.4	Indian Wells	4,785	4,774	-0.2
Irvine	305,688	303,051	-0.9	Indio	89,789	90,837	1.2
Laguna Beach	22,506	22,445	-0.3	Jurupa Valley	105,154	104,983	-0.2
Laguna Hills	30,667	30,525	-0.5	Lake Elsinore	71,989	71,973	0.0
Laguna Niguel	65,010	64,702	-0.5	La Quinta	37,562	37,979	1.1
Laguna Woods	17,536	17,450	-0.5	Menifee	107,411	110,034	2.4
La Habra	62,037	61,835	-0.3	Moreno Valley	208,302	208,289	0.0
Lake Forest	86,614	87,127	0.6	Murietta	110,592	109,998	-0.5
La Palma	15,402	15,332	-0.5	Norco	25,035	25,037	0.0
Los Alamitos	11,894	12,129	2.0	Palm Desert	50,626	50,615	0.0
Mission Viejo	92,118	91,846	-0.3	Palm Springs	44,165	44,092	-0.2
Newport Beach	83,653	83,411	-0.3	Perris	78,474	78,948	0.6
Orange	138,155	139,063	0.7	Rancho Mirage	16,854	17,012	0.9
Placentia	51,327	52,507	2.3	Riverside	314,818	313,676	-0.4
Rancho Santa Margarita	47,300	47,066	-0.5	San Jacinto	54,303	54,103	-0.4
San Clemente	63,431	63,237	-0.3	Temecula	109,468	108,899	-0.5
San Juan Capistrano	34,869	35,089	0.6	Wildomar	36,438	36,336	-0.3
Santa Ana	304,258	299,630	-1.5	Balance of County	398,404	401,693	0.8
Seal Beach	24,871	24,647	-0.9	<b>Sacramento</b>	1,573,366	1,572,453	-0.1
Stanton	38,986	39,084	0.3	Citrus Heights	86,152	85,837	-0.4
Tustin	79,696	79,558	-0.2	Elk Grove	176,621	177,005	0.2
Villa Park	5,791	5,790	0.0	Folsom	84,438	85,498	1.3
Westminster	90,660	90,498	-0.2	Galt	25,185	25,557	1.5
Yorba Linda	67,284	67,068	-0.3	Isleton	766	759	-0.9
Balance of County	132,737	132,114	-0.5	Rancho Cordova	80,156	81,117	

## ANNUAL TRANSPORTATION/TRANSIT CLAIM FORM

Fiscal Year 2023/24

TO: NEVADA COUNTY TRANSPORTATION COMMISSION

FROM: **The City of Grass Valley**

Agency requesting funds

CONTACT: **Bjorn Jones, City Engineer**

Person authorized to submit claim

PHONE: **(530) 274-4353**

**The City of Grass Valley** hereby requests, in accordance with the Transportation Development Act, and applicable rules and regulations, that this transportation/transit claim be approved in the total amount of **\$507,556** of **LTF** funds. The total amount of this claim shall be utilized for completion of the project(s) listed below:

Project Title/Description	Authorized by TDA Section	Total Project Cost	Amount Requested LTF
<b>Transit/Paratransit Operations</b>	<b>99400 (c)</b>	<b>\$8,864,129</b>	<b>\$507,556</b>

**The City of Grass Valley** requests that the funds be distributed as they become available. Resolution **2023-XX** approving the budget for the project(s) or approving this claim was adopted by the **Grass Valley City Council** on **June 27, 2023.**

Approval of this claim and payment to the **County of Nevada** is subject to such monies being available, and to the provisions that such monies will be used in accordance with the terms contained in the approving resolution of the NEVADA COUNTY TRANSPORTATION COMMISSION.

SIGNED: \_\_\_\_\_  
Person authorized to submit claim

TITLE: **Bjorn Jones, City Engineer**

DATE: \_\_\_\_\_



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
Public Works Department  
Transit Services Division



Item # 8.

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
Phone: (530) 477-0103 Toll free: (888) 660-7433 Fax: (530) 477-7847

Email: [nevcoconnects@nevadacountyca.gov](mailto:nevcoconnects@nevadacountyca.gov)  
Visit us at: [www.NevadaCountyConnects.com](http://www.NevadaCountyConnects.com) or  
[www.nevadacountynow.us](http://www.nevadacountynow.us)

**Heba El-Guindy**  
Director of Public Works

**Robin VanValkenburgh**  
Transit Services Manager

June 7, 2023

Mr. Tim Kiser, City Manager  
City of Grass Valley  
125 East Main Street  
Grass Valley, CA 95945

**SUBJECT: Fiscal Year 2023-24 Local Transportation Fund Claim**

Dear Mr. Kiser,

The Nevada County Board of Supervisors will hold its Fiscal Year 2023-24 budget public hearings and approval in June and these will include the Fiscal Year 2023-24 Transit Services Division Budget. Nevada County is processing a claim with the Nevada County Transportation Commission (NCTC) for Local Transportation Funds (LTF), pursuant to the Transportation Development Act. In accordance with the Joint Powers Agreement for Transit Services in Western Nevada County, we are requesting that the City of Grass Valley prepare and submit a claim to NCTC for LTF funds to support Nevada County Connects and Nevada County Now contracted paratransit operations during Fiscal Year 2023-24.

NCTC has adopted revised findings of apportionment at their May 17, 2023, meeting indicating that the City of Grass Valley's apportionment for Fiscal Year 2023-24 LTF funds is \$507,556. A copy of the revised NCTC findings of apportionment is attached. Since the Transit Services' Division budget is predicated on the use of 100 percent of the available LTF funds from all three local jurisdictions, we are respectfully asking that Grass Valley prepare its claim in the amount of \$507,556. As with last year's claim, the LTF funding may be shown in a lump sum entitled "transit/paratransit operations" (P.U.C. Sec. 99400(c)).

We are hoping to have the claims approved at the July 19, 2023, NCTC meeting, and I would greatly appreciate your placing this claim item on a City Council agenda at your earliest convenience in June 2023, for resolution approval.

Thank you for your continued support of Transit Services in western Nevada County. It is greatly appreciated. Should you have any questions, please contact me at 470-2833.

Sincerely,

*Robin Van Valkenburgh*

Robin Van Valkenburgh  
Transit Services Division Manager

Cc: Trisha Tillotson, Director of Community Development Agency  
Heba El-Guindy, Director of Public Works  
Mike Woodman, Executive Director, NCTC



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Condon and Scotten Turf Replacement Project - Final Acceptance

**CEQA:** Exempt - Section 15301 "Existing Facilities"

**Recommendation:** That Council: 1) accept the Condon and Scotten Turf Replacement Project as complete, 2) authorize final payment to the Contractor, and 3) 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:** 06/27/2023

**Date Prepared:** 06/22/2023

**Agenda:** Consent

**Background Information:** On May 9, 2022, Council authorized the award of a contract for the Condon and Scotten Turf Replacement Project to Goodland Landscaping Construction, Inc. in the amount of \$1,557,228. The project involved replacement of the multi-use field at Scotten School and the Major baseball field at Condon Park with state of the art artificial turf systems. At Scotten School, other improvements include a dedicated access road and parking lot, concrete sidewalk and curbing, fencing and a new prefabricated restroom.

A total of eight contract change orders were authorized for the project. All the work has now been completed by the contractor with a final project cost of \$1,718,734.84.

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.

Staff requests that Council accept the Condon and Scotten Turf Replacement Project as complete and authorize final payment to the contractor.

**Council Goals/Objectives:** The Condon and Scotten Turf Replacement Project executes portions of work tasks towards achieving/maintaining Strategic Plan -Recreation & Parks.

**Fiscal Impact:** The project was fully funded with a portion of the Park Project Lease Financing 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: **June 9, 2023**.
6. The work of improvement completed is described as follows: **Sports Field Turf Replacement**.
7. The NAME OF THE ORIGINAL CONTRACTOR, if any, for such work of improvement is: **Goodland Landscaping Construction, Inc.**
8. The street address of said property is: **10821 Squirrel Creek Road, Grass Valley, CA 95945 and 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: **Artificial Turf Installation**.

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:** Employment Agreement for Fire Investigation Services

**CEQA:** Not a Project

**Recommendation:** That Council 1) Adopt resolution 2023-31 and 2) Approve the Public Employees' Retirement System (PERS) for hiring of an annuitant for, fire investigation and special enforcement services related to investigation, prevention, and enforcement pursuant to Government Code Section 21224(a). Agreement subject to legal review.

**Prepared by:** Mark Buttron- Fire Chief

**Council Meeting Date:** 06-27-2023

**Date Prepared:** 06-19-2023

**Agenda:** Consent

**Background Information:** Deputy Fire Marshal Jeff Wagner (ret) retired from the Grass Valley Fire Department December 29<sup>th</sup>, 2015. Deputy Fire Marshal Wagner (ret) possess the requisite specialized skills and methodological techniques of fire investigation. Additional duties may include fire prevention, code enforcement, special enforcement duties, and vegetation management oversight

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

**Fiscal Impact:** Funding has been programmed into the Fiscal Year 23.24 Budget

**Funds Available:** Yes

**Account #:** General Fund

**Reviewed by:** Tim Kiser, City Manager

**Attachments:** Resolution

## Resolution 2023-31

### RESOLUTION OF THE CITY OF GRASS VALLEY REQUESTING APPROVAL OF PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR HIRING OF ANNUITANT FOR TEMPORARY TRAINING AND FIRE INVESTIGATION SERVICES PURSUANT TO GOVERNMENT CODE SECTION 21224(a)

**WHEREAS**, the City of Grass Valley is in need of ongoing fire investigation services, due to the retirement of personnel who performed these services and the lack of training for performance of these specialized services in existing personnel; and

**WHEREAS**, the City of Grass Valley has promoted a new Deputy Fire Marshal Investigator in training, who will, over time, be trained to perform fire investigation services; and

**WHEREAS**, training and mentoring of the newly promoted personnel to provide these specialized services is anticipated to take several months and in the meanwhile, the need for extra help to perform these specialized services remains; and

**WHEREAS**, the City has identified a prior employee—former Deputy Fire Marshall Jeff Wagner—who possesses the specialized skills needed to provide fire fighter training and mentoring for existing personnel and perform fire investigation services, which is a function of firefighter and suppression services; and

**WHEREAS**, former Deputy Fire Marshall Jeff Wagner is a Public Employees Retirement System (PERS) annuitant, who retired from City of Grass Valley service on December 29, 2015 and is willing to accept temporary employment with the City of Grass Valley to provide the extra help needed within the parameters of Government Code Section 21224(a), as reflected in the attached Exhibit A Employment Agreement; and

**WHEREAS**, Government Code Section 7522.56(f)(4) provides an exception from the 180-day "wait" period following the date of retirement for hiring a PERS annuitant to perform the function of a firefighter; and

**WHEREAS**, the City seeks approval from PERS that the hiring of former Deputy Fire Marshall Jeff Wagner to provide extra help to perform specialized services including training and mentoring of the newly promoted Deputy Fire Marshall and fire investigation services for a limited duration, not to exceed 960 hours within a fiscal year and for an hourly rate consistent with the parameters of Government Code Section 21224(a) shall not trigger reinstatement for this PERS annuitant.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Grass Valley requests that PERS approve employment of PERS annuitant, former Deputy Fire Marshall Jeff Wagner, to perform specialized training and mentoring of a newly appointed Deputy Fire Marshall/Fire Investigator and fire investigation services for a limited duration, which shall not exceed 960 hours per fiscal year as necessary until existing full time staff has been trained or otherwise recruited to provide these services as set forth in the Employment Agreement attached as Exhibit A.

The City Clerk shall certify to the passage and adopt of this Resolution and enter it in the book of original Resolutions.

PASSED AND ADOPTED by the following vote on \_\_\_\_\_, 2023

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Jan Arbuckle. Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael G. Colantuono, City Attorney

CITY OF GRASS VALLEY  
EMPLOYMENT AGREEMENT WITH JEFF WAGNER  
TO PERFORM SPECIALIZED AND  
TEMPORARY PUBLIC SAFETY SERVICES AS  
DEPUTY FIRE MARSHAL/FIRE INVESTIGATOR

This agreement is entered into July 01, 2023 by and between the CITY OF GRASS VALLEY, a municipal corporation, hereafter referred to as the "City" and Jeff Wagner, hereafter referred to as "Employee".

WHEREAS, the City is in need of fire investigation services, which are specialized skills and a function of firefighting and fire suppression and which are normally provided by City employees; and

WHEREAS, the City employs a Deputy Fire Marshal/Fire Investigator who requires training and mentoring to develop the specialized skills necessary for the position; and

WHEREAS, the City is in need of a limited duration employee to provide training and mentoring for the Deputy Fire Marshal/Fire Investigator as well as to provide such services while the Deputy Fire Marshal/Fire Investigator develops those specialized skills; and

WHEREAS, Jeff Wagner was previously employed by the City of Grass Valley as its Deputy Fire Marshal before his retirement on December 29, 2015, and possesses the requisite specialized skills needed by the City and is available to provide mentoring and training for the City's existing Deputy Fire Marshal/Fire Investigator employee as well as to provide actual fire investigation and fire safety inspection services, which are a function of fire suppression services, on a temporary basis; and

WHEREAS, Jeff Wagner as a Public Employees Retirement System ("PERS") annuitant, is limited in his ability to accept public employment pursuant to Government Code sections 21224(a) and may not work more than 960 hours within a fiscal year; and

WHEREAS, Jeff Wagner is able to provide temporary assistance to the City of Grass Valley under the terms of this Agreement and within the constraints of Government Code section 21224(a) as a PERS retired annuitant and City desires to hire Jeff Wagner on these terms to provide specialized services of a limited duration.

NOW THEREFORE, in consideration of the above stated desires and the mutual covenants, terms and conditions, herein contained, the parties hereto mutually and freely agree as follows:

## **SECTION 1 – EMPLOYMENT CONDITIONS AND DUTIES**

a. Employee is appointed by and shall serve at the pleasure of the Fire Chief and City Manager as a Deputy Fire Marshal/Fire Investigator. Employee has performed his due diligence to confirm with PERS that he may accept temporary appointment as a PERS annuitant.

b. The Employee shall be responsible for duties as described in the Deputy Fire Marshal/Fire Investigator job description of the City of Grass Valley as well as providing mentoring and training to other City employees who will be required to perform fire investigation services for the City, including the Deputy Fire Marshal/Fire Investigator.

## **SECTION 2 – EMPLOYMENT TERM**

a. The City agrees to employ Employee and Employee agrees to be employed and remain in the employment of the City for a term beginning July 1, 2023 and ending not later than June 30<sup>th</sup>, 2024 or 960 hours worked, whichever comes first. This is an at-will position and Employee has no property interest in his position.

b. Nothing in this agreement shall prevent, limit, or otherwise interfere with the rights of the Employee to serve other entities or engage in similar activities which do not interfere with, or are incompatible or in conflict with the Employee's performance of the duties required under this agreement. The determination of incompatibility will be made by the Fire Chief or City Manager and shall be final.

c. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the rights of the City to terminate the services of the Employee at any time during such employment terms or any renewal thereof subject to the provisions as set forth in this agreement.

d. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right to resign at any time from this position with the City, subject to the provisions as set forth in this agreement.

## **SECTION 3 – EMPLOYEE RESIGNATION OR DEATH**

In the event the Employee terminates this Employment Agreement by voluntary resignation, in writing, or due to his death before expiration of the employment terms or any renewal(s) thereof Employee shall not be entitled to any severance pay but shall be entitled payment in full for hours performed. In the event the Employee voluntarily resigns this position before normal expiration date of the employment terms or any renewal he shall give the City at least 10 days advanced written notice unless the parties agree otherwise. The Employee, should he resign, or his beneficiaries or those entitled to his estate, should he die while employed under this

Agreement , shall be paid for any earned salary to which he or his beneficiaries or estate are entitled as of the final day on city payroll.

#### **SECTION 4 – EMPLOYMENT TERMINATION**

The Fire Chief or City Manager may terminate or remove the Employee with or without cause. Employee waives any rights to an administrative hearing prior to termination pursuant to Government Code section 3254 (Firefighter's Bill of Rights Act), the City's Civil Service Rules and Regulations, and any other procedural rights related to termination.

#### **SECTION 5 – WORK HOURS**

The Fire Chief and Employee shall coordinate the work schedule based upon needs of the City.

#### **SECTION 6 – SALARY**

The City shall pay the Employee for all services rendered and worked pursuant to this agreement at \$29.93 per hour, which represents the annual salary of the Deputy Fire Marshal/Fire Inspector classification divided by 173.333, as required by Government Code Section 21224(a). Employee's salary will be paid on a bi-weekly basis in conformance with the City's established pay periods and pay days. The Employee shall not receive benefits, incentives or compensation in lieu of benefits, sick leave, holiday, vacation pay or any other form of compensation in addition to the hourly rate during his employment under this employment agreement.

#### **SECTION 7 – INDEMNIFICATION**

If the employee is named as a party in litigation relating to Employee's actions or inactions as a City employee, the City shall defend Employee and pay any judgment which may be entered against Employee, consistent with the terms of applicable law including Government Code 810 et seq., and provided adequate findings can be made under Government Code Section 825(b).

#### **SECTION 8 – ENTIRE AGREEMENT AND AMENDMENTS**

a. This agreement supersedes any and all other agreements between the parties hereto with respect to the employment of the Employee by the City and contains all of the covenants and agreements between the parties with respect to such employment. Each party to this Agreement acknowledges that no representations, inducement, promise, or agreements have been made by any party or anyone acting on behalf of any party orally or otherwise which are not embodied herein.

b. No other agreement, statement or promise not contained in this Agreement

shall be valid or binding or shall be used in interpreting the meaning of this Agreement.

c. Amendments, modifications or changes may be made to this Agreement and shall become effective on the date contained therein when executed in writing and mutually signed by both parties to this Agreement.

d. This Agreement and any amendments, modifications or changes thereto shall be binding upon the City during its term.

e. This Agreement and any amendments, modifications or changes thereto shall be binding upon the Employee and inure to the benefit of the heirs at law and executors of the Employee.

### **SECTION 9 – SEVERABILITY**

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

“EMPLOYEE”

“CITY”

\_\_\_\_\_  
Jeff Wagner

\_\_\_\_\_  
Tim Kiser, City Manager

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Michael Colantuono, City Attorney

\_\_\_\_\_  
Taylor Day, Deputy City Clerk



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Sewer System Management Plan

**CEQA:** Not a Project

**Recommendation:** Council to adopt a revised SSMP

**Prepared by:** Trever Van Noort, Utilities Director

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/21/2023

**Agenda:** Consent

**Background Information:** The SSMP covers information regarding the management of the City's sewer system. This information includes procedures and protocols for daily operation and maintenance, as well as emergency response. The State Water Resources Control Board requires the City to maintain an updated SSMP which complies with all current regulations.

**Council Goals/Objectives:** This action promotes the goals of Public Safety and Water and Wastewater Systems and Underground Infrastructure.

**Fiscal Impact:** None

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** \_\_\_ Tim Kiser, City Manager

**Attachments:** Grass Valley SSMP Update 2022-12-06



DECEMBER 2022

CITY OF GRASS VALLEY

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## Sewer System Management Plan

PREPARED BY:



PREPARED FOR:



**GRASS VALLEY**  
A PLACE TO LIVE AND THRIVE



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## INTRODUCTION

The City of Grass Valley (City) owns and operates a sewer collection system that collects wastewater from a total service population of approximately 12,800. The system is comprised of 1,385 manholes and approximately 98,300 feet of sewer collection system pipelines of varying sizes dependent upon the area dynamics of location and number of customers served. The system also has eight (8) lift stations that are maintained by utility operations personnel.

Organizationally, the Utilities Division and its labor allocation is part of the Department of Public Works and under the direction of the Utilities Superintendent or designee.

The City has dedicated funds for both short- and long-term repair and replacement of critical mechanical and non-mechanical infrastructure elements of the sewer collection system contained both in annual operating budgets and within the City's Capital Improvement Plan (CIP). Two funding sources (user rates and impact fees) are reviewed annually during the budget process to ensure that program priorities are consistent with the needs of operating an effective utility.

## SEWER SYSTEM MANAGEMENT PLAN GOALS

The goals of the City's Sanitary Sewer System Management Plan (SSMP) are:

- To efficiently and effectively manage, operate, and maintain all parts of the City's sewer collection system
- To provide adequate capacity to convey peak wastewater flows. Adequate capacity, for the purposes of this SSMP, is defined as the capacity to convey peak wastewater flows per the City Improvement Standards
- To prevent and reduce the frequency of sanitary sewer overflows (SSOs)
- To mitigate the impacts that are associated with any SSO that may occur
- To meet all applicable regulatory requirements
- To provide and make available comprehensive staff training on the proper operations and maintenance of the sewer collection system, its infrastructure and equipment

The following are changes and projects to prevent the spills and/or improve SSO responses (three year plan):

- Implement Nexgen software for sewer collection system work order tracking and asset management
- Purchase easement machine to improve efficiency and reach areas with limited access
- Mount a Ring-O-Matic vacuum unit on a truck to provide better response to SSOs.

## PUBLIC WORKS DEPARTMENT ORGANIZATIONAL STRUCTURE

This section of the SSMP identifies City staff responsible for implementing this SSMP, responding to SSO events, and meeting the SSO reporting requirements.

The City's authorized representative (Legally Responsible Official [LRO]) in all sewer system matters is the City Manager or his designee. The Utilities Director and the City Engineer have designated authority to submit verbal, electronic, and written reports on behalf of the City to the Central Valley Regional Water Quality Control Board (Central Valley Water Board), State Water Resources Control Board (State Water Board), Nevada County Department of Environmental Health, California, Department of Fish and Game (CDFG), Nevada Irrigation District (NID), and California Emergency Management Agency (CAL-EMA). The Utilities Director and City Engineer are currently enrolled to certify electronic SSO reports submitted to the State Water Board via its electronic reporting system, California Integrated Water Quality System (CIWQS). All management personnel mentioned in this section are authorized to submit CIWQS reports. Ultimately, the Utilities Director is responsible for developing, implementing, and maintaining all elements of the SSMP. Emergency contact information for all personnel, including management staff is readily available to all department staff and on-call personnel.

A copy of the organizational structure is included in **Appendix A**. Further details on the chain of communication for reporting SSOs is provided in the section, Overflow Emergency Response Plan.

## LEGAL AUTHORITY

The City of Grass Valley Municipal Code, Title 13, is the legal authority for regulating the sewer collection system. The City's Building Standards Code is also part of the Municipal Code, Title 13. The Municipal Code can be easily accessed at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com) in a searchable format. Additionally, the City has authority for designing, constructing, installing, testing, and inspecting all public improvements. The Design Standards and Construction Standards and Standard Details, collectively referred to as "Improvement Standards" were revised most recently in May 2016. The Improvement Standards apply to, regulate, and guide the design and construction of all public improvements, and set guidelines for certain private improvements within the City. The Improvement Standards are posted on the City's website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com).

## OPERATIONS AND MAINTENANCE PROGRAM

### SEWER COLLECTION SYSTEM MAPPING

The City's Engineering Division maintains sewer collection system maps in AutoCAD and record drawings. Sewer collection system maps are available electronically to all field crews, which can submit map change work orders to the Engineering Division if they discover a discrepancy or need to add/remove an element of infrastructure onto the mapping system. The Engineering Division confirms the changes and incorporates the updates into the system through a third-party contractor. The goal is to complete critical revisions within three (3) months and minor revisions annually.

### OPERATIONS AND MAINTENANCE ACTIVITIES

Preventative maintenance is a key component in the proper operation of the sewer collection system. The City schedules approximately 30 percent of the sewer collection system for cleaning annually. Maintenance equipment includes a truck-mounted hydraulic sewer cleaner and closed

circuit television (CCTV) inspection equipment. Increased maintenance priorities are given to those areas that have demonstrated an ability to potentially experience operational difficulties. The City schedules regular maintenance of certain sewer lines with a higher potential for blockages (e.g., locations with a reduced slope, a history of fats, oils, and grease [FOG] or root problems, customer complaints, odor issues) on a more frequent basis. There are currently 19 segments cleaned on a quarterly basis with another 5 segments being cleaned annually, for a total of approximately 1.5 miles of pipe on an increased cleaning frequency. Other areas are added to the list as needed — based on field observations, SSO frequency, etc. Once a particular system segment is identified as a "Hot Spot", a reoccurring work order is developed, and field crews are assigned to perform required maintenance on an increased frequency.

The City continually learns from deficiency events such as SSOs in order to redefine and possibly expand existing maintenance and frequency of service programs. At team meetings, staff regularly discusses "field findings" such as identification of problem areas requiring repair before potential failures, continued maintenance concerns, and development of future individual CIP program elements. Staff add known or suspected problem areas (e.g., frequent SSOs/stoppages, root intrusion, high flows during storm events) to a tracking spreadsheet. Crews also identify manholes that have high flow during off hours that may indicate inflow and infiltration (I&I).

The City is in the process of converting its entire maintenance system to new work order and mapping software (Nexgen). In the interim, maintenance activities are tracked through a combination of the old work order and new work order systems. All maintenance activities are documented in the new software. Once Nexgen is operational, each asset (e.g., manhole to manhole gravity sewer segments, manholes, lift stations, force mains) will be assigned a unique identifier and all data associated with that asset (e.g., service calls, SSOs, repairs, condition assessment, flows) will be recorded with the assets unique identifier. The City will be able to analyze the performance and cost of each asset over time, which, in turn, will become the basis for maintenance and capital improvement decisions. The City estimates that complete implementation for sewer collection system into Nexgen will occur by 2023.

The City has a goal of conducting CCTV inspections for five miles per year, plus all the segments with a reoccurring work order or where an SSO has recently been observed. All CCTV inspections are conducted to Pipeline Assessment Certification Program (PACP) standards. The City also has a push cable camera system capable of inspecting segments of smaller pipe.

Mechanical elements of the system such as lift stations are checked for operational effectiveness at least two times per week; maintenance records for lift stations are kept at each site and in the Nexgen work order system. Generators at these sites are also tested on a weekly basis. The City is in the process of making improvements at the lift stations to ensure their continued operational reliability:

- Complete rebuild of the Slate Creek lift station by 2024, including wet well, controls, and new Flyght pumps
- Pending future development of the Berriman Ranch housing project, add a new lift station and eliminate the need for the Taylorville lift station

- Schedule emergency generator fuel polishing every two years to prevent bacterial growth in the fuel tank

## REHABILITATION AND REPLACEMENT PLAN

Utility system personnel work closely with the Engineering Division to identify and prioritize structural deficiencies within the system as part of the CIP. Segments of pipe at risk of failure are treated with urgency and repaired or replaced either through the deployment of in-house maintenance crews or by external licensed contractors who have extensive experience with the type of system repair that is required. The CIP is re-evaluated as part of the preparation of the City's annual budget with priorities shifting as needed to reflect the urgency of particular system segment rates of deterioration. The City typically plans collection system improvements including manhole and sewer line rehabilitation, lift station upgrades, and improvements need on specific segments annually. The manhole and sewer line rehabilitation projects are mainly intended to reduce and/or eliminate SSO and address I&I issues. Rehabilitation involves slip-lining, cured-in-place lining, and pipe bursting and replacement.

## TRAINING

The City implements an SSO training program for first responders that provide training for operation of sewer response equipment (vacuum/jet truck, Ring-O-Matic vacuum, etc.). Standby personnel are required at least 16 hours per year of actual operation of sewer response equipment to increase operational proficiency. Staff are also encouraged to attend trainings, certification seminars, and industry conferences such as those organized by California Water Environment Association (CWEA) on a wide variety of issues, including collection system maintenance and SSO prevention.

## EQUIPMENT AND REPLACEMENT PARTS

The City owns two vacuum/jet trucks, a Ring-O-Matic vacuum, lights, pumps, generators, backhoe, Bobcat, dump truck, and miscellaneous service/utility trucks as well as other equipment needed for sewer line repair. The City also has a large inventory of miscellaneous parts that allow crews to handle emergencies. The City maintains a list of contractors and suppliers that are available in emergencies with equipment and personnel. This list is available in the utility system trucks and at the Corporation Yard.

City staff periodically test and rebuild sewer-cleaning equipment (e.g., root cutter, hydro-pressure) to ensure its performance supports field crew effectiveness and productivity.

The equipment on the City's 'initial-response' truck includes traffic control and containment/cleanup equipment sufficient to respond to a 100 gallon spill. The truck is stocked at all times and a supply list will be kept on the truck for crews to re-stock any time supplies have been used.

## DESIGN AND CONSTRUCTION STANDARDS

In May 2016, the City revised its most recent version of the City's Design Standards and Construction Standards and Standard Details, collectively, the "Improvement Standards". The

Improvement Standards apply to, regulate, and guide the design and construction of all public improvements, and set guidelines for certain private improvements within the City.

The Improvement Standards contain inspection and testing methods and acceptance thresholds in order for improvements to achieve acceptance. The Engineering Division has licensed professional engineers and competent construction field inspection staff available to ensure strict adherence to the stated design, construction, and testing standards.

Section 8 of the "Design Standards" and Section 5 of the "Construction Standards" apply specifically to the design and construction standards for the sewer collection system and reflect a collaborative effort between the Utilities Divisions to ensure competent design and construction of utility infrastructure.

The Design and Construction Standards are posted on the City's website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com).

## OVERFLOW EMERGENCY RESPONSE PLAN

The purpose of the Overflow Emergency Response Plan is to convey an orderly, consistent, efficient, and effective response to SSO events.

### GOALS

The City's goals in responding to SSOs are to:

- Respond quickly to minimize the volume of the SSO
- Eliminate the cause of the SSO and restore flow
- Contain spilled wastewater to the maximum extent feasible
- Minimize public contact with the spilled wastewater
- Mitigate the impact of the SSO
- Meet the regulatory reporting requirements
- Provide effective public notification when a threat to public health exists
- React to SSO events in a manner that instills confidence in the public that the system operators are protecting public health

### NOTIFICATION PROCESS

The processes employed to notify the City staff of an SSO include: observation by the public, receipt of an alarm, or observation by City staff during the normal course of their work. The notification procedures for working hours and after-hours are presented in **Appendix C**.

#### Public Observation

Public observation is one of the most common ways that the City is notified of blockages and spills. Contact information for reporting sewer spills and backups are available on the City's website: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com). The business hours telephone number for reporting sewer



problems is (530) 274-4350 although additional City personnel are trained to respond to these emergency calls and make appropriate staff notifications. The after-hours telephone number is (530) 265-7880 (Sheriff Dispatch).

### ***Normal Work Hours Response Protocol***

The City's regular working hours for its sewer staff is Monday through Friday from 7:00 a.m. to 3:30 p.m., except holidays. When a report of a sewer spill or backup is made, City staff receives the call, takes the information from the caller, and communicates the information immediately to the field crew who provide prompt emergency response to the site. Management staff also respond to SSO events to ensure protocols and reporting requirements are followed.

### ***After-Hours Response Protocol***

Reports from the public are initially received by the Nevada County's Emergency Dispatch Call Center. Once a Dispatcher receives the call and the pertinent information from the caller, the dispatcher communicates the information to the Public Works On-Call Standby Person. Public Works On-Call is staffed at all times outside of those identified as regular working hours. The Dispatcher leaves a message on the City's emergency call line and the message immediately relays to all Public Works On-Call staff member(s).

### ***Receipt of Lift Station and/or Treatment Plant Alarm***

If a lift station or treatment plant alarm is received, the appropriate City staff or on-call duty staff is notified via the Wastewater Treatment Plant cellular phones. Treatment plant staff monitor the treatment plants and lift stations via the Supervisory Control and Data Acquisition (SCADA) system.

### ***Staff Observations***

City staff conducts periodic inspections of the sewer system facilities as part of their routine maintenance activities. Any issues, concerns, or problems observed with the sewer system facilities are reported to appropriate City personnel who, in turn, respond to potentially emergency situations.

## **SAFETY**

All department first responders are generally responsible for the job site safety and following safety procedures and protocols at all times. In conjunction with the City's National Incident Management System (NIMS) Training, the first employee on site is responsible for all safety concerns and considerations of the site until he/she is relieved of these responsibilities formally by a more senior employee or responding management personnel. It is understood by all department staff that specialized and possibly extraordinary safety precautions must be observed when performing sewer system emergency and routine maintenance work. These safety precaution considerations include not only working with the potential contamination aspects of sewage but also the work unique environment hazards such as active traffic lanes, working with high pressure water such as that generated by a sewer jet, and other specialized and sometime excessively noisy equipment.

During non-regular work hours, it is critical that City personnel responding to a sewer system event become fully compliant and recognize potential safety hazards of sewer system work. All On-Call Primary Responders are trained in proper sewer system maintenance protocols. In such cases, it is appropriate to take the time to discuss safety issues, consider the order of work, and check safety equipment and make duty assignments according to level and knowledge of assignments before beginning the tasks of the job.

## SSO RESPONSE PROCEDURES

Sewer service calls and lift station alarms are considered high-priority events that require immediate response to the reported location of the event to minimize or eliminate any SSOs. Crews must respond to the reporting party, lift station, or site of the problem immediately and visually check for potential sewer stoppages or overflows. The goal of each SSO response is to preserve and protect public health, environment, and property and to restore the affected area to normalcy as soon as possible.

Responding personnel will work to contain and control the discharge to the maximum extent possible. They will establish safe perimeters and control zones with traffic cones, barricades, vehicles, or terrain to ensure that spill material exposure is contained to as small an area as possible and to eliminate a potential expansion of contamination by outside forces such as vehicles or pedestrians. Every effort is made to prevent the discharge of sewage into waterways or conveyances to waterways both above and below ground. Staff also promptly identify cause and effect of the SSO event and/or the need for additional resources (e.g., people, equipment). The SSO Response Procedures are summarized in **Appendix D**.

### Dispatch and Initial Assessment of the Situation

- Receive a brief description of the nature of the problem from the person making the report. Fill out the SSO Spill Report Form (**Appendix E**).
- Determine appropriate response measures based on the circumstances and information provided by the caller (e.g., location, weather and traffic conditions, small backup vs. sewage flowing on the ground) and begin the emergency mobilization of manpower, equipment, and resources to the site.
- Verify the existence of an SSO or backup upon arrival at the reported location.
- Call the appropriate Public Works Management personnel (during working hours) or the Police Dispatcher or Public Works/Utility Management staff (after-hours) to request additional Public Works/Utility staff to assist in the SSO response as necessary.
- Take detailed job notes including notification and arrival time(s), conditions, and any other required information for purposes of external formal notification.
- Use the SSO Spill Report Form (**Appendix E**).
- Take photos to document the incident.
- Take the necessary measures to contain and/or mitigate spilled sewage to the maximum extent feasible regardless of whether the SSO or backup is caused by a private lateral or

another agency sewer system. City staff is relieved of this duty when representatives of the responsible third party arrive and take control of the site/event. Third party spills are considered as incidents and forms detailing the event are required to be completed.

### **Restore Flow**

- In the event of a sewer system failure event, relieve the stoppage or restore the lift station operation as soon as possible through the use and application of the appropriate equipment.
- If addressing a main blockage, set up downstream of the blockage and hydro-clean or rod upstream from a clear manhole. Attempt to remove the blockage from the system and observe the flow to ensure that the blockage does not recur or transition downstream.
- If the blockage cannot be cleared within 15 minutes of arrival or the sewer requires construction repairs to restore flow, or if the lift station operation cannot be restored within the wet well holding time, initiate expanded containment efforts to the degree practical and/or bypass pumping. If assistance is required, immediately contact the Public Works Director/City Engineer, or designee (all hours) and other required employees.

### **Initiate Spill Containment Measures**

The first responder(s) should attempt to the extent possible to contain as much of the spilled sewage as possible using the following steps:

- Keep sewage from entering the storm drain system to the maximum extent practicable by blocking storm drain inlets and catch basins or by containing and diverting the sewage away from open channels and other storm drain facilities using sandbags, inflatable dams, plastic mats, etc. Sandbags and a spill containment kit are standard equipment in the On-Call Vehicle at all times.
- Review sewer maps for possible temporary upstream flow diversion through bypassing.
- Pump around the blockage/pipe failure/lift station.
- Dike/dam (or sandbag) the spill by building a temporary berm to collect and control the spilled sewage.
- If overflowing sewage has contacted the storm drain system, attempt to contain the spilled sewage by plugging the nearest unaffected downstream storm drain.
- Modify these methods as needed to accommodate wet weather conditions where the feasibility of containment may be impacted by the quantity of stormwater runoff.
- If containing spilled sewage in storm drain system methods are used, thoroughly clean, vacuum, wash, and disinfect the storm drain system as part of the recovery and clean-up phase.

## Clean-up

The recovery and clean-up phase begins immediately after the flow is restored and the spilled sewage has been contained to the extent possible. Depending on the situation, the SSO recovery and clean up may include:

### *Recovery of Spilled Sewage*

To the extent practicable, crews will vacuum up or pump the spilled sewage and return it back into the sewer collection system.

### *Clean-up and Disinfection*

When disinfecting a sewage-contaminated area, crews will take every effort to ensure that the disinfectant or sewage treated with the disinfectant is not discharged to the storm drain system or surface waters. Methods may include blocking storm drain inlets, containing and diverting disinfectant and sewage away from open channels and other storm drain fixtures, and removing the material with vacuum equipment.

The following clean-up and disinfection procedures should be implemented to reduce the potential for human health issues and adverse environmental impacts that are associated with an SSO event. The following procedures described are for dry weather conditions and should be modified as required for wet weather conditions.

#### Hard Surface Areas

- Collect all sewage solids and sewage-related material either by gloved hand or with the use of various hand tools such as rakes, brooms, and/or shovels.
- Disinfect all areas that were contaminated from the overflow using the disinfectant solution of household bleach diluted 10:1 with water. Apply minimal amounts of the disinfectant solution using a hand sprayer.
- Flush wash any affected area with clean water until the water runs clear. Take all safe and reasonable steps to contain and vacuum up the wastewater.
- Repeat the process as often as necessary until it is obvious that additional cleaning is not required, and the area is safe again.

#### Landscaped and Unimproved Natural Vegetation

- Collect all signs or examples of sewage solids and sewage-related material either by gloved hand or with the use of various hand tools such as rakes, brooms, and/or shovels.
- Wash down the affected area with clean water until the water runs clear. The flushing volume should be approximately three times the estimated volume of the spill.
- Either contain or vacuum up the wash water so that none is released.
- Allow the area to dry. Repeat the process if additional cleaning is required.
- Do not apply disinfectant solution to landscaped areas or unimproved natural vegetation.

### *Wet Weather Modifications*

Management staff may decide to omit flushing and or disinfection during heavy storm events with heavy runoff where spill area flushing is determined not to be required.

### Follow-up Activities

In situations where sewage has reached the storm drain system, crews will vacuum/pump out the catch basin and any other portion of the storm drain system that may have contacted the sewage. All vacuumed or pumped material collected is deemed contaminated material and must be returned to the sewer collection system.

During nighttime overflow events, a re-inspection should be conducted at first adequate light the following day. The field crew should look for signs of sewage solids and sewage-related material that may warrant additional clean-up activities. Staff shall always err on the side of caution and reinstitute clean-up activities when any doubt exists regarding public safety and overall public health.

Following any re-inspection, the staff will investigate to identify determine the probable cause of the SSO event and to identify proactive action(s) that will minimize or eliminate future potential for an SSO to reoccur. The investigation should include reviewing all relevant data to determine appropriate positive or corrective action(s), the investigation should include:

- Reviewing and completing the SSO Spill Report Form (**Appendix E**)
- Reviewing past maintenance records
- Reviewing available photographs, where applicable
- Conducting a CCTV inspection within the next two (2) business days after an event, where necessary to determine the line condition
- Interviewing staff who responded to the spill

### Water Quality Sampling and Analysis

To determine the extent of any impact of an SSO, the City makes every effort to conduct water quality sampling and testing whenever 1,000 gallons or more of untreated sewage enters a surface water. The sampling procedures are summarized below:

- The first responder collects samples as soon as practical after the discovery of the SSO event. Sampling kits are available in the Utility System trucks, standby trucks, and at the Corporation Yard.
- For discharges into flowing water (e.g., rivers, creeks), water quality samples should be collected from as near as possible to 100 feet upstream of the spill, from the spill area, and at 100 feet downstream of the spill at determined intervals. (Coordinate with Nevada County Environmental Health.)
- For discharges into stationary water (e.g., lakes, ponds), water quality samples should be collected from the spill area, at determined sample collection points on either side of the spill. (Coordinate with Nevada County Environmental Health.)

- A certified laboratory will analyze the samples to determine the nature and impact of the discharge. First responders are responsible for collecting the samples and contacting the contract lab to arrange timely pickup of the samples. Information on the contracted laboratory is kept on file at the Corporation Yard. Additional samples will be taken to determine when posting of warning signs can be discontinued. The basic analyses will include *Escherichia coli* (*E. coli*) and ammonia nitrogen.

## Public Notification

The public could be at risk and must be warned to avoid all contact with raw sewage and/or contaminated water resulting from an SSO or other hazardous material or chemical release which may cause a risk of illness. The extent of public notification shall be at the direction of the Public Works Director/City Engineer, or designee, in conjunction with Nevada County Environmental Health. The design of these procedures and the extent of public notification is needed to preserve public health are unique to each event. Procedures may include:

- Local agencies and individuals may need to be contacted as soon as possible, depending on the situation, including:
  - Police Department may be called upon to assist with public notification where determined practical.
  - Public Works staff will determine as the situation demands for managing the SSO to close public areas such as parks and to communicate with local residents and/or businesses who may be impacted by the sewage spill.
  - Posting of warning signs and control of all contaminated areas and or job site(s) with "Yellow Caution Tape" and barricades may be necessary to keep vehicles and pedestrians away from contact with spilled sewage.
- Warning signage, where deemed as a necessary or appropriate means of public notification shall not be removed until such time as directed by the Public Works Director/City Engineer, or designee. In situations where water sampling is required by environmental health authorities, warning sign posting shall remain in place until analytical results demonstrate that the area is safe for human contact and confirmation authority is received from the Nevada County Department of Environmental Health (A sample of the public notification warning sign is included as **Appendix F**).
- Property and creeks that have been contaminated as by an SSO or other hazardous material release should be posted at visible access locations until the risk of contamination has subsided to background levels. The warning signs, once posted, should be checked daily at a minimum to ensure that they are still in place.
- Major spills may warrant broader public notice and possible use of local media. The Public Works Director/City Engineer or designee, in conjunction with Nevada County Environmental Health, will contact local media when deemed appropriate for the preservation of public health. As with any effective use of media as a public communication tool, it is important that there be a single point of contact to disseminate information and in these instances the Public Works Director/City Engineer or designee is

the sole responsible person sanctioned for media contact. The Nevada County Department of Environmental Health may also issue media releases when deemed appropriate.

### Estimated Volume of Spilled Sewage

Crews will use standardized industry photograph materials or accepted mathematical calculation means to estimate the volume of the spilled sewage. When possible, the volume estimate will be documented using photos of the SSO site before and during the recovery operation. Initial volume estimates will be recorded using the SSO Spill Report Form. Final spill volumes will be reviewed by the City Engineer.

### SSO Categories

The State Water Board established guidelines for classifying and reporting SSOs. Reporting and documentation requirements vary based on the type of SSO. The categories of SSOs are:

- Category 1 – Discharges of sewage, of any volume, that:
  - Reach a drainage channel and/or surface water; or
  - Reach the storm drain system and are not fully captured and returned to the sewer collection system

Any spill volume not recovered from the storm drain system is considered a discharge to surface water unless the storm drain system discharges to a stormwater infiltration basin or facility.

- Category 2 – Discharges of sewage that:
  - Have a volume of 1,000 gallons or more; and
  - Do not reach a surface water
- Category 3 – Discharges of sewage that:
  - Have a volume equal to or greater than 50 gallons and less than 1,000 gallons; and
  - Do not reach a surface water
- Category 4 – Discharges of sewage that:
  - Have a volume less than 50 gallons; and
  - Do not reach a surface water

### Internal SSO Reporting Procedures

Flow charts outlining internal SSO reporting procedures are presented in **Appendix C**.

### Category 1 SSOs

The first responder will immediately notify, as practical, the Public Works Director/City Engineer or designee. Where deemed appropriate the Public Works Director/City Engineer or appropriate management staff on-call, or designee will meet with field crew(s) at the SSO site to assess the situation and document the conditions or potential hazards, possibly with photos. The first



senior management staff member is responsible for documenting the spill event using the SSO Spill Report Form (**Appendix E**) and turning it in to management staff. A second senior management staff member will review the form for completeness and accuracy and complete CIWQS online form within the time limits required by the State Water Board. In the event of a large overflow or one that has increased exposure to diminishing public health, management staff will notify the Public Works Director/City Engineer who may deem it necessary to notify the City Manager and/or City Council.

### **Other SSOs**

The first senior management staff member will complete the SSO Spill Report Form (**Appendix E**) and turn it in to the appropriate management staff and complete the CIWQS form within the time limits required by the State Water Board. Management staff will review the form for completeness and accuracy and will forward it to the Public Works Director/City Engineer or designee for further action where appropriate.

### **External SSO Reporting Procedures**

CIWQS will be used for reporting SSO information to the State Water Board. For any spills 1,000 gallons or greater, the responsible LRO will notify the California Office of Emergency Services (Cal-OES) at 800-852-7550 within two hours of being notified of a spill and obtain a spill number to reference in other reports. The following information must be provided in the notification to Cal-OES:

- Name and phone number of the person notifying Cal-OES
- Estimated spill volume (gallons)
- Estimated spill rate from the system (gallons per minute)
- Estimated discharge rate (gallons per minute) directly to surface waters or into the storm drain system where it is not fully captured
- Spill incident description including a brief narrative of the spill event and location (address, city, zip code, closest cross streets and/or landmarks)
- Contact information for the person on-scene
- Date and time the City was informed of the spill event
- Name of the sanitary sewer system causing the spill
- Spill cause or suspected cause (if known)
- Amount of spill contained (gallons)
- Name of surface water receiving or potential receiving discharge
- Description of surface water impact and/or potential impact to beneficial uses

Following the initial notification to Cal-OES and until the LRO or designee certifies the spill report to CIWQS, the LRO or designee must provide updates to Cal-OES if there are substantial changes to the following information:



- Estimated spill volume (increase or decrease in gallons initially estimated)
- Estimated discharge volume discharged directly to surface waters or into the storm drain system where it is not fully captured (increase or decrease in gallons initially estimated)
- Additional impact(s) to surface waters and beneficial uses

Additionally, the City must notify the Central Valley Water Board of any spills 50 gallons or greater from its sewer collection system within three business days of being notified of a spill.

The following section details the external reporting response requirements based on the type of SSO. Flow charts outlining external SSO reporting procedures are also presented in **Appendix C**.

For **Category 1 SSOs**, the following reporting requirements apply:

- Within 15 calendar days of the conclusion of SSO response and remediation, the LRO or designee will certify the final report in CIWQS. The LRO or designee can update the certified report as new or changed information becomes available up to 90 days after the spill end date. After 90 days, a request must be made directly to the State Water Board at [sanitarysewer@waterboards.ca.gov](mailto:sanitarysewer@waterboards.ca.gov) to amend the report. The updates can be submitted at any time and must be certified.
- In addition, for Category 1 SSOs where 50,000 gallons or more of sewage reach a surface water or enter the storm drain system and is not fully captured and returned to the sewer collection system, the LRO will prepare and certify in CIWQS a *Spill Technical Report* within 45 calendar days after the end date of the SSO. The requirements for the *Spill Technical Report* are detailed in the *SSO Documentation and Record Keeping Requirements* section.

For **Category 2 SSOs**, the LRO or designee must submit a Draft Spill Report to CIWQS within three business days of being notified of the spill event. Within 15 calendar days, the LRO or designee must submit the Certified Spill Report to CIWQS. Upon completion of the Certified Spill Report, a final spill event identification number will be issued by CIWQS. The LRO or designee can update the certified report as new or changed information becomes available up to 90 days after the spill end date. After 90 days, a request must be made directly to the State Water Board at [sanitarysewer@waterboards.ca.gov](mailto:sanitarysewer@waterboards.ca.gov) to amend the report. The updates can be submitted at any time and must be certified.

For **Category 3 SSOs**, the LRO or designee must submit a certified report to CIWQS within 30 business days after the end of the calendar month for all Category 3 SSOs that occurred in the calendar month (e.g., all Category 3 spills occurring in the month of February must be reported and certified by March 30). The LRO or designee can update the certified report as new or changed information becomes available up to 90 days after the spill end date. After 90 days, a request must be made directly to the State Water Board at [sanitarysewer@waterboards.ca.gov](mailto:sanitarysewer@waterboards.ca.gov) to amend the report. The updates can be submitted at any time and must be certified.

For **Category 4 SSOs**, the LRO or designee must submit a certified report to CIWQS within 15 days after the end of a calendar quarter for all Category 4 SSOs that occurred in that calendar quarter (e.g., all Category 4 spills occurring in the January to March quarter must be reported

and certified by April 15). The LRO or designee can update the certified report as new or changed information becomes available up to 90 days after the spill end date. After 90 days, a request must be made directly to the State Water Board at [sanitarysewer@waterboards.ca.gov](mailto:sanitarysewer@waterboards.ca.gov) to amend the report. The updates can be submitted at any time and must be certified.

For **privately-owned sanitary sewer systems or privately-owned lateral SSOs**, images and documentation shall be filed for the City's own records. This documentation should specify that the sewage discharge was caused by a private lateral and identify the responsible party (other than the City), if known. Reporting private lateral SSOs to the

If CIWQS is not available, the Utilities Superintendent/City Engineer or designee will email all required information to the Central Valley Water Board office (916-464-4660) in accordance with the time schedules identified above. In such event, the City will submit the appropriate reports using CIWQS as soon as practical.

### SSO Documentation and Recordkeeping Requirements

The first management responder will complete an electronic work order and make any final changes to the SSO Spill Report Form.

#### Category 1 SSOs

The Draft SSO Spill Report for a **Category 1 SSO** must include, at a minimum, the following information:

- Contact information, including the name and telephone number of the City's contact person to respond to SSO-specific questions
- Spill location name
- Date and time the City was notified of, or self-discovered, the SSO
- Arrival time of first responder
- Estimated SSO start date and time
- Date and time the City notified Cal-OES and the assigned control number
- Description, photographs, and global positioning system (GPS) coordinates of the sewer collection system where the SSO originated
  - If a single SSO event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation
- Estimate total SSO volume exiting the sewer collection system
- Description and photographs of the extent of the SSO and its boundaries
- Did the SSO reach the storm drain system? If yes:
  - Description of the storm drain system transporting the SSO
  - Photographs of the storm drain system entry location(s)
  - Estimate SSO volume fully recovered from the storm drain system

- Estimated SSO volume remaining in the storm drain system
- Description and photographs of all discharge point(s) into the surface water
- Estimated SSO volume discharged to surface water
- Estimated total SSO volume recovered

The Certified SSO Spill Report for a **Category 1 SSO** must include the information in the Draft SSO Spill Report and, at a minimum, the following information:

- Description of the SSO event destination(s), including GPS coordinates, if available, that represent the full spread and reach of the SSO
- SSO end date and time
- Description of how the SSO volume estimations were calculated, including at a minimum:
  - The methodology, assumptions, and type of data, such as SCADA records, flow monitoring, or other telemetry information, used to estimate the volume of the SSO discharged and the volume of the SSO recovered
  - The methodology, assumptions, and type of data used to estimate the SSO start and end times
- SSO cause(s) (e.g., root intrusion, grease deposit)
- System failure location (e.g., main, lateral, lift station)
- Description of the pipe material and estimated age of the pipe material at the failure location
- Description of the impact of the SSO
- Whether or not the SSO was associated with a storm event
- Description of the SSO response activities including description of the immediate SSO containment and clean-up efforts
- Description of SSO corrective action, including steps planned or taken to reduce, eliminate, and prevent recurrence of the SSO, and a schedule for major milestones for those steps
- SSO response completion date
- Detailed narrative of the investigation and investigation findings of cause of SSO
- Reasons for on-going investigation (if applicable) and the expected completion date
- Name and type of receiving water(s)
- Description of the receiving water(s), including, but not limited to:
  - Impacts on aquatic life
  - Public closure, restricted public access, temporary restricted use, and/or posted health warnings due to SSO

- Responsible entity for closing/restricting use of receiving water
- Number of days closed/restricted as a result of the SSO
- Whether or not the SSO was located within 1,000 feet of a municipal water intake or municipal groundwater well
- If water quality samples are collected, identify the sample locations and the parameters for which the samples were analyzed. If no samples were taken, it should be reported as N/A

For SSOs where 50,000 gallons or more reach surface water drainage channel or surface water or enter the storm drain system and is not fully captured and returned to the sewer collection system, the LRO will prepare a *Spill Technical Report*. At a minimum, the *Spill Technical Report* will include the following information:

- Causes and circumstances of the SSO
  - Complete and detailed explanation of how and when the SSO was discovered
  - Photographs illustrating the spill origin, the extent and reach of the spill, storm drain system entrance and exit, receiving water, and post-clean-up site conditions
  - Diagram showing the SSO failure point, appearance point(s), spill flow path, and final destination(s)
  - Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered
  - Detailed description of the cause(s) of the SSO
  - Description of the pipe material and the estimated age of the pipe material at the failure location
  - Description of the impact of the SSO
  - Copies of original field crew records used to document the SSO
  - Historical maintenance records for the failure location
- The City's response to SSO
  - Chronological narrative description of all actions taken by enrollee to terminate the spill
  - Explanation of how the Overflow Emergency Response Plan was implemented to respond to and mitigate the SSO
  - Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed
    - Local regulatory enforcement action taken against an illicit discharge in response to this SSO, as applicable
    - Identifiable system modifications and operations and maintenance program modifications needed to prevent recurrence
    - Necessary modifications to the Overflow Emergency Response Plan to incorporate lessons learned in responding to and mitigating the SSO

- Water Quality Monitoring
  - Description of all water quality sampling activities conducted
  - List of pollutants and parameters monitored, sampled, and analyzed
  - Laboratory results, including laboratory reports
  - Detailed location map illustrating all water quality sampling points
  - Other regulatory agencies receiving sample results (if applicable)
- Evaluation of SSO impact(s), including a description of short- and long-term impact(s) to beneficial uses of the surface water

### **Category 2 SSO Spill Report**

The Draft SSO Spill Report for a **Category 2 SSO** must include, at a minimum, the following information:

- Contact information, including the name and telephone number of the City's contact person to respond to SSO-specific questions
- Spill location name
- Date and time the City was notified of, or self-discovered, the SSO
- Arrival time of first responder
- Estimated SSO start date and time
- Date and time the City notified Cal-OES and the assigned control number
- Description, photographs, and GPS coordinates of the sewer collection system where the SSO originated
  - If a single SSO event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation
- Estimate total SSO volume exiting the sewer collection system
- Description and photographs of the extent of the SSO and its boundaries
- Did the SSO reach the storm drain system? If yes:
  - Description of the storm drain system transporting the SSO
  - Photographs of the storm drain system entry location(s)
  - Estimate SSO volume fully recovered from the storm drain system
  - Estimated SSO volume remaining in the storm drain system
- Estimated total SSO volume recovered

The Certified SSO Spill Report for a **Category 2 SSO** must include the information in the Draft SSO Spill Report and, at a minimum, the following information:

- Description of the SSO event destination(s), including GPS coordinates, if available, that represent the full spread and reach of the SSO
- SSO end date and time
- Description of how the SSO volume estimations were calculated, including at a minimum:
  - The methodology, assumptions, and type of data, such as SCADA records, flow monitoring, or other telemetry information, used to estimate the volume of the SSO discharged and the volume of the SSO recovered
  - The methodology, assumptions, and type of data used to estimate the SSO start and end times
- SSO cause(s) (e.g., root intrusion, grease deposit)
- System failure location (e.g., main, lateral, lift station)
- Description of the pipe/infrastructure material and estimated age of the pipe material at the failure location
- Description of the impact of the SSO
- Whether or not the SSO was associated with a storm event
- Description of the SSO response activities including description of the immediate SSO containment and clean-up efforts
- Description of SSO corrective action, including steps planned or taken to reduce, eliminate, and prevent recurrence of the SSO, and a schedule for major milestones for those steps
- SSO response completion date
- Detailed narrative of the investigation and investigation findings of cause of SSO
- Reasons for on-going investigation (if applicable) and the expected completion date
- Whether or not the SSO was located within 1,000 feet of a municipal water intake or municipal groundwater well

### **Category 3 SSO Spill Report**

The monthly reporting for all **Category 3 SSOs** must include, at a minimum, the following information:

- Contact information, including the name and telephone number of the City's contact person to respond to SSO-specific questions
- Spill location name
- Date and time the City was notified of, or self-discovered, the SSO
- Arrival time of first responder
- Estimated SSO start date and time

- Description, photographs, and GPS coordinates of the sewer collection system where the SSO originated
  - If a single SSO event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation
- Estimate total SSO volume exiting the sewer collection system
- Description and photographs of the extent of the SSO and its boundaries
- Did the SSO reach the storm drain system? If yes:
  - Description of the storm drain system transporting the SSO
  - Photographs of the storm drain system entry location(s)
  - Estimate SSO volume fully recovered from the storm drain system
  - Estimated SSO volume discharged to a groundwater infiltration basin or facility (if applicable)
- Estimated total SSO volume recovered
- Description of the SSO event destination(s), including GPS coordinates, if available, that represent the full spread and reach of the SSO
- SSO end date and time
- Description of how the SSO volume estimations were calculated, including at a minimum:
  - The methodology, assumptions, and type of data, such as SCADA records, flow monitoring, or other telemetry information, used to estimate the volume of the SSO discharged and the volume of the SSO recovered
  - The methodology, assumptions, and type of data used to estimate the SSO start and end times
- SSO cause(s) (e.g., root intrusion, grease deposit)
- System failure location (e.g., main, lateral, lift station)
- Description of the pipe/infrastructure material and estimated age of the pipe material at the failure location
- Description of the impact of the SSO
- Whether or not the SSO was associated with a storm event
- Description of the SSO response activities including description of the immediate SSO containment and clean-up efforts
- Description of SSO corrective action, including steps planned or taken to reduce, eliminate, and prevent recurrence of the SSO, and a schedule for major milestones for those steps
- Detailed narrative of the investigation and investigation findings of cause of SSO

## Category 4 SSO Spill Report

The quarterly reporting for all **Category 4 SSOs** must include, at a minimum, the following information:

- Contact information, including the name and telephone number of the City's contact person to respond to SSO-specific questions
- Spill location name
- Date and time the City was notified of, or self-discovered, the SSO
- Description and GPS coordinates for the sewer collection system location where the spill originated
- Did the SSO reach the storm drain system? If yes:
  - Description of the storm drain system transporting the SSO
  - Estimate SSO volume fully recovered from the storm drain system
  - Estimated SSO volume remaining in the storm drain system
- Estimated total SSO volume exiting the sewer collection system
- Spill date and start time
- SSO cause(s) (e.g., root intrusion, grease deposit)
- System failure location (e.g., main, lateral, lift station)
- Description of the SSO response activities including description of the immediate SSO containment and clean-up efforts
- Description of how the SSO volume estimations were calculated, including at a minimum:
  - The methodology, assumptions, and type of data, such as SCADA records, flow monitoring, or other telemetry information, used to estimate the volume of the SSO discharged and the volume of the SSO recovered
  - The methodology, assumptions, and type of data used to estimate the SSO start and end times
- Description of the implemented system and/or operations and maintenance modifications

The Sanitary Sewer System Waste Discharge Requirements (SSS WDR) requires that individual SSO records be maintained by the City for a minimum of five (5) years from the date of the SSO. This period may be extended if requested by the Central Valley Water Board Executive Officer. All records are made available upon request from State or Central Valley Water Board staff.

## Post-SSO Event Debriefing and Training

Every SSO event is an opportunity to evaluate the response and reporting procedures. Each overflow event is unique, with its own elements and challenges including volume, cause, location, terrain, and other parameters.



Monthly staff meetings include a detail discussion of past SSO events to discuss what worked and where improvements could be made in responding to and mitigating future SSO events. The meetings will identify corrective actions that could have prevented most recent SSOs from occurring. Participants will also review reports, investigation results, and status of corrective actions for most recent SSO events.

Training related to the Overflow Emergency Response Plan is scheduled annually. All employees are required to attend, and a log of attendees is kept. Other informal training sessions take place throughout the year as needed, but informal training sessions are not logged. Staff are also encouraged to attend trainings, certification seminars, and industry conferences such as those organized by CWEA on a wide variety of issues, including collection system maintenance, SSO prevention, and SSO emergency response.

## **FATS, OILS, AND GREASE (FOG) PROGRAM**

Section 13.12.040 of the City's Municipal Code prohibits discharges of wastes which contain more than 200 mg/L of fats, oils, and grease (FOG) materials. The City has the authority to require installation of grease interceptors at facilities with the potential to discharge FOG. The City maintains a list of potential FOG-producing facilities and of businesses with grease traps and other grease capturing devices. The City inspects commercial user grease traps to ensure operability and monitors monthly grease hauler reports from grease producing facilities.

Collection system personnel are continually on alert during routine system maintenance activities for the existence of grease, identification of new areas of possible concern, and additional maintenance requirement. A source control activity to identify the point of origination of grease is an ongoing component of the City's maintenance activities.

## **SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN**

As previously noted, Utility System personnel work closely with the Engineering Division to identify and prioritize structural deficiencies within the system as part of the CIP. The CIP is updated at least annually with priorities shifting as needed to reflect the urgency of system segment rates of deterioration. The City typically budgets annually for collection system improvements, including manhole and sewer line rehabilitation, lift station upgrades, and improvements need on specific segments. The manhole and sewer line rehabilitation projects are mainly intended to reduce and/or eliminate SSO and I&I issues. Rehabilitation involves slip-lining, cured-in-place lining, and pipe bursting and replacement.

In 2017 Stantec completed a Sewer System Master Plan for Grass Valley. The objectives of the Sewer System Master Plan were to determine the capacity and limitations of the existing collection system and physical modifications, renovations, and additions to the existing sewer collection system necessary to meet current and future needs. Analyses indicated that most sewer lines are adequately sized for the anticipated flows and identified sections of the sewer collection system that needed to be upsized to meet future conditions.

The City uses the Sewer System Master Plan to review collection system capacity, assess needed improvements, and as a general planning tool to ensure adequate wastewater collection and treatment to meet future needs.

## **MONITORING, MEASURING, AND PLAN MODIFICATION**

As noted earlier in the Overflow Emergency Response Plan, the City learns from deficiency events such as SSOs in order to redefine and possibly expand existing maintenance and frequency of service programs. Additionally, at team meetings, staff regularly discuss "field findings" such as needs for repair, and increased attention discussions that are fruitful not only in identifying problem areas before potential failure but also for the continued maintenance as well as development of future individual CIP program elements. During these meetings, staff discuss current maintenance methods and how or if they can be improved.

The City also tracks the effectiveness of the SSMP through performance indicators. The City keeps track of the number of SSOs over the past 12 months, total volume of SSOs, SSOs causes (roots, grease, debris, etc.), and miles of sewer lines evaluated using CCTV. Maintenance activities such as ratio of planned sewer cleaning to unplanned sewer cleaning and the backlog of repair, rehabilitation, and replacement projects are also closely monitored to inform any needed SSMP modifications. Based on this information, the Utilities Director, in collaboration with the Engineering Department, will assess and update the SSMP as appropriately.

## **SSMP AUDITS**

The City plans to complete a review of the SSMP every three years or more often if deficiencies are noticed. The audit will evaluate the SSMP effectiveness and identify any deficiencies and steps to correct them. Audit reports will be prepared and kept on file.

## **COMMUNICATION PROGRAM**

The City regularly updates its website with information about City activities as an effective method for providing alerts and news to the public. The main page of the website provides important announcements, public hearings notices, links to agendas and minutes for City Council meetings, and other key information for City residents. The SSMP is certified by the City Council during a public hearing. The SSMP will be updated and re-certified by City Council every five years, or more frequently, depending on the required updates.

The City does not have any tributary or satellite collection systems; there is no need to establish communication protocols for any such agencies.

## APPENDICES

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**Appendix A: Public Works Department Organization Chart**

**Appendix B: Emergency Contact Numbers**

**Appendix C: City of Grass Valley Standby Call Flow Chart**

**Appendix D: Sewer Backup Prevention & Response**

**Appendix E: Sanitary System Overflow Initial Assessment Form**

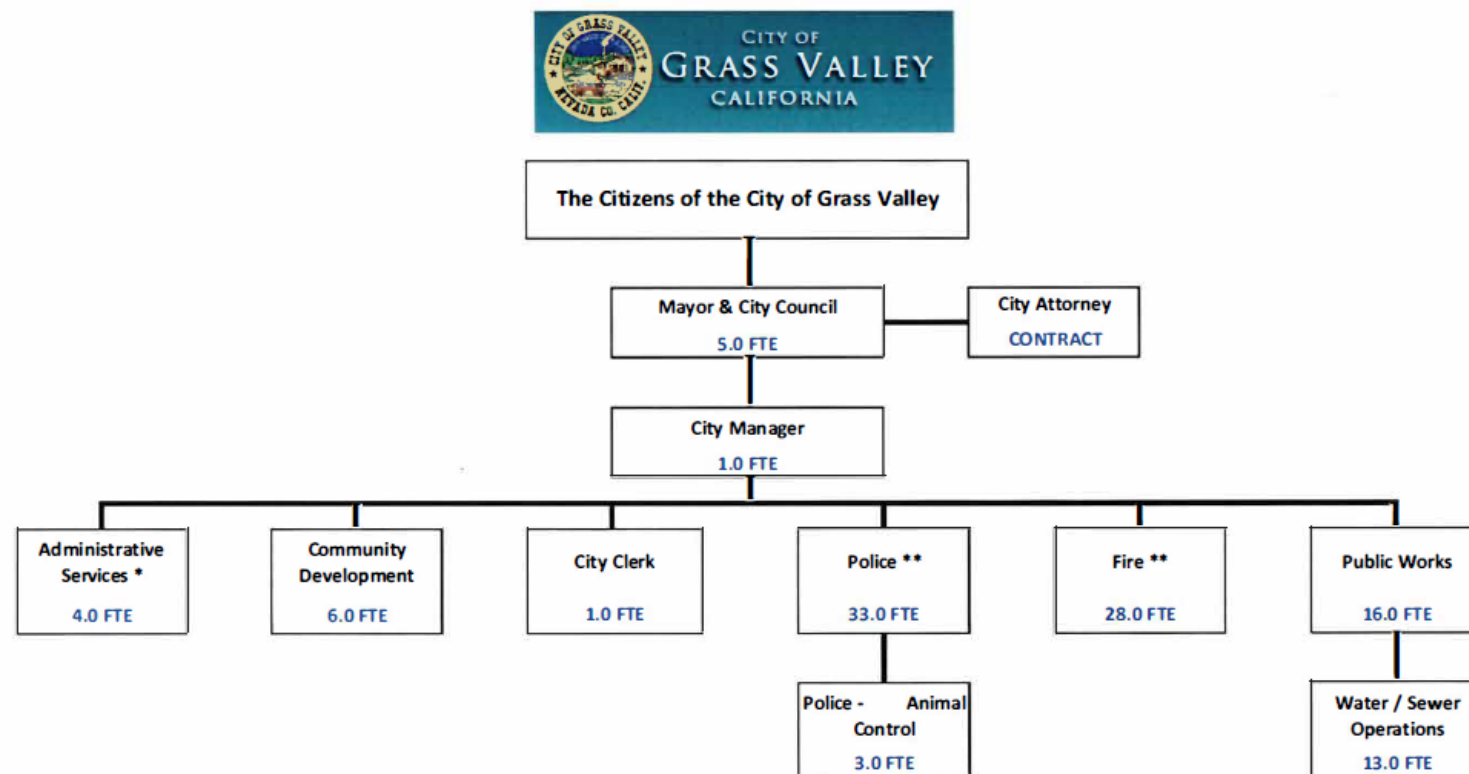
**Appendix F: Example Spill Warning Sign**

**Appendix G: Instructions for Handling Sewer and Flooding Losses**

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## APPENDIX A

### Public Works Department Organization Chart



Total Full Time Equivalent Positions Funded - FY 2022-23: 110.0 FTE

Frozen / De-Funded Positions (not included in above chart): 0.0 FTE

\* Contracted Positions / Functions - Police:

- Information Technology Operations

\*\* Contracted Functions - Police / Fire:

- Dispatching Services

- Includes Nevada City Contracted Services Provided by City of Grass Valley

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## APPENDIX B

### Emergency Contact Numbers

## EMERGENCY CONTACT NUMBERS

Emergency	911
Sheriff Dispatch	530-265-7880
Fire Department	911
Integral Networks	916-626-4000
Nevada Irrigation District	530-273-6185
	530-273-3346 (after hours)
Ferguson/Groeniger	916-455-3333
KNCO	530-272-3424
Beekeeper Hotline	530-675-2924
Robinson Enterprises	530-265-5844
Grey Electric	530-273-0686
Mr. Rooter Plumbing	530-802-2407
<b>Contractors</b>	
C&D	530-265-6938
Hansen Brothers	530-273-3381 (office)
	530-913-3935 (Jeff Hansen)
<b>Rentals</b>	
Rain for Rent	530-662-1024
United Rentals	530-743-8989
<b>Pump Trucks</b>	
Navo & Sons	530-273-2964
Tall Boots	530-274-78-67
Urke	530-274-3902
<b>Fuel Trucks</b>	
JH Petroleum	530-273-6925 (office)
	530-432-1791 (Dave Knappen)
	530-320-4432 (Dean Southerland)

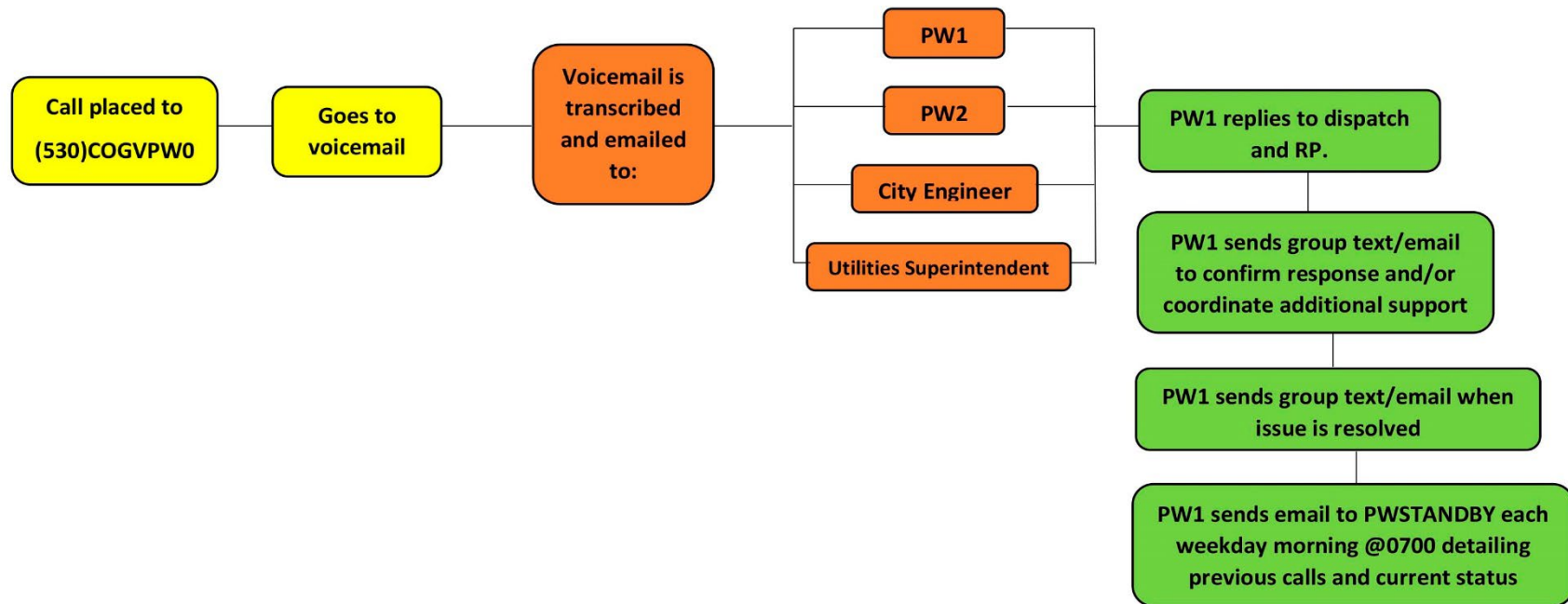
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## APPENDIX C

### City of Grass Valley Standby Call Flow Chart



## City of Grass Valley Standby Call Flow Chart



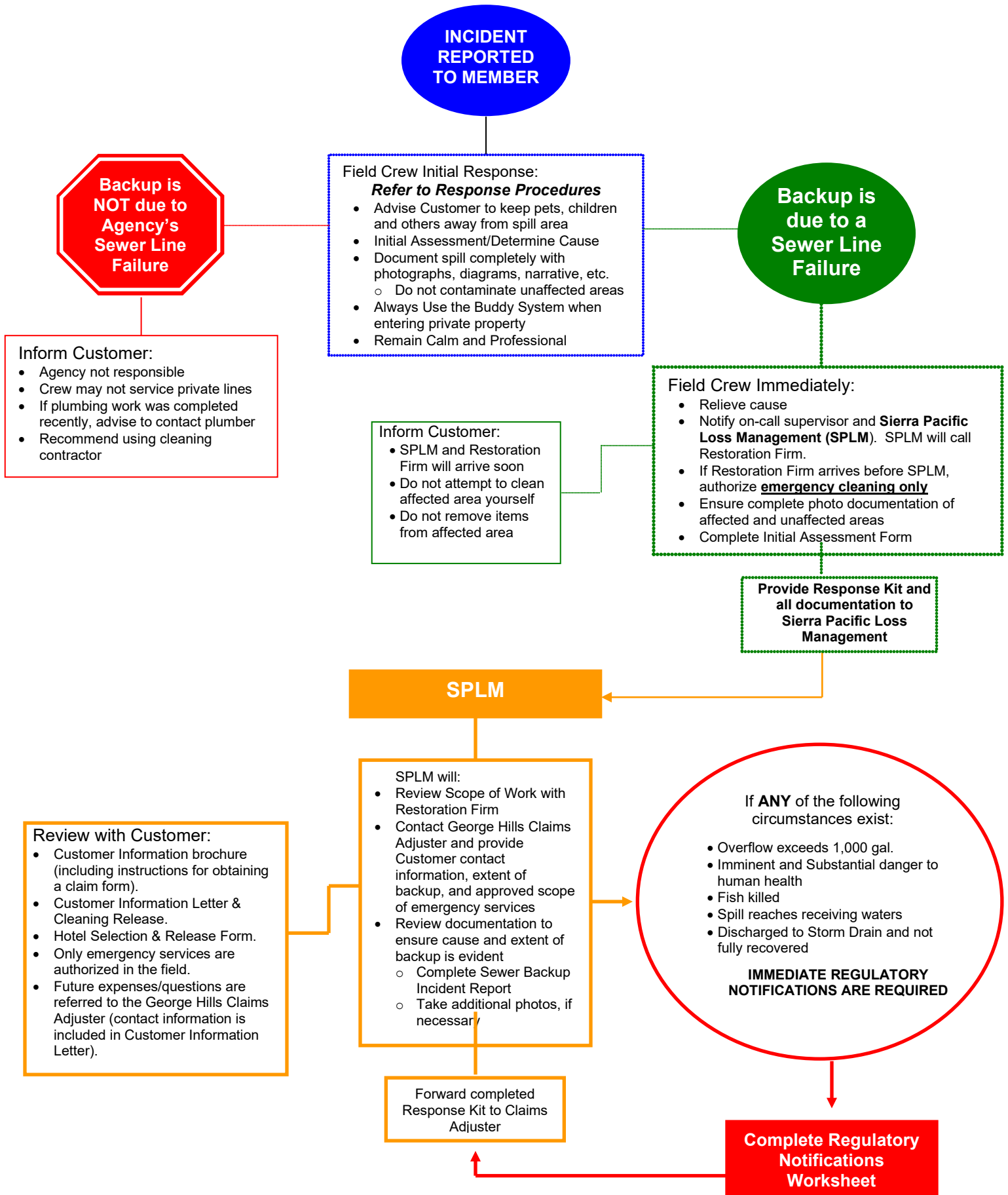
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## APPENDIX D

### Sewer Backup Prevention & Response

# SEWER BACKUP PREVENTION & RESPONSE

Item # 11.



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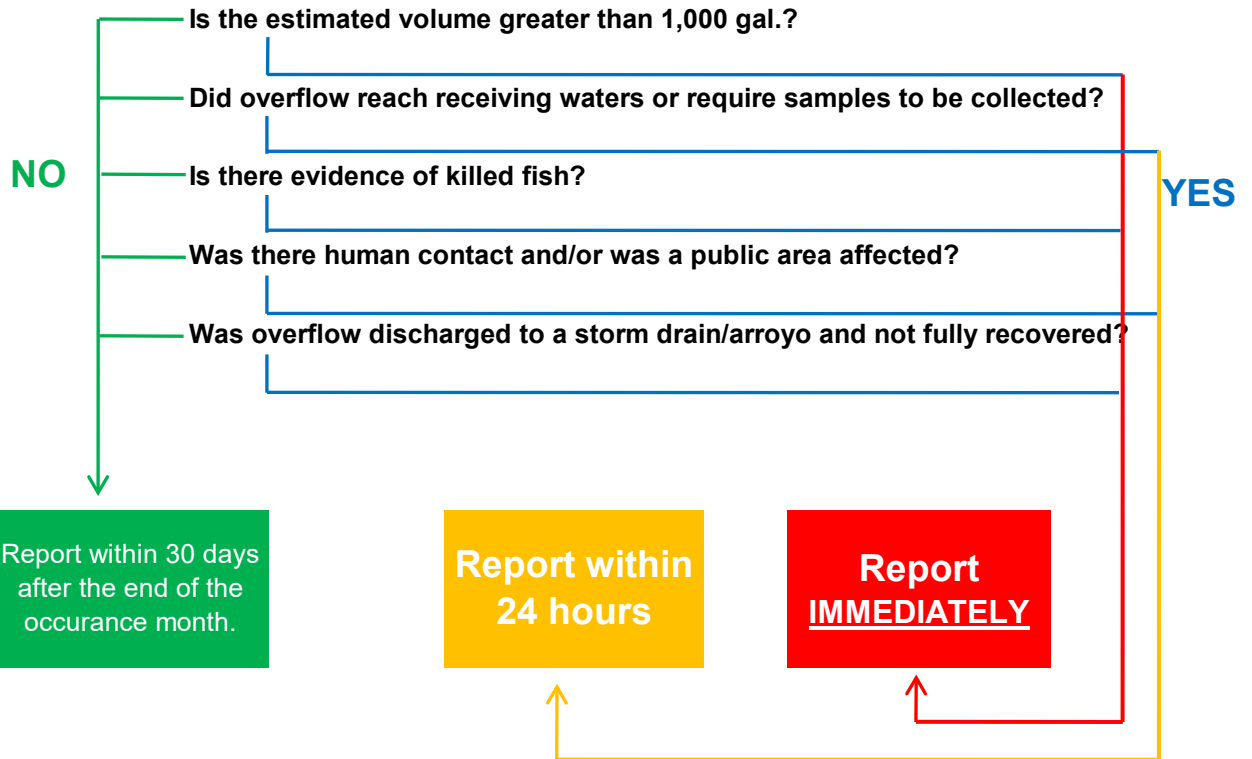
## APPENDIX E

### **Sanitary System Overflow Initial Assessment Form**

# Sanitary System Overflow Regulatory Notice Worksheet

Item # 11.

EVALUATE INCIDENT



REPORT INCIDENT

OVERFLOW CIRCUMSTANCE:	NOTIFICATION REQUIRED TO:				
	OES	RWQCB	SWRCB	Cnty. Health Department	DFG
≥ 1,000 gal.					
Imminently and substantially endangers human health					
Fish have been killed					
Any amount discharged to storm drain; not fully recovered					
Receiving waters reached and/or required sampling					
Posting of public warning signs were required					
ALL SSO Incidents (including incidents when regulatory notices are not otherwise required)					
Optional Report: Incident due to problem in private service lateral					

Contact information for each agency is on the other side of this form.

# Sanitary System Overflow Regulatory Notice Worksheet

Item # 11.

If you are not authorized to perform regulatory reporting, please notify one of the following agency personnel immediately:

LRO\*

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ day \_\_\_\_\_ after hours ☐

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ day \_\_\_\_\_ after hours ☐

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ day \_\_\_\_\_ after hours ☐

\*SWRCB Legally Responsible Official (LRO) is the person authorized to complete and sign SSO reports online.

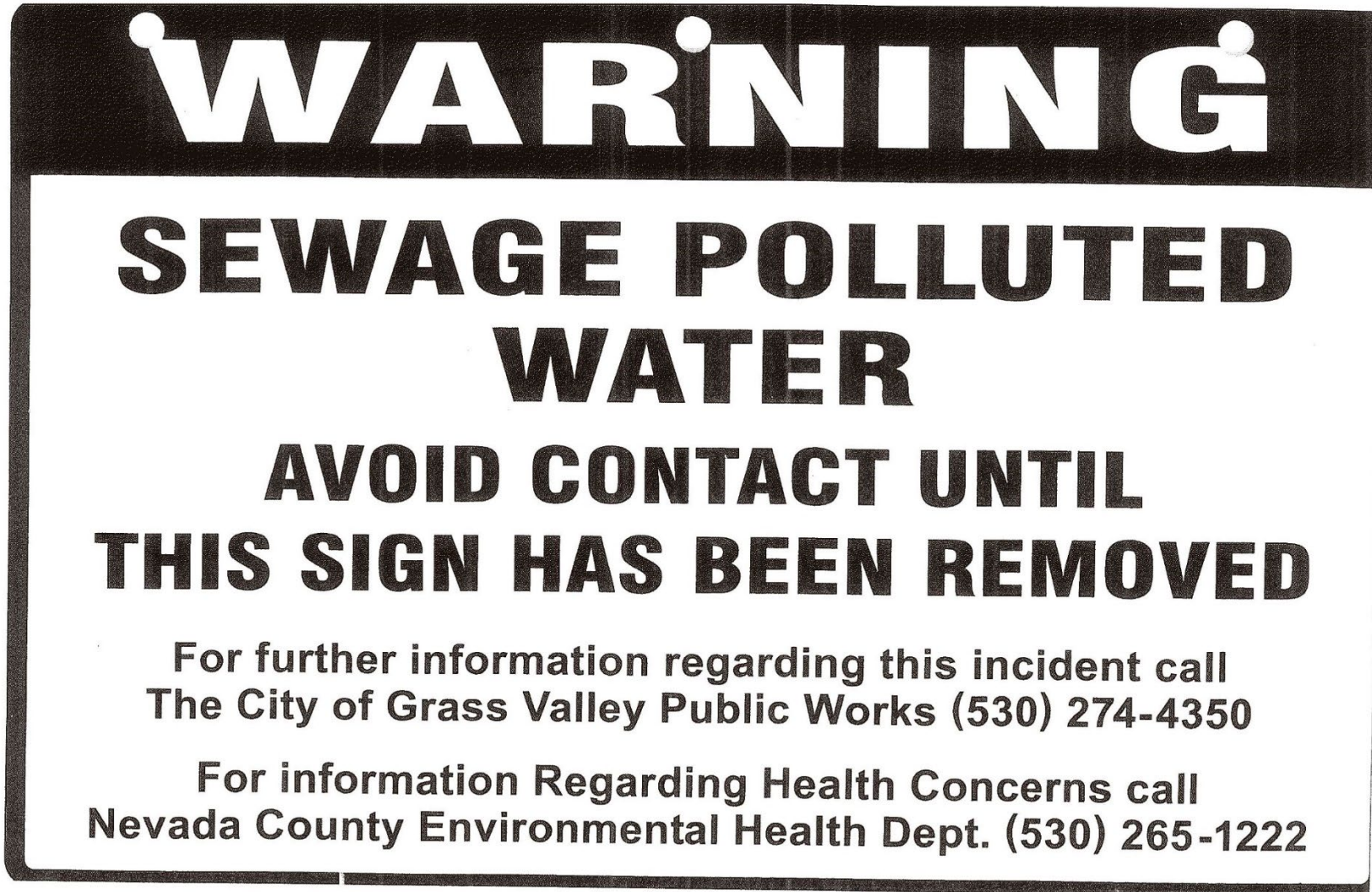
## REGULATORY CONTACT INFORMATION

OES	Governor's Office of Emergency Services	Telephone: 800-852- 7550	Volume is ≥ 1,000 gal., human health is substantially and imminently endangered, and/or fish have been killed.	
RWQCB	Regional Water Quality Control Board	Telephone: 916-464- 3291	Volume is ≥ 1,000 gal., human health is substantially and imminently endangered, and/or fish have been killed.	
			Reached and/or required sampling of receiving waters, and/or required posting of public warnings	
	Contact Person: (insert name)		Optional Report when caused by a problem in a private service lateral	
SWRCB	State Water Resources Control Board	LRO only: Report Online www.swrcb.ca.gov/ciwqs	Volume is ≥ 1,000 gal., human health is substantially and imminently endangered, fish have been killed, discharged to storm drain and not fully recovered, reached and/or required sampling of receiving waters.	
			All overflow and backup incidents, including incidents where other regulatory notice is not required.	
			Optional report when caused by problems in a private service lateral. Provide as much information as possible, indicate cause and identify responsible party.	
	Incomplete reports must be finished within 15 days.			
Cnty. Health Department	(insert name of county health department)	Telephone: xxx-xxx-xxxx	Volume is ≥ 1,000 gal., human health is substantially and imminently endangered, and/or fish have been killed.	
	Contact Person: (insert name)		Discharged to storm drain and not fully recovered, reached and/or required sampling of receiving waters, and/or required posting of public warnings.	
DFG	Department of Fish and Game, Spill Prevention & Response	24 Hr Dispatch: 916-445- 0380	Fish have been killed, reached and/or required sampling of receiving waters.	
	Press "2" to report pollution incident.			

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## APPENDIX F

### Example Spill Warning Sign





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## APPENDIX G

### Instructions for Handling Sewer and Flooding Losses

**FOR INTERNAL USE ONLY – DO NOT DISTRIBUTE EXTERNALLY****INSTRUCTIONS FOR HANDLING  
SEWER AND FLOODING LOSSES****A. SEWER and FLOODING LOSSES**

1. Process for SSO (Sanitary Sewer Overflow) or Water Main Flooding:
  - a. The City/Town receives a call of a SSO or ruptured water main.
  - b. For an SSO, the department responds and confirms/denies there is a blockage in the main line and/or lower lateral (if your agency accepts responsibility at that point). Please note, each entity has their own Municipal Code that distinguishes the responsibility of the public vs. private services. CIRA recommends the agency accept responsibility at the “tap” or “connection point” and main. **Or**  
For water flooding, the department responds and confirms/denies if the flooding is due to an issue in the main line and service line (i.e. ruptured pipe)
  - c. If the cause of the loss cannot be immediately determined, error on the side of caution and proceed as if the member entity has liability without verbal or written acceptance of liability. **DO NOT discuss liability.** Obtain information regarding presence and /or functionality of the backflow preventer.
  - d. The City/Town’s staff will need to complete the initial site assessment form and provide the following information to CIRA (or those working on behalf of CIRA) or the restoration company:

What was the cause of the blockage or water rupture?

What areas of the structure were affected?

Do the occupants need to be relocated? Is there any other pertinent information?

CIRA (or those working on behalf of CIRA) or the restoration company will need to know:

What are the names/date of births of ALL occupants?

Is the occupant the owner or renter? (If the occupant is a renter, the homeowner and occupant will have separate claims).

Are there any pre-existing health concerns of occupants?

If emergency services are needed, please contact **Sierra Pacific Loss Management (SPLM)** at the number listed below immediately (they are working on behalf of CIRA):

**Sierra Pacific Loss Management:**

Main Line - (800) 413-2999/707.252.5525

Doug Thompson – 707.592.9918

[info@splmca.com](mailto:info@splmca.com)

**PLEASE NOTE: THAT SIERRA PACIFIC LOSS MANAGEMENT WILL HANDLE MOST, IF NOT ALL, OF THE CLAIM IF CONTACTED IMMEDIATELY.**

2. If attempts to contact Sierra Pacific are unsuccessful, please contact George Hills directly. They have emergency 24/7 numbers and will answer and respond.

**George Hills Staff:**

Dana Calkins: (916) 333-0575

Parmit Randhawa: (510) 375-1141

Craig Nunn: (916) 378-5772 (Arcata, Eureka, Fortuna & Ft. Bragg)

Edie Yamamura: (707) 602-3149

3. Both Sierra Pacific and George Hills staff have been trained to handle the initial part of a loss and assist any individual(s) who need to be relocated.

The claimant will hear from CIRA (or those acting on behalf of CIRA) as soon as possible to explain the claim process and needs regarding subject claim (relocation process, per diem/meals, etc.).

4. CIRA (or those acting on behalf of CIRA) will obtain all information and work with the City/Town on providing a claim form.
5. Sierra Pacific will project manage the claim until completion. This will include the following:

Usually within the first hour:

- Arrive onsite and meet with City/Town personnel and/or claimant
- Walk loss with claimant
- Discuss process with claimant
- Collect photographs

Within 30-60 minutes of arrival:

- Review initial scope with restoration contractor
- Determine if relocation is necessary
- If relocation is necessary, make arrangements with pre-approved hotel/motel for stay

Within 24 hours of arrival

- Contact George Hills with pertinent information
- Meet with restoration contractor supervisor and agree on full scope of work
- Meet with rebuild contractor to include the following:
  - Introduce to claimant
  - Discuss scope of work
  - The claimant has the right to have his/her own contractor perform the work, but most will use the general contractor supplied by the City/Town
- Meet with rebuild contractor to include the following:

Following completion of remediation

- Arrange for hygienist to complete clearance testing (bio, mold, asbestos)
- Confirm with restoration contractor that site is ready for rebuild and arrange for them to start work

## Throughout project

- Track remediation contractor to confirm that they are on schedule
- Track rebuild contractor to confirm that they are on schedule
- Communicate with claimant to assure that they are made aware of contractor visits, schedules and completion dates
- If claimant is relocated, confirm that they are satisfied with accommodations

## Following Project Completion

- Review the following:
  - Emergency services (ES) invoice
  - Hygienist's report/invoice
  - Rebuild contractor's estimate
- Develop submittal package to include:
  - Adjuster's report
  - Statement of loss
  - ES invoice/detail
  - Hygienist's invoice/report
  - Rebuild Contractor's invoice/detail
  - Non-Salvageable list
- Submit package to George Hills for processing

6. Communication with the claimants will be continuous throughout the claim process. CIRA (or those acting on behalf of CIRA) will be available to relocated claimants with any special needs. If there are items that need to be purchased immediately, CIRA will purchase on their behalf.
7. The restoration company will contract directly with the claimants. The claimant will file a claim with the City/Town. CIRA will work with both and finalize the claim for both mitigation and repairs at the conclusion of the claim. If it is a large loss or problems occur, CIRA may advance fees to the restoration company or other approved vendor.
8. Often the only time things go wrong with sewer/water claims is when communication breaks down. There needs to be continuous and constant communication throughout the entire claim process with everyone (the claimant, the restoration company, the City/Town and CIRA).



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Water Shortage Contingency Plan

**CEQA:** Not a Project

**Recommendation:** Council to adopt a WSCP

**Prepared by:** Trever Van Noort, Utilities Director

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/22/2023

**Agenda:** Consent

**Background Information:** The WSCP provides protocols to follow for various stages of water shortages. This information includes public notification and enforcement which are consistent with water utilities in the surrounding area. The State Water Resources Control Board requires the City to maintain a WSCP which complies with all current regulations.

**Council Goals/Objectives:** This action promotes the goals of Public Safety and Water and Wastewater Systems and Underground Infrastructure.

**Fiscal Impact:** None

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** \_\_\_ Tim Kiser, City Manager

**Attachments:** Grass Valley WSCP 2023-06-22 (Pending legal review)

**SAVE WATER. SAVE CALIFORNIA.**

# **Water Supply Contingency Plan for The City of Grass Valley**

**125 E Main St, Grass Valley, 95945**

**Public Water System CA #2910001**

**Effective: June 27, 2023**

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## **Section I: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of public water system (PWS) supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Grass Valley hereby adopts the following regulations and restrictions on the delivery and consumption of water through this Water Shortage Contingency Plan (Plan).

Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water subjecting the offender(s) to penalties as defined in Section XI of the Plan.

## **Section II: Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Grass Valley by means of a properly noticed Board meeting on June 27, 2023. Final adoption of the Plan occurred at a properly noticed Board meeting on June 27, 2023.

## **Section III: Public Education**

The City of Grass Valley will make information about the Plan available on its website, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage, including but not limited to the value of water, sources of water being used, methods and opportunities for conservation. Detailed information on public education is provided in Section X of the Plan.

## **Section IV: Coordination with Regional Water Planning Groups**

The City of Grass Valley receives raw water and potable water from Nevada Irrigation District (NID). The City of Grass Valley coordinates with NID to plan for water supply and demand concerns.

## **Section V: Authorization**

The Utilities Director, or designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Utilities Director, or designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. The contact information for Utilities Director is: (530)274-4371 and via email at treverv@cityofgrassvalley.com.



## Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and properties utilizing water provided by the City of Grass Valley. The terms “person” and “customer” as used in the Plan may include individuals, corporations, partnerships, associations, and all other legal entities.

## Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

**Aesthetic water use:** water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

**Commercial and Institutional water use:** water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as schools, hospitals, clinics, retail establishments, hotels and motels, restaurants, and office buildings.

**Conservation:** those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

**Customer:** any person, company, or organization using water supplied by City of Grass Valley.

**Domestic water use:** water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

**Even number address:** street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

**Industrial water use:** the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

**Landscape irrigation use:** water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

**Non-essential water use:** water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;

- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting or hauling water for a domestic water use.

**Odd numbered address:** street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

## Section VIII: Summary of Drought Response Stages and Response Actions

The Utilities Director, or designee, shall monitor water supply and/or demand conditions and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering and termination criteria described in subsequent sections of this document are based on:

- Projected drought conditions on Department of Water Resources (DWR) California Water Watch Tool (<https://cww.water.ca.gov>)
- County, State or Federal Drought Emergency Orders
- Emergencies such as fire, earthquake, etc. resulting in potential water outages

The response actions described in subsequent sections of this document are based on the following general precepts:

- Source capacity augmentation is proposed with the City of Grass Valley intertie and decreasing water loss through enhanced operational and maintenance changes. In more critical cases, source capacity may be increased by drilling of a shared well with the City of Grass Valley and/or a provision of hauled or bottled water in cases of natural disasters.
- Conservation techniques employed include progressively implementing more strict water use policies, primarily focused on outdoor irrigation and increasingly restrictive water use in business functions. In natural disaster type scenarios, water supplies are limited based on a per capita per day scenario.
- Notification of the public is performed in a variety of ways to ensure drought messaging is received by the residents. Depending on the severity of the drought stage, this may include messages on City of Grass Valley’s website and social media to house-to-house outreach services performed with community service groups. Whenever possible, messages will be provided in English and Spanish. Messaging will also be highly coordinated with the City of Grass Valley since water sharing may occur through the intertie at higher response stages.
- City of Grass Valley will coordinate with a variety of agencies, including, County Environmental Health, State Water Board’s Division of Drinking Water, and NID. In the event of severe water shortages, City of Grass Valley will also coordinate with County Public Health to support County registered vulnerable persons, County Offices of Emergency Services (OES), CalWARN, community partners and critical users.

## Section IX: Drought Response Triggers

The drought response triggers and terminations discussed below provides details on when varying levels of drought responses, further discussed in Section X, will be implemented and then subsequently terminated. The City of Grass Valley may choose to make modifications to the triggers and terminations depending on real-time scenarios.

### Stage 1 Triggers -- Water Shortage WATCH Conditions

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when there is a projected lack of normal regional rain patterns, the DWR Water Watch drought map<sup>1</sup> shows moderate drought conditions in our zip code, City of Grass Valley initiates voluntary conservation measures, or NID proposes area-wide voluntary conservation measures.

#### Requirements for termination

Stage 1 of the Plan may be rescinded when all conditions cease to exist.

### Stage 2 Triggers -- Water Shortage WARNING Conditions

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when the City of Grass Valley initiates Stage 2 drought response measures, NID recommends Stage 2 drought response measures, or the DWR Water Watch drought map shows severe drought conditions in our zip code.

#### Requirements for termination

Stage 2 of the Plan may be rescinded when all conditions cease to exist. Upon termination of Stage 2, Stage 1 becomes operative unless otherwise specified.

### Stage 3 Triggers – ACUTE Water Shortage Conditions

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when the City of Grass Valley initiates Stage 3 drought response measures, NID recommends Stage 3 drought response measures, or DWR's California Water Watch drought maps

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<sup>1</sup> <https://cwww.water.ca.gov/>

shows extreme drought conditions in our zip code.

#### Requirements for termination

Stage 3 of the Plan may be rescinded when all conditions cease to exist. Upon termination of Stage 3, Stage 2 becomes operative unless otherwise specified.

### **Stage 4 Triggers -- CRITICAL Water Shortage Conditions**

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when the City of Grass Valley initiates Stage 4 drought response measures, NID recommends Stage 4 drought response measures, or a County, State or Federal Drought Emergency is declared.

#### Requirements for termination

Stage 4 of the Plan may be rescinded when all conditions cease to exist. Upon termination of Stage 4, Stage 3 becomes operative unless otherwise specified.

### **Stage 5 Triggers -- EMERGENCY Water Shortage Conditions**

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when the City of Grass Valley initiates Stage 5 drought response measures, or NID recommends Stage 5 drought response measures.

#### Requirements for termination

Stage 5 of the Plan may be rescinded when all conditions cease to exist. Upon termination of Stage 5, Stage 4 becomes operative unless otherwise specified.

### **Stage 6 Triggers -- CATASTROPHIC Water Shortage Conditions**

#### Requirements for initiation

Customers shall be required to comply with the restrictions on certain non-essential water uses provided in Section X of this Plan when the City of Grass Valley initiates Stage 6 drought response measures, or NID recommends Stage 6 drought response measures. Triggers may also include earthquakes resulting in significant infrastructure damage, emergency conservation needed for fire protection, or other actual or threatened catastrophic water infrastructure failure as determined by the Utilities Director, or designee.

### Requirements for termination

Stage 6 of the Plan may be rescinded when all the conditions have ceased to exist and coordination with the health and safety authorities have indicated that the water source and distribution system is safe. Upon termination of Stage 6, Stage 5 becomes operative unless otherwise specified.

## Section X: Drought Response Stages and Actions

The Utilities Director, or designee, shall monitor water supply and/or demand conditions on a monthly basis and, in accordance with the triggering criteria set forth in Section IX of this Plan, shall determine if a water shortage condition exists and the severity of any such water shortage conditions (e.g., *1-Watch, 2-Warning, 3-Acute, 4-Critical, 5-Emergency, 6-Catastrophic Water Loss*), and shall implement the following notification procedures accordingly:

### Notification

#### Description of Customer Notification Methods:

The Utilities Director, or designee, shall notify the public by means of one of the following Methods:

- Method 1: Notice on City of Grass Valley website and social media outlets
- Method 2: Notice in The Union newspaper
- Method 3: Notice to local Spanish and English-speaking radio stations
- Method 4: Email to customer listing
- Method 5: Direct Mail to each customer, in bill or flyer format
- Method 6: Personal phone calls to hospital, elder care facility and school district
- Method 7: Door to door outreach in low-income, elderly communities, County registered vulnerable residents, residences with high usage, and/or parts of the distribution system impacted by emergency
- Method 8: County Emergency Messaging text alert

City of Grass Valley has a 3% Spanish speaking population, therefore Methods 1, 3, 4, 5 and 7 shall be provided in both English and Spanish.

Public Safety Contacts:

The Utilities Director, or designee, shall notify directly the following individuals and entities of restrictions and water shortages, as defined in the subsections below, as appropriate for each response stage.

<b>Organization or Department</b>	<b>Name &amp; Position</b>	<b>Telephone</b>	<b>Email</b>
Fire Department	Mark Buttron Fire Chief	(530) 274-4380	markb@cityofgrassvalley.com
City of Grass Valley	Tim Kiser, City Manager	(530) 274-4312	timk@cityofgrassvalley.com
County Office of Emergency Services	Operator	(800)852-7550	contact.center@dfeh.ca.gov
County Env. Health Agency	Nevada County EH	(530)265-1222	env.health@nevadacountyca.gov
County Public Health	Nevada County PH	(530)265-1450	publichealth@nevadacountyca.gov
CalWARN Contact	Lisa Deklinski, Region IV Contact	(916)808-1309	R4.REOC4@gmail.com
State Water Board District Engineer	Kooshlar Vaghefi, District Engineer	(916) 327-9848	Kooshlar.Vaghefi@Waterboards.ca.gov
Critical Water User: SNMHospital	Josh Shearer, Emergency Management	(530)274-6881	
Critical Water User: Schools	Andrew Withers, Superintendent	(530) 273-4483 Ext. 2007	awithers@gvsd.us
NID	Chip Close, Operations Director	(530) 271-6884	opsdepartment@nidwater.com



Support Services Contacts:

The following is a listing of support services that may be appropriate for a water shortage emergency.

<b>Organization or Department<sup>2</sup></b>	<b>Company &amp; Name</b>	<b>Phone</b>	<b>Email</b>
Water Hauler	H2O to Go	530-432-8440	pinktruck@grassvalleywater.com
Bottled Water Vendor	Brookcrest	916-441-7261	sales@brookcrestwater.com
Storage Tank Vendor	Rain for Rent	800-742-7246	
Community Service Partners: Red Cross	Red Cross Northern California Chapter	530-673-1460	

## **Drought Responses Actions:**

### **Stage 1 Response -- Water Shortage WATCH Conditions**

Actions include normal rules and regulations plus those listed below

**Target: Achieve a voluntary 10% percent reduction in total monthly water usage.**

#### **Best Management Practices for Supply Management:**

- (a) Request customers to limit outdoor irrigation to every other day.
- (b) Request fire department limit practices drills and hydrant flow testing
- (c) Test intertie with NID to ensure that it is operational.
- (d) Leak repair receives higher priority.

### **Stage 2 Response -- Water Shortage WARNING Conditions**

**Target: Achieve a 20% percent reduction in total monthly water usage.**

**Best Management Practices include Stage 1 plus those listed below:**

- (a) Outdoor irrigation is limited to every other day and a maximum of three days per week.
- (b) Odd address numbers can irrigate outdoors on Tuesday, Thursday, and Saturday.
- (c) Even address numbers can irrigate outdoors on Wednesday, Friday, and Sunday.
- (d) Customers shall adjust irrigation controllers to reduce usage for each zone by 20 percent.
- (e) Corresponding to Fall Daylight Saving Time, customers shall strive to limit outdoor irrigation to only once per week.
- (f) Communicate 20 percent mandatory reduction requirement to customers.
- (g) Decrease flushing from regular flushing routine to only as needed for public health and safety.

**Enforcement Measures:**

- A written warning will be issued for a first violation.
- An imposed fine of up to \$500 each day for subsequent violations.
- Similar penalties, fines, and charges may be implemented by the City as needed to enforce the restrictions on specific prohibited water uses.

**Stage 3 Response -- ACUTE Water Shortage Conditions**

**Target: Achieve a 30% percent reduction in total weekly water usage.**

**Best Management Practices include Stages 1 & 2 plus those listed below:**

- (a) Outdoor irrigation is limited to two days per week.
- (b) Odd address numbers can irrigate outdoors on Thursday and Sunday.
- (c) Even address numbers can irrigate outdoors on Wednesday and Saturday.

- (d) Customers shall adjust irrigation controllers to reduce usage for each zone by 30 percent.
- (e) Irrigation of ornamental turf in public street medians with treated water is prohibited.
- (f) Communicate 30 percent mandatory reduction requirement to customers.

#### **Stage 4 Response -- CRITICAL Water Shortage Conditions**

**Target: Achieve a 40% percent reduction in total daily water usage.**

Best Management Practices include Stages 1 - 3 plus those listed below:

- (a) Outdoor irrigation is limited to one day per week.
- (b) Customers shall adjust irrigation controllers to reduce usage for each zone by 40 percent.
- (c) Communicate 40 percent mandatory reduction requirement to customers.

**Stage 5 Response – EMERGENCY Water Shortage Conditions**

**Target: Achieve a 50% percent reduction in total daily water usage.**

Best Management Practices include Stages 1 - 4 plus those listed below:

- (a) Outdoor irrigation is prohibited.
- (b) Communicate 50 percent mandatory reduction requirement to customers.

**Stage 6 Response -- CATASTROPHIC Water Shortage Conditions**

**Target: Achieve >50% percent reduction in total daily water usage or implement allocation plan requirements depending on situation.**

Best Management Practices include Stages 1 - 5 plus those listed below:

- (a) Health and safety use of water only.

## CATASTROPHIC Water Allocation Plan

In the event that water shortage conditions threaten public health, safety, and welfare, the Utilities Director, or designee, is hereby authorized to allocate water according to the following water allocation plan:

### Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	<3,000
3 or 4	<6,000
5 or 6	<9,000
7 or greater	Requires written verification of any household usage greater than 9,000 gallons per month. Allowable usage will be calculated using 47 gallons per person per day.

“Household” means the residential premises served by the customer’s meter. The above is based on 47<sup>3</sup> gallons per person per day with all outdoor uses prohibited except by public safety officers (e.g. fire personnel, etc.)

Additional decreases to the table may be required for short-term emergency response to earthquakes, fires, etc. Any short-term decrease (defined as less than 72 hours) will be determined by the Utilities Director along with provision for alternative water supplies for any period of water outage greater than 10 hours. Any conservation decreases to below 47 gallons per person per day, for greater than 72 hours, requires a properly noticed Council meeting (regular or special) for public input and Council adoption.

### Master-Metered Multi-Family Residential Customers

The allocation to residential water customers billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g., *apartments, mobile homes, etc.*) shall be allocated the same as single-family residential customers.

### Commercial Customers

A monthly water allocation shall be established by the Utilities Director, or designee, for each commercial water customer who uses water for processing

<sup>3</sup> Based on Water Code Section 10609.4 for standard indoor residential water use starting in 2025. This attempts to ensure efficient indoor water recognizing the severity of the drought while maintaining standard sanitation practices, if possible.

purposes. The allocation to commercial water customers shall be as follows: 40% of monthly water usage and no irrigation. All restaurants shall only provide water upon request, hotels must only wash linens upon exit of customers, and all commercial establishments must post drought conservation messaging.

### **Industrial Customers**

City of Grass Valley does not have industrial customers.

### **Public Notification Regarding Access to Alternative Water Supplies:**

Methods: 1, 2, 3, 4, 5 (flyer/door hanger), 6, 7 and 8 will be utilized to inform residents of the location of alternative water and sanitation access and availability of additional services for the elderly/disabled or those without transportation. American Red Cross and Rotary Club volunteers will also be utilized to provide flyers to homes.

All handout materials will be provided in both English and Spanish. Templates have been pre-prepared and can be immediately printed if needed.

### **CATASTROPHIC Notification of Emergency Service Providers**

If adequate water supply will potentially become unavailable for fire response, medical services, public services, etc., then the following emergency providers will be notified as soon as possible to ensure that adequate planning, response and assistance may be provided:

**Local Fire Agency:** Shall be contacted immediately when any water outages are believed to be potentially imminent or is occurring in any part of the distribution system.

**Critical Service Providers (e.g., hospital, school, elder care, etc.):** The hospital, elder care facility and school district shall be immediately contacted when any water outage is believed to be potentially imminent or is occurring in the distribution system that may in any way impact that user. These users, in City of Grass Valley, should have backup plans for water provision and hauling that must be implemented immediately.

**State Water Board and/or County Environmental Health:** The State Water Board's Division of Drinking Water and the County Environmental Health shall be contacted when any water outage is believed to be potentially imminent or is occurring in the distribution system.

**County Office of Emergency Services:** The County Office of Emergency Services may be contacted when any water outage is believed to be potentially imminent or is occurring in the distribution system as the result of a natural disaster and/or

additional County or State support is needed.



**Section XI: Enforcement**

- (a) No person shall knowingly or intentionally allow the use of water from this water system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Utilities Director, or designee, in accordance with provisions of this Plan.
- (b) Any person, including a person classified as a water customer of the water system, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation.
- (c) Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is in repeated violation of this Plan, the City of Grass Valley shall, upon the second warning notice to the customer, be authorized to provide a financial penalty of up to \$250 per day.

## Section XII: Variances

The Utilities Director, or designee, may grant, in writing, a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the water system within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Utilities Director, or designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

A decision on the variance request will be returned to the customer within no more than 5 business days.

While submittal of a variance is required, the following exemptions are pre-approved:

1. Use of a residential swamp cooler on days where the ambient temperature is greater than 80° F for residents that can demonstrate a medical need.
2. Use of water for the operation of a medical support device needed by a resident.

## **Appendix A: Water System Information**

The city of Grass Valley provides water to approximately 4,947 residential customers, schools, shopping centers, and restaurants. The City of Grass Valley obtains its raw water from NID and also has a potable water intertie with NID.

Annually, the water system utilizes approximately 350 million gallons. The maximum monthly usage typically occurs in August with a production of approximately 43 million gallons. Total treatment capacity is 5MGD.

The distribution system is entirely gravity-fed and consists of two pressure zones: Zone 1, and Zone 2. Zone 1 serves approximately 90% of the service connections and Zone 2 serves approximately 10% of the service connections.

In 2009, the City of Grass Valley installed a potable water intertie to NID. This intertie has been used approximately once per year since that time, typically when the City of Grass Valley performs maintenance of its treatment facility.



## City of Grass Valley City Council Agenda Action Sheet

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**Title:** Adopt ten Resolutions confirming diagram and assessment and levying assessment, and requesting the County Auditor-Controller to place assessment on tax roll for FY 2023-24 Landscaping and Lighting Districts (LLD) and Benefit Assessment Districts (AD)

**Recommendation:** After conducting the public hearing, adopt resolutions related to the Commercial (District No. 1988-1) Landscaping and Lighting Districts, as follows:

- 1) Resolution No. 2023-32 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 1988-1.
- 2) Resolution No. 2023-33 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-1.

Adopt resolutions related to the Residential (District No. 1988-2) Landscaping and Lighting Districts as follows:

- 3) Resolution No. 2023-34 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 1988-2.
- 4) Resolution No 2023-35 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-2.

Adopt resolutions related to the Morgan Ranch Unit 7 (District 2003-1) Assessment District as follows:

- 5) Resolution No 2023-36 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2003-1.
- 6) Resolution No. 2023-37 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-Unit 7 Benefit Assessment District No. 2003-1.

Adopt resolutions related to the Morgan Ranch West (District 2010-1) Assessment District as follows:

- 7) Resolution No. 2023-38 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2010-1.
- 8) Resolution No. 2023-39 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-West Assessment District No 2010-1.

Adopt resolutions related to the Ridge Meadows (District 2016-1) Assessment District as follows:

- 9) Resolution No. 2023-40 Confirming Diagram and Assessment and Levying Assessment for FY 2023-24 Assessment District No. 2016-1.
- 10) Resolution No. 2023-41 Requesting the County Auditor to Place Assessment on Tax Roll - Ridge Meadows Assessment District No 2016-1.

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**Prepared by:** Andy Heath

**Council Meeting Date:** 06/27/2023

**Date Prepared:** 06/22/2023

**Agenda:** Public Hearing

**Discussion:**

The actions noted above complete the process for levying the annual assessments for the above districts. The assessments are related to costs described in the Engineer's report and are collected in two installments at the same time as property taxes. Some of the assessments have been increased by up to 6.0% for FY 2023-24 consistent with the Consumer Price Indexes for Pacific Cities - West for February 2023. Some districts assessments will also be utilizing existing fund balances to cover a portion of costs.

For Whispering Pines, the assessment spread uses two different factors to determine individual lot assessments. Based on the two factors, the Engineering Department has proposed a total assessment spread of \$29,100.30 for FY 2023-24. The assessment spread was \$27,453.70 for FY 2022-23.

For Litton Business Park, the initial assessment spread created a yearly assessment per development area of \$480. It is the intent that upon full build-out that each development area of the entire project share equally in all Landscaping and Lighting District expenses. The Engineering Department has proposed an assessment value of \$344.80 per development area for FY 2023-24 creating a total assessment spread of \$6,550.50.

For Morgan Ranch, the Engineering Department has proposed a total assessment spread in the amount of \$28,416.00. Based on the total build-out number of parcels, and the total assessment needed for FY 2023-24, the levy will be \$74.00 per dwelling unit. The assessment spread was \$26,810.88 for FY 2022-23.

For Ventana Sierra, the Engineering Department has proposed a total assessment spread in the amount of \$3,389.98. Based on the total number of parcels in Ventana Sierra, and the total assessment needed for FY 2022-23, the levy will be \$178.42 per dwelling unit. The assessment spread was \$3,199.98 for FY 2022-23.

For Scotia Pines, the Engineering Department has proposed a total assessment spread in the amount of \$4,488.00. Based on the total number of parcels in Scotia Pines, and the total assessment required for FY 2023-24, the levy will be \$81.60 per dwelling unit. The assessment spread was \$4,233.90 for FY 2022-23.

For Morgan Ranch West L&L, the Engineering Department has proposed a total assessment spread in the amount of \$500.00. Based on the total number of parcels in Morgan Ranch West L&L, and the total assessment required for FY 2023-24, the levy will be \$20.00 per dwelling unit, unchanged from FY 2022-23.

For Ridge Meadows L&L, the Engineering Department has proposed a total assessment spread in the amount of \$8,000.14. Based on the total number of parcels in Ridge Meadows L&L and the total assessment required for FY 2023-24, the levy will be \$216.22 per dwelling unit, unchanged from FY 2022-23.

For Morgan Ranch-Unit 7 AD, the Engineering Department has proposed a total assessment spread in the amount of \$480.00. Based on the total number of parcels in Morgan Ranch Unit 7, and the total assessment required for FY 2023-24, the levy will be \$20.00 per dwelling unit, unchanged from FY 2022-23.

For Morgan Ranch West AD, The Engineering Department has proposed a total assessment spread in the amount of \$750.00. Based on the total number of parcels in Morgan Ranch West, and the total assessment required for FY 2023-24, the levy will be \$30.00 per dwelling unit, unchanged from FY 2022-23.

For Ridge Meadows AD, the Engineering Department has proposed a total assessment spread in the amount of \$700.04. Based on the total number of parcels in Ridge Meadows AD and the total assessment required for FY 2023-24, the levy will be \$18.92 per dwelling unit, unchanged from FY 2022-23.

**Council Goals/Objectives:** The Landscape & Lighting Districts (LLD) and Benefit Assessment Districts (A.D.) annual assessments supports the Strategic Plan - City Infrastructure Investment by covering costs for community-specific structures and services.

**Fiscal Impact:** The proposed fiscal year 2023-24 assessments for the City's Landscape and Lighting Districts and Benefit Assessment Districts total \$81,985 as compared to \$78,307 for Fiscal Year 2022-23, an increase of \$3,678. This is due to CPI increases

for some Districts while other Districts will be utilizing fund balance or leaving amounts the same as the prior year.

**Funds Available:** NA

**Account #:** NA

**Reviewed by:** City Manager

**Attachments:**

Resolutions (10)

Engineer's Reports (5)

## RESOLUTION NO. 2023-32

RESOLUTION CONFIRMING DIAGRAM AND  
ASSESSMENT AND LEVYING ASSESSMENT FOR FISCAL YEAR 2023-24  
LANDSCAPING AND LIGHTING DISTRICT NO. 1988-1  
(Commercial Landscaping and Lighting District,  
Whispering Pines and Litton Business Park)  
(Pursuant to the Landscaping and Lighting Act of 1972)

The City Council of the City of Grass Valley resolves:

1. Pursuant to Chapter 3 of the Landscaping and Lighting Act of 1972, the City Council directed Bjorn Jones, P.E., Engineer of Work for Assessment District No. 1988-1, to prepare and file an annual report for fiscal year 2023-24.

2. The Engineer of Work filed his annual report on June 13, 2023, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment district for fiscal year 2023-24 and set a public hearing to be held on June 27, 2023, at the Grass Valley Council Chambers, Grass Valley, California. Notice of the hearing was given in the time and manner required by law.

3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report either in writing or orally, and the City Council has considered each protest.

4. The City Council hereby confirms the diagram and assessment as set forth in the annual report of the Engineer of Work and hereby levies the assessment set forth therein for fiscal year 2023-24.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



## RESOLUTION NO. 2023-33

RESOLUTION REQUESTING THE COUNTY AUDITOR TO PLACE  
ASSESSMENTS ON THE TAX ROLL  
LANDSCAPING AND LIGHTING DISTRICT NO. 1988-1  
(COMMERCIAL DISTRICT, WHISPERING PINES AND LITTON BUSINESS PARK)

The City Council of the City of Grass Valley resolves:

On June 27, 2023, the City Council adopted Resolution No. 2023-XX, Resolution Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2023-24 for the Landscaping & Lighting District No. 1988-1, (Commercial District, Whispering Pines and Litton Business Park), City of Grass Valley, County of Nevada, State of California. In accordance with the provisions of Section 22641 of the Streets and Highways Code, the City Clerk forwarded to the County Auditor of the County of Nevada a Clerk's Certification to the County Auditor, a copy of which is attached hereto as Exhibit A and made a part hereof, and has provided the information necessary to place the annual assessment in said district on the 2023-24 tax roll.

The City Council hereby requests that the County Auditor place the assessments on said tax roll. The City Council understands that costs for this service will be charged in accordance with the "Standard Form Tax Collection Services" contract between the City of Grass Valley and the County of Nevada.

The City Clerk is hereby requested to forward a copy of this resolution to the County Auditor of the County of Nevada.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



May, 18, 2023

Item # 13.

# **ENGINEER'S REPORT**

**COMMERCIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-1**

ANNUAL ASSESMENT 2023/2024

for

CITY OF GRASS VALLEY

NEVADA COUNTY, CALIFORNIA

Respectfully submitted, as directed by the City Council.

By: \_\_\_\_\_

Bjorn P. Jones, P.E.  
R.C.E. No. 75378

**ENGINEER'S REPORT AFFIDAVIT****COMMERCIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-1**

(Whispering Pines and Litton Business Park)

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Grass Valley, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with the County Auditor of the County of Nevada on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

## **OVERVIEW**

Bjorn P. Jones, Engineer of Work for Commercial Landscaping and Lighting District No. 1988-1 (Zone 1 - Whispering Pines and Zone 2 - Litton Business Park), City of Grass Valley, Nevada County, California makes this report, as directed by City Council, pursuant to Section 22585 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The improvements which are the subject matter of this report are briefly described as follows:

### **Zone 1 - Whispering Pines**

The installation, maintenance and servicing of landscaping and associated improvements, as delineated on the plans prepared by Josephine McProud, Landscape Architect, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. Irrigation, including the operation, adjustment and repair of the irrigation system.
4. The removal of trimmings, rubbish, debris and solid waste.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.

### **Zone 2 - Litton Business Park**

The installation, maintenance and servicing of landscaping and associated improvements, as delineated on the plans prepared by Josephine McProud, Landscape Architect, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. Irrigation, including the operation, adjustment and repair of the irrigation system.
4. The removal of trimmings, rubbish, debris and solid waste.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.

The installation and maintenance of drainage ditches, trails and associated improvements, as delineated on the improvement plans for Litton Business Park - Phase One prepared by Nevada City Engineering, Inc., on file with the City of Grass Valley, including:

1. The repair, removal or replacement of any improvement.
2. The trimming, pruning, spraying and removal of vegetative matter.
3. The removal of silt, rubbish debris and solid waste.

This report consists of five (5) parts, as follows:

PART A - Plans and specifications for the improvements that are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference only.

PART B - An estimate of the cost of the improvements for Fiscal Year 2023/2024.

PART C - An assessment of the estimated cost of the improvement and levy on each benefiting parcel of land within the district.

PART D - The Method of Apportionment by which the undersigned has determined the amount proposed to be levied on each parcel.

PART E - A diagram showing all parcels of real property within this district. The diagram is keyed to Part C by Assessor's Parcel Number.

## **PART A** **PLANS**

Plans for the landscape, irrigation and street lighting for each zone have been prepared by a variety of landscape architects and engineers. These Plans have been filed separately with the City Engineer's office and are incorporated in this Report by reference only as the initial improvements were completed by separate contracts.

**PART B**  
**COST ESTIMATE**

The estimated cost for the maintenance of improvements described in this report for the fiscal year 2023/2024 includes the use of reserve funds to provide maintenance of the landscape areas and is as follows:

	<b>ZONE 1</b> <b>(Whispering Pines)</b>	<b>ZONE 2</b> <b>(Litton Business Park)</b>
<b>COST INFORMATION</b>		
Direct Maintenance Costs	\$44,050	\$3,711
Water and Electricity	\$10,000	\$1,500
County Administrative Fee	\$250	\$230
City Administration Costs	\$500	\$350
<b>Total Direct and Admin Costs</b>	<b>\$54,800</b>	<b>\$5,791</b>
<b>ASSESSMENT INFORMATION</b>		
Direct Costs	\$54,800	\$5,791
Reserve Collections/ (Transfer)	( <b>\$25,700</b> )	\$760
<b>Net Total Assessment</b>	<b>\$29,100</b>	<b>\$6,551</b>
<b>FUND BALANCE INFORMATION</b>		
Projected Reserve After FY 2022/23	\$54,770	\$5,750
Interest Earnings	\$120	\$40
Reserve Fund Adjustments	( <b>\$25,700</b> )	\$760
<b>Projected Reserve at End of Year</b>	<b>\$29,190</b>	<b>\$6,550</b>

**PART C****ASSESSMENT ROLL****Zone 1 - Whispering Pines**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$29,100.00	\$29,100.94	\$29,100.30

Percentage of Net Area	Percent of Whispering Pines Lane frontage	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1.11%	3.82%	717.80	009-680-003	01056	358.90	358.90
1.95%	8.70%	1,549.20	009-680-004	01056	774.60	774.60
1.59%	4.42%	875.40	009-680-005	01056	437.70	437.70
2.16%	3.57%	834.40	009-680-006	01056	417.20	417.20
0.85%	3.31%	604.60	009-680-007	01056	302.30	302.30
1.10%	3.25%	632.30	009-680-009	01056	316.15	316.15
0.93%	3.47%	640.80	009-680-015	01056	320.40	320.40
0.00%	0.00%	0.00	009-680-019	01056	0.00	0.00
0.00%	0.00%	0.00	009-680-022	01056	0.00	0.00
6.33%	0.00%	920.70	009-680-024	01056	460.35	460.35
1.73%	3.03%	692.50	009-680-025	01056	346.25	346.25
1.30%	2.28%	520.60	009-680-026	01056	260.30	260.30
1.30%	2.22%	513.40	009-680-027	01056	256.70	256.70
0.00%	0.00%	0.00	009-680-037	01056	0.00	0.00
0.00%	0.00%	0.00	009-680-038	01056	0.00	0.00
0.66%	1.23%	274.90	009-680-039	01056	137.45	137.45
0.66%	1.23%	274.90	009-680-040	01056	137.45	137.45
0.65%	1.23%	273.50	009-680-041	01056	136.75	136.75
0.00%	0.00%	0.00	009-760-026	01056	0.00	0.00
0.35%	0.37%	104.10	009-760-024	01056	52.05	52.05
0.31%	0.37%	99.20	009-760-023	01056	49.60	49.60
0.32%	0.37%	99.70	009-760-022	01056	49.85	49.85
0.33%	0.37%	101.40	009-760-021	01056	50.70	50.70
0.33%	0.37%	102.00	009-760-020	01056	51.00	51.00
0.32%	0.37%	100.10	009-760-019	01056	50.05	50.05
0.32%	0.37%	100.20	009-760-018	01056	50.10	50.10
0.32%	0.37%	99.50	009-760-017	01056	49.75	49.75
0.31%	0.37%	99.40	009-760-016	01056	49.70	49.70
0.33%	0.37%	101.70	009-760-015	01056	50.85	50.85
0.33%	0.37%	101.40	009-760-001	01056	50.70	50.70
0.32%	0.37%	100.20	009-760-002	01056	50.10	50.10
0.32%	0.37%	100.30	009-760-003	01056	50.15	50.15
0.33%	0.37%	102.00	009-760-004	01056	51.00	51.00
0.33%	0.37%	101.80	009-760-005	01056	50.90	50.90
0.32%	0.37%	99.90	009-760-006	01056	49.95	49.95
0.33%	0.37%	101.60	009-760-007	01056	50.80	50.80
0.34%	0.37%	103.20	009-760-009	01056	51.60	51.60
0.36%	0.37%	105.50	009-760-011	01056	52.75	52.75
0.37%	0.37%	108.20	009-760-013	01056	54.10	54.10
1.12%	2.53%	531.20	009-680-054	01056	265.60	265.60
1.14%	4.16%	770.50	009-690-001	01056	385.25	385.25
1.52%	7.62%	1,330.30	009-690-002	01056	665.15	665.15
1.48%	0.00%	215.60	009-690-004	01056	107.80	107.80
1.87%	8.18%	1,462.20	009-690-005	01056	731.10	731.10
1.06%	2.51%	519.50	009-690-009	01056	259.75	259.75
1.42%	0.00%	206.10	009-690-012	01056	103.05	103.05
1.00%	3.52%	656.60	009-690-013	01056	328.30	328.30



**PART C****ASSESSMENT ROLL****Zone 1 - Whispering Pines**

1.86%	3.46%	774.60	009-690-015	01056	387.30	387.30
2.27%	0.00%	330.90	009-690-016	01056	165.45	165.45
1.30%	0.00%	188.50	009-690-019	01056	94.25	94.25
2.12%	0.00%	307.80	009-690-025	01056	153.90	153.90
0.00%	0.00%	0.00	009-750-002	01056	0.00	0.00
0.25%	0.00%	36.30	009-750-003	01056	18.15	18.15
0.28%	0.00%	40.30	009-750-004	01056	20.15	20.15
0.22%	0.00%	32.20	009-750-005	01056	16.10	16.10
0.18%	0.00%	26.80	009-750-006	01056	13.40	13.40
0.25%	0.00%	36.30	009-750-007	01056	18.15	18.15
0.27%	0.00%	39.00	009-750-008	01056	19.50	19.50
0.19%	0.00%	28.10	009-750-009	01056	14.05	14.05
0.22%	0.00%	32.20	009-750-010	01056	16.10	16.10
0.00%	0.00%	0.00	009-690-040	01056	0.00	0.00
0.14%	0.34%	69.70	009-690-041	01056	34.85	34.85
0.12%	0.34%	66.90	009-690-042	01056	33.45	33.45
0.13%	0.34%	68.30	009-690-043	01056	34.15	34.15
0.14%	0.34%	69.70	009-690-044	01056	34.85	34.85
0.11%	0.34%	65.60	009-690-045	01056	32.80	32.80
0.12%	0.34%	66.90	009-690-046	01056	33.45	33.45
0.12%	0.34%	66.90	009-690-047	01056	33.45	33.45
0.10%	0.34%	64.20	009-690-048	01056	32.10	32.10
0.09%	0.34%	62.90	009-690-049	01056	31.45	31.45
0.10%	0.34%	64.20	009-690-050	01056	32.10	32.10
0.09%	0.34%	62.90	009-690-051	01056	31.45	31.45
0.10%	0.34%	64.20	009-690-052	01056	32.10	32.10
0.09%	0.34%	62.90	009-690-053	01056	31.45	31.45
0.09%	0.34%	62.90	009-690-054	01056	31.45	31.45
0.09%	0.34%	62.90	009-690-055	01056	31.45	31.45
0.09%	0.34%	62.90	009-690-056	01056	31.45	31.45
0.10%	0.34%	64.20	009-690-057	01056	32.10	32.10
0.09%	0.34%	62.90	009-690-058	01056	31.45	31.45
0.09%	0.34%	62.90	009-690-059	01056	31.45	31.45
1.72%	3.06%	696.00	009-690-031	01056	348.00	348.00
1.41%	3.06%	649.50	009-690-032	01056	324.75	324.75
1.82%	0.00%	264.40	009-690-036	01056	132.20	132.20
4.41%	0.86%	766.70	009-690-037	01056	383.35	383.35
1.34%	5.39%	980.10	009-690-039	01056	490.05	490.05
1.68%	0.00%	244.10	009-770-021	01051	122.05	122.05
2.04%	0.00%	297.00	009-770-022	01051	148.50	148.50
1.59%	0.00%	231.90	009-770-023	01051	115.95	115.95
2.53%	0.00%	368.80	009-770-024	01051	184.40	184.40
2.52%	0.00%	366.10	009-770-025	01051	183.05	183.05
2.35%	0.00%	341.70	009-770-032	01051	170.85	170.85
1.32%	0.00%	192.60	009-770-033	01051	96.30	96.30
0.00%	0.00%	0.00	009-770-034	01054	0.00	0.00
0.00%	0.00%	0.00	009-770-035	01054	0.00	0.00
0.00%	0.00%	0.00	009-770-037	01051	0.00	0.00
1.40%	0.00%	203.40	009-770-038	01056	101.70	101.70
0.96%	0.00%	139.70	009-770-039	01056	69.85	69.85
1.00%	0.00%	145.10	009-770-049	01051	72.55	72.55
1.18%	0.00%	172.20	009-770-050	01051	86.10	86.10
0.00%	0.00%	0.00	009-770-057	01056	0.00	0.00
3.19%	0.00%	463.80	009-770-058	01051	231.90	231.90
2.29%	0.00%	333.60	009-770-059	01051	166.80	166.80

**PART C****ASSESSMENT ROLL****Zone 1 - Whispering Pines**

1.87%	0.00%	272.60	009-770-060	01051	136.30	136.30
3.77%	0.00%	547.80	009-770-063	01051	273.90	273.90
2.34%	0.00%	340.40	009-770-065	01051	170.20	170.20
0.55%	0.00%	80.00	009-770-068	01051	40.00	40.00
1.20%	0.00%	174.90	009-770-069	01051	87.45	87.45
3.73%	0.00%	542.40	009-770-070	01051	271.20	271.20
0.00%	0.00%	0.00	009-770-071	01051	0.00	0.00
0.53%	0.00%	77.70	009-770-072	01051	38.85	38.85
0.00%	0.00%	0.00	009-770-073	01051	0.00	0.00
0.16%	0.00%	23.50	009-770-074	01051	11.75	11.75
0.20%	0.00%	28.90	009-770-075	01051	14.45	14.45
<b>Total - Zone 1 =</b>		<b>\$29,100.30</b>			<b>\$14,550.15</b>	<b>\$14,550.15</b>

**PART C**

**ASSESSMENT ROLL**

**Zone 2 - Litton Business Park**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$6,551.00	\$6,551.00	\$6,550.50

Development Areas	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	\$344.80	008-060-056	01056	172.40	172.40
1	\$344.80	035-260-085	01056	172.40	172.40
1	\$344.80	035-260-086	01056	172.40	172.40
1	\$344.80	035-330-015	01056	172.40	172.40
0.83	\$286.20	035-330-020	01056	143.10	143.10
0.17	\$58.60	035-330-021	01056	29.30	29.30
1	\$344.80	035-530-009	01056	172.40	172.40
1	\$344.80	035-530-010	01056	172.40	172.40
1	\$344.80	035-530-012	01056	172.40	172.40
1	\$344.80	035-530-013	01056	172.40	172.40
1	\$344.80	035-530-014	01056	172.40	172.40
0.2482	\$85.60	035-530-017	01056	42.80	42.80
0.2482	\$85.60	035-530-018	01056	42.80	42.80
0.5035	\$173.60	035-530-019	01056	86.80	86.80
0	\$0.00	035-540-003	01056	0.00	0.00
0	\$0.00	035-540-014	01056	0.00	0.00
0.0561	\$19.30	035-540-015	01056	9.65	9.65
0.0523	\$18.00	035-540-016	01056	9.00	9.00
0.0523	\$18.00	035-540-017	01056	9.00	9.00
0.0561	\$19.30	035-540-018	01056	9.65	9.65
0.1412	\$48.70	035-540-019	01056	24.35	24.35
0.0546	\$18.80	035-540-020	01056	9.40	9.40
0.0874	\$30.10	035-540-021	01056	15.05	15.05
0.1031	\$35.50	035-540-022	01056	17.75	17.75
0.0575	\$19.80	035-540-023	01056	9.90	9.90
0.0561	\$19.30	035-540-024	01056	9.65	9.65
0.0503	\$17.30	035-540-025	01056	8.65	8.65
0.0499	\$17.20	035-540-026	01056	8.60	8.60
0.0479	\$16.50	035-540-027	01056	8.25	8.25
0.1352	\$46.60	035-540-028	01056	23.30	23.30
1	\$344.80	035-540-005	01056	172.40	172.40
1	\$344.80	035-540-006	01056	172.40	172.40
1	\$344.80	035-540-012	01056	172.40	172.40
1	\$344.80	035-540-032	01056	172.40	172.40
1	\$344.80	035-540-033	01056	172.40	172.40
0.1928	\$66.50	035-590-003	01056	33.25	33.25
0.0628	\$21.60	035-590-004	01056	10.80	10.80

**PART C**

**ASSESSMENT ROLL**

**Zone 2 - Litton Business Park**

0.1570	\$54.10	035-590-005	01056	27.05	27.05
0.0854	\$29.40	035-590-006	01056	14.70	14.70
0.1151	\$39.70	035-590-007	01056	19.85	19.85
0.1412	\$48.70	035-590-008	01056	24.35	24.35
0.0948	\$32.70	035-590-009	01056	16.35	16.35
0.1457	\$50.20	035-590-010	01056	25.10	25.10
0.2641	\$91.10	035-590-011	01056	45.55	45.55
0.0638	\$22.00	035-590-012	01056	11.00	11.00
0.0651	\$22.40	035-590-013	01056	11.20	11.20
0.1123	\$38.70	035-590-014	01056	19.35	19.35
0.0764	\$26.30	035-590-015	01056	13.15	13.15
0.0941	\$32.40	035-590-016	01056	16.20	16.20
0.0855	\$29.50	035-590-017	01056	14.75	14.75
0.0658	\$22.70	035-590-018	01056	11.35	11.35
0.0651	\$22.40	035-590-023	01056	11.20	11.20
0.1129	\$38.90	035-590-020	01056	19.45	19.45
19 (rounded)	<b>\$6,550.50</b>	<b>= Total - Zone 2</b>		<b>\$3,275.25</b>	<b>\$3,275.25</b>

## **PART D**

### **METHOD OF APPORTIONING**

In order to maintain sufficient funding for the Districts, assessments will be adjusted annually by the Consumer Price Indexes (CPI) Pacific Cities and U.S. City Average for February of the year of calculation All Items Indexes for the West. The corresponding CPI for February 2023 was 6.0%.

#### **ZONE 1 - Whispering Pines**

The Whispering Pines development created the 1988-1 Commercial L&L District in 1988. Because the district was created before Proposition 218, the initial assessment per property has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year.

This assessment spread uses two factors to determine individual lot assessments. Fifty percent of the cost is spread using the net area of each lot as to the total net area. Net area is the area remaining in each lot after deducting the area dedicated to open space. The remaining fifty percent is spread to those lots fronting Whispering Pines Lane on a front foot basis as a percentage of the total length of frontage along Whispering Pines Lane. The formula is:

Assessment Per Parcel = Round  $\left( \left[ \frac{\text{Total Assessment}}{2} \right] \times (\% \text{ of Net Area}) \right) + \left[ \frac{\text{Total Assessment}}{2} \right] \times (\% \text{ of Whispering Pines Lane Frontage})$

Notwithstanding the foregoing method of apportionment, parcels numbered 19, 20, 21, 22 and 23 shall receive zero assessments for the first year as shown in the second amended Engineer's Report and each of said parcels shall continue to receive no assessment until such time as the parcel is sold or developed. Development shall be evidenced by issuance of a building permit; provided, however, that the issuance of a building permit to reconstruct the sanctuary of the Whispering Pines Church of God located on parcel numbers 19 and 20 shall not be construed to be development. At the time of sale or development of each of said parcels, they shall thereafter be assessed in accordance with the method of apportionment hereinabove set forth.

The total assessment for 2022/2023 was \$27,453.70 Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$29,100.94. The actual total assessment will be \$29,100.30. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula above which incorporates each parcel's net area and length of Whispering Pines Lane frontage.

## **ZONE 2 - Litton Business Park**

The Litton Business Park was annexed into the 1988-1 Commercial L&L District in 1999. Although the district was created after Proposition 218, the initial assessment per property has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund.

The initial assessment spread created a yearly assessment per development area of \$480.00. It is the intent that each development area of the entire project share equally in all Landscaping and Lighting District expenses upon completion of said project. As future phases of this project are incorporated into the Landscaping and Lighting District, the existing assessment area will be reassessed and new assessment values will be calculated equally per development area. The assessment formula is:

Assessment Per Parcel = Round ((# of Development Areas) \* (Total Assessment)) / (Total # of Development Areas)

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year.

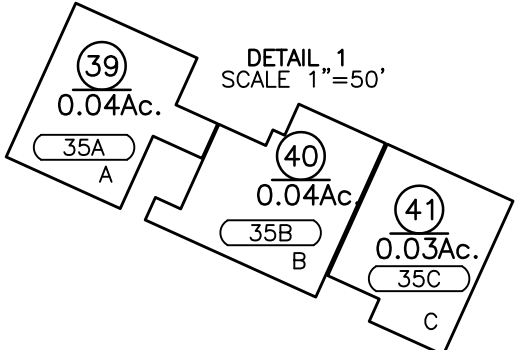
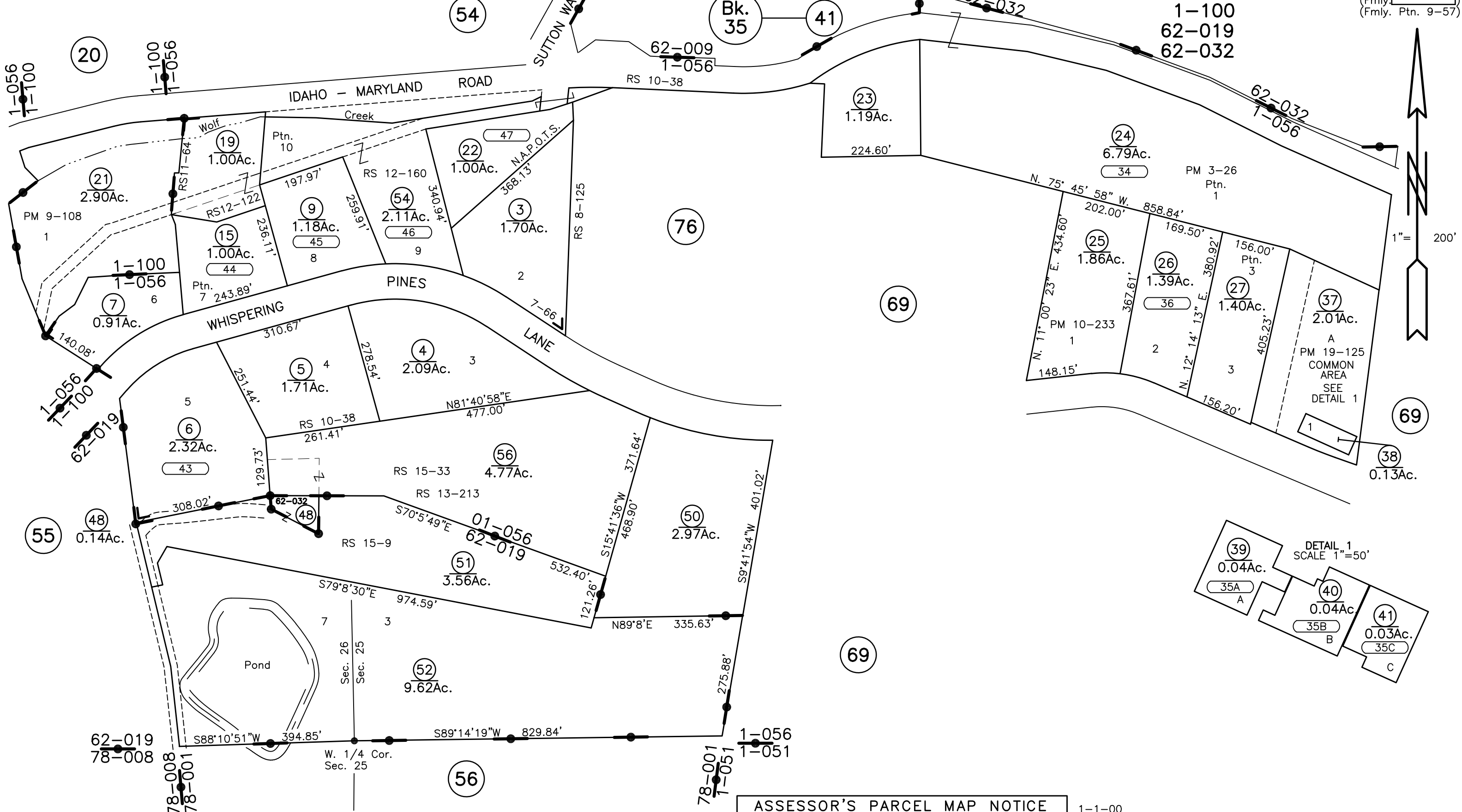
The total assessment for 2022/2023 was \$6,178.80. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$6,551.00. The actual total assessment will be \$6,550.50. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the original number of parcels. Parcels subdivided after the initial assessment pay a portion of the assessment based on percentage of area of the original parcel.

**PART E**  
**ASSESSMENT DIAGRAM**

The following pages are excerpts from the latest Assessor's Parcel Maps of the County of Nevada illustrating the approximate location, size and area of the benefiting parcels within the Landscaping and Lighting District.

Tax Area Code  
1-056  
1-100  
62-019  
62-032

9 Item # 13.  
(Fmly. Ptn. 9-57)



CENTENNIAL PARK SUB. Bk. 7, Pg. 66  
GRASS VALLEY ANNEX. No. 67 RS Bk. 9, Pg. 203  
WHISPERING PINES/MORGAN RANCH REFUNDING DISTRICT

**ASSESSOR'S PARCEL MAP NOTICE**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances. Assessor's block numbers shown in ellipses; parcel numbers are shown in circles. All distances on curved lines are chord measurements.

1-1-00  
1-1-01  
1-1-02  
1-1-05  
1-1-07  
1-1-08  
1-1-21

Assessor's Map Bk. 9 -Pg.68  
County of Nevada, Calif.  
1999

LAST UPDATE: 12-24-20



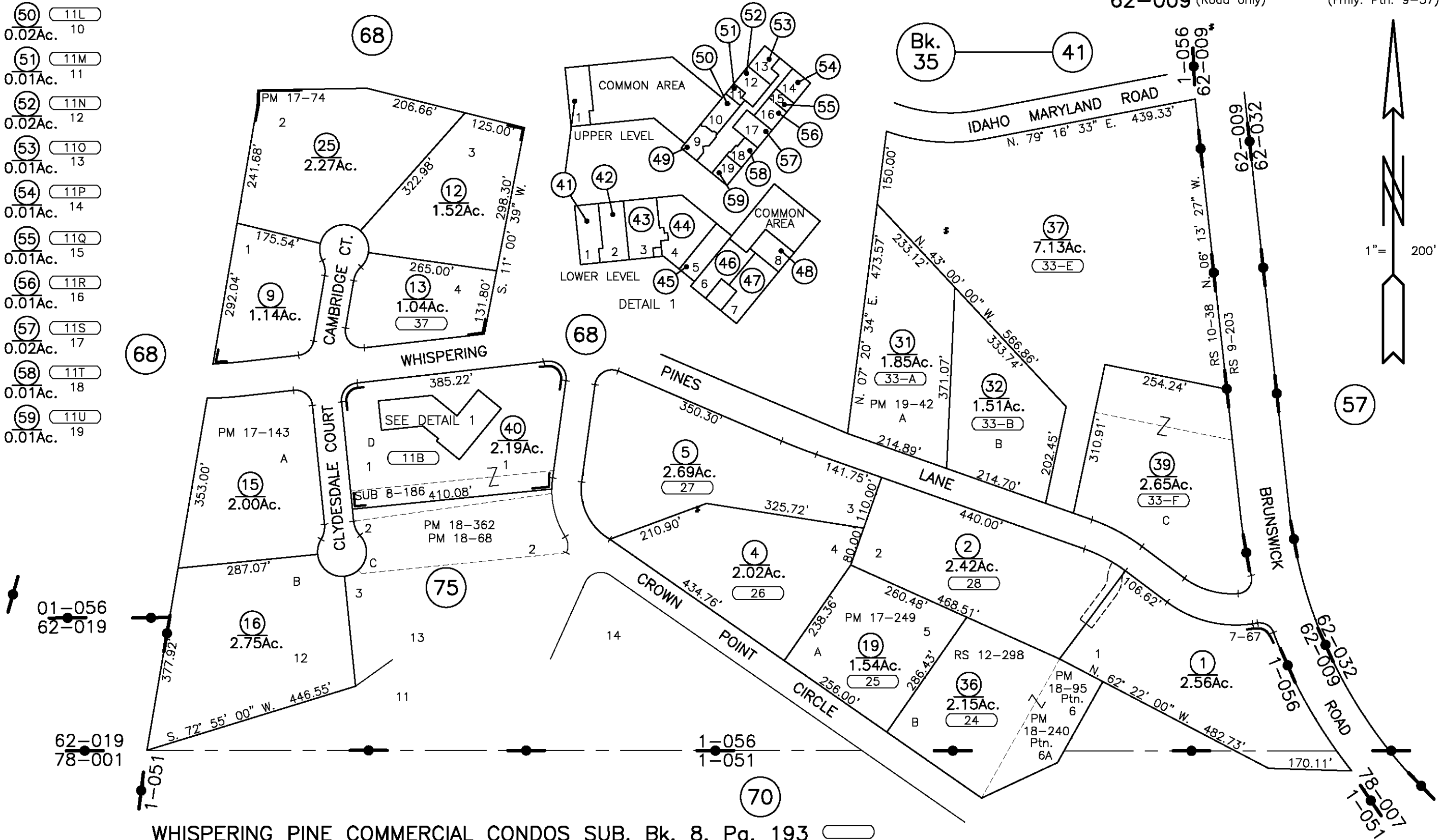
ZONE 1 - WP

PTN. SEC. 25, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code  
1-056  
62-009 (Road only)

Item # 13.  
(Fmly. Ptn. 9-57)

- |                    |                     |
|--------------------|---------------------|
| (41) 11C 0.06Ac. 1 | (50) 11L 0.02Ac. 10 |
| (42) 11D 0.04Ac. 2 | (51) 11M 0.01Ac. 11 |
| (43) 11E 0.05Ac. 3 | (52) 11N 0.02Ac. 12 |
| (44) 11F 0.06Ac. 4 | (53) 11O 0.01Ac. 13 |
| (45) 11G 0.03Ac. 5 | (54) 11P 0.01Ac. 14 |
| (46) 11H 0.04Ac. 6 | (55) 11Q 0.01Ac. 15 |
| (47) 11I 0.04Ac. 7 | (56) 11R 0.01Ac. 16 |
| (48) 11J 0.02Ac. 8 | (57) 11S 0.02Ac. 17 |
| (49) 11K 0.01Ac. 9 | (58) 11T 0.01Ac. 18 |
|                    | (59) 11U 0.01Ac. 19 |



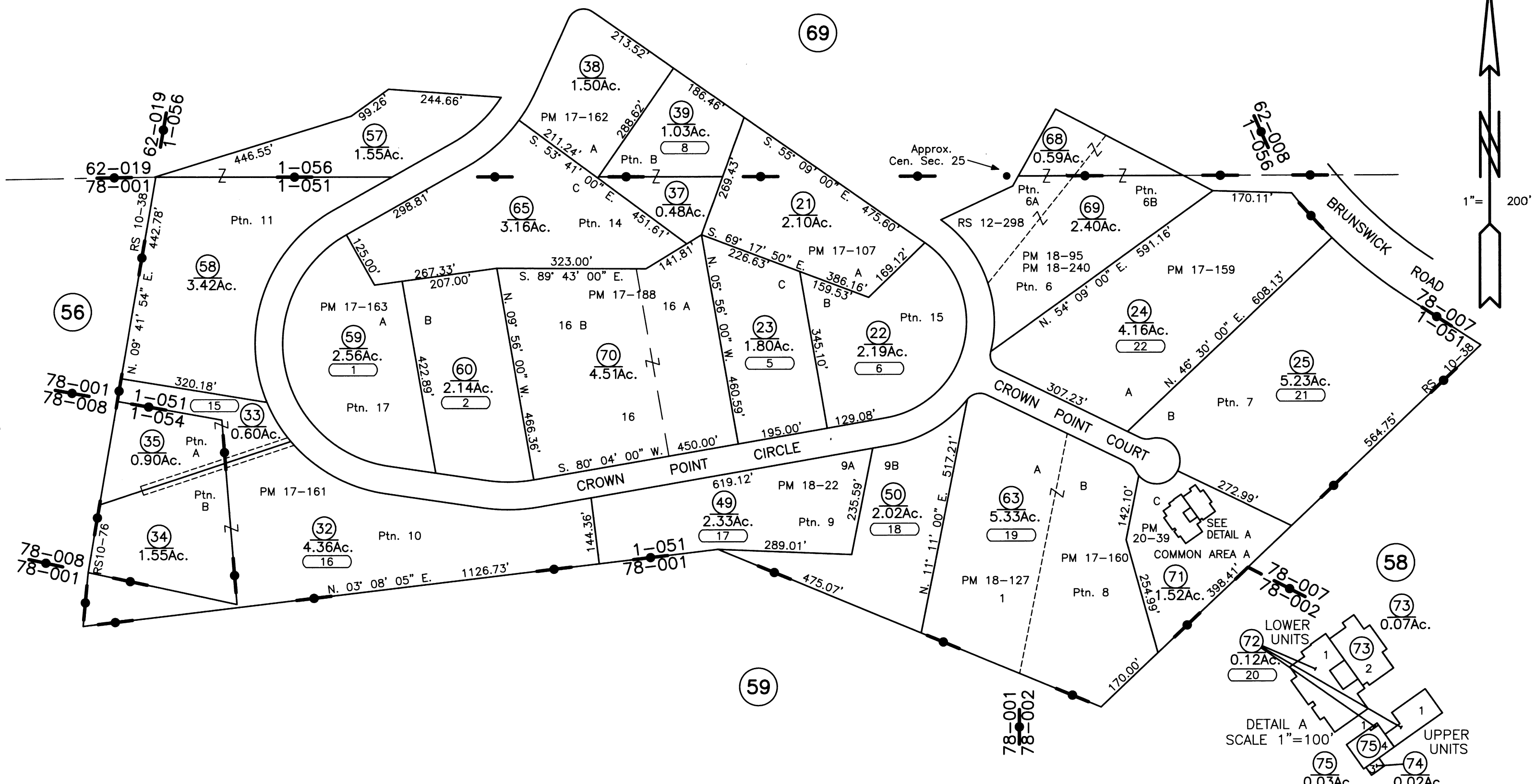
WHISPERING PINE COMMERCIAL CONDOS SUB. Bk. 8, Pg. 193  
CLYDESDALE COMMERCE CENTER SUB. Bk. 8, Pg. 186  
WHISPERING PINES/MORGAN RANCH REASSESSMENT  
CAMBRIDGE PARK P. M. Bk. 17, Pg. 74  
GRASS VALLEY ANNEX. No. 67 RS Bk. 9, Pg. 203  
WHISPERING PINES PARK SUB. Bk. 7, Pg. 67  
WHISPERING PINES/MORGAN RANCH REFUNDING DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

Assessor's Map Bk. 9 -Pg. 69  
County of Nevada, Calif.  
2011  
LAST UPDATE: 4-10-12  
Page 173  
AAG 2/11

Tax Area Code  
1-051  
1-054  
1-056

Item # 13.  
(Fmly. Ptn. 9-18)  
(Fmly. Ptn. 9-58)



**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

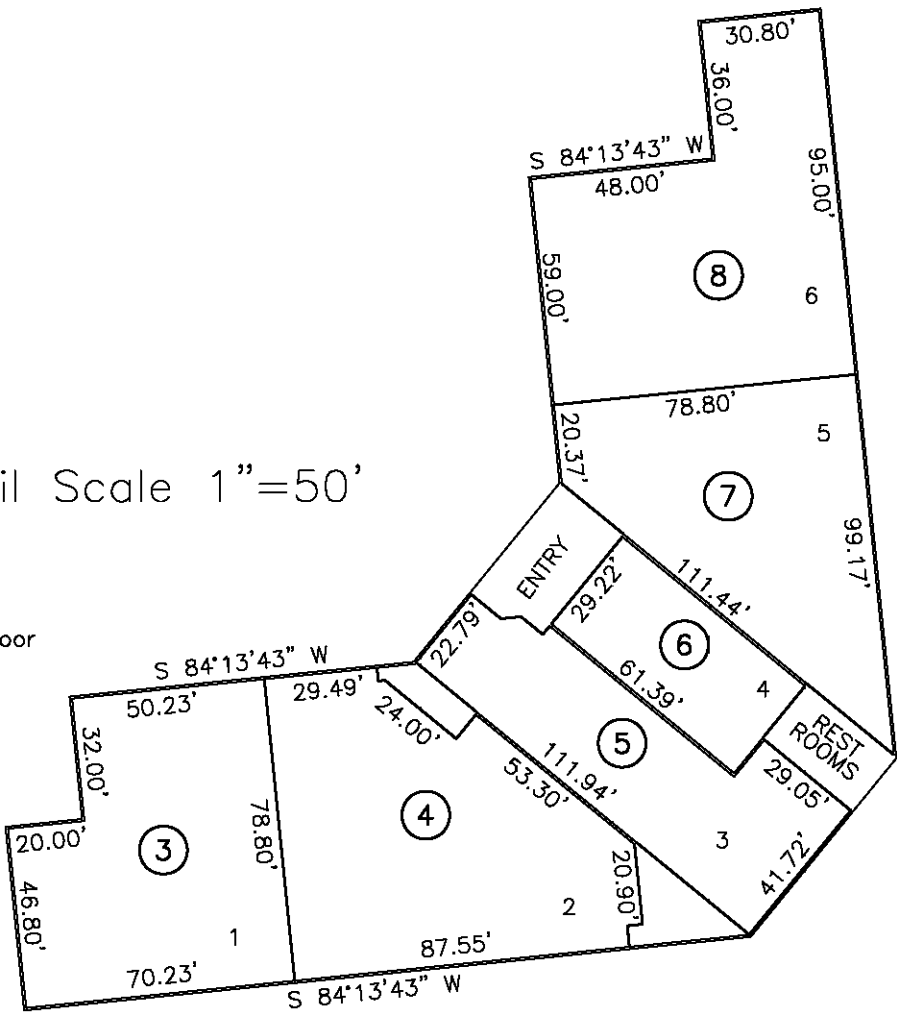
GRASS VALLEY ANNEX No. 67 R.S. Bk. 9, Pg. 203  
WHISPERING PINES PARK SUB. Bk. 7, Pg. 67  
WHISPERING PINES/MORGAN RANCH REFUNDING DIST.  

- 1-1-02
- 1-1-03
- 1-1-04
- 1-1-05
- 1-1-06
- 1-1-07
- 1-1-08

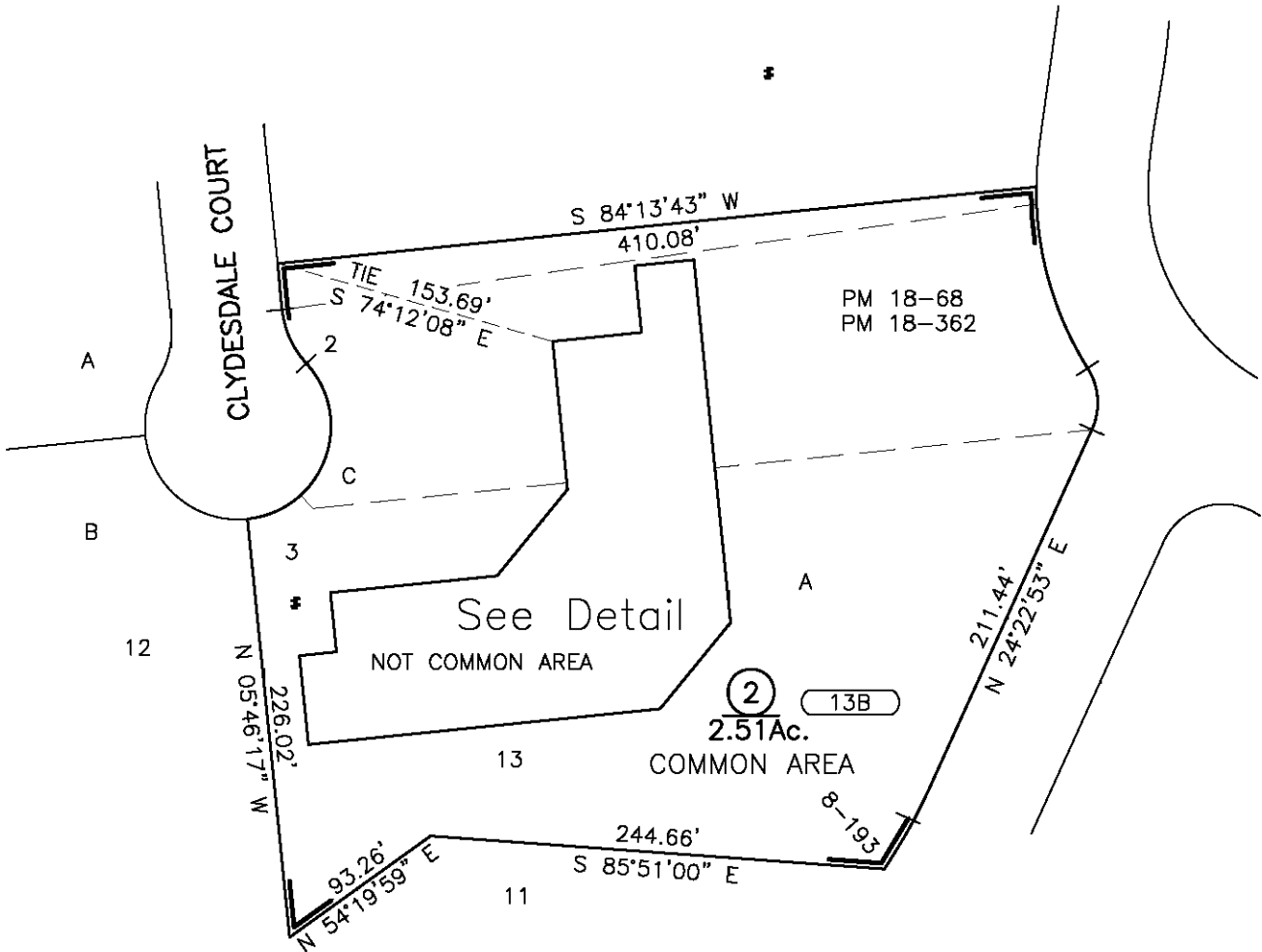
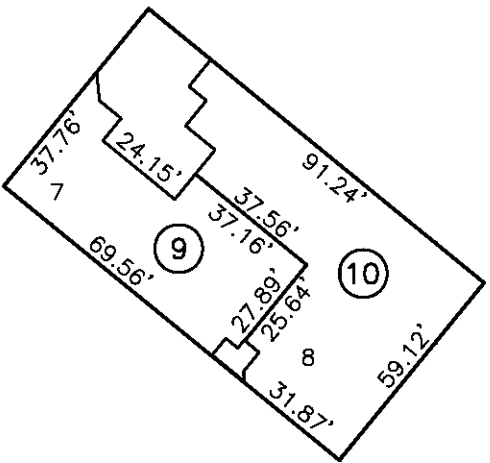
Assessor's Map Bk. 9 -Pg.70  
County of Nevada, Calif.  
2001

Detail Scale 1"=50'

First Floor



Second Floor



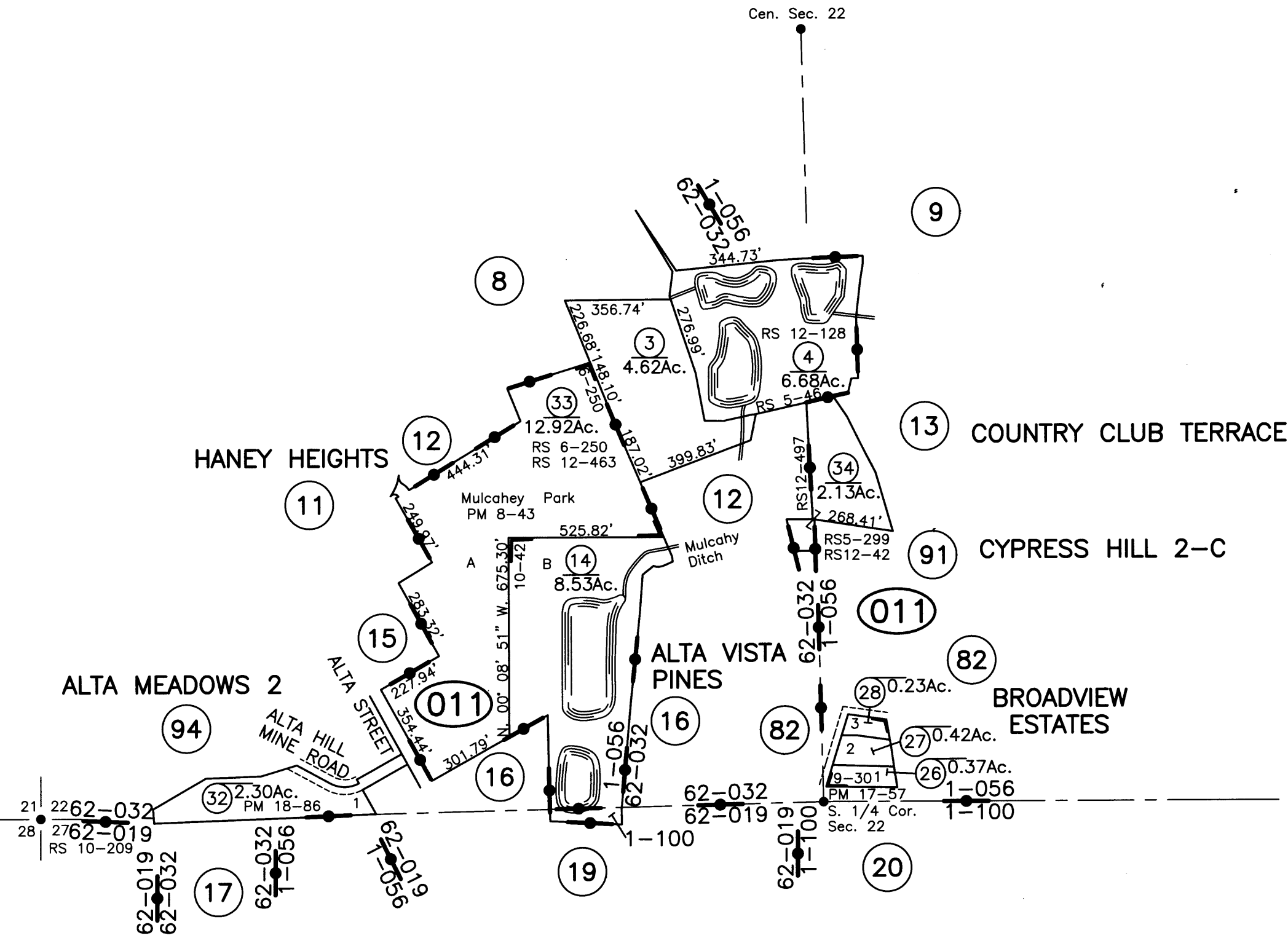
NOTE: Amended Reassessment NO. 13A  
See Doc# 11-10381 for revised lien amounts  
for Parcels 2 thru 10.

LAST UPDATE: 3-8-12

1"= 100'

- 3 0.11Ac. 13C
- 4 0.13Ac. 13D
- 5 0.08Ac. 13E
- 6 0.04Ac. 13F
- 7 0.11Ac. 13G
- 8 0.13Ac. 13H
- 9 0.05Ac. 13I
- 10 0.08Ac. 13J

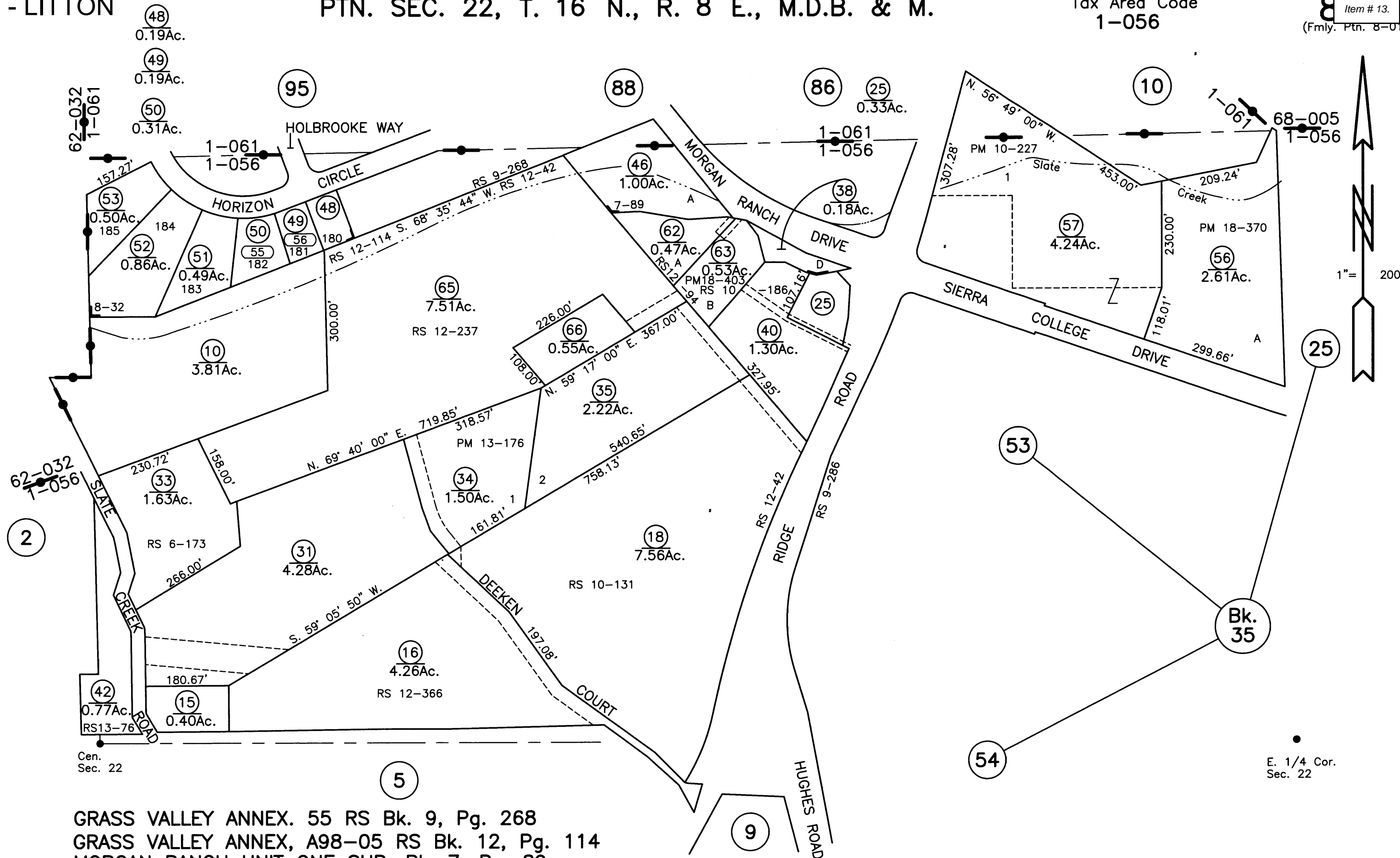
**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.



GRASS VALLEY ANNEX 41 R.S. Bk. 6, Pg. 250  
GRASS VALLEY ANNEX 41-A R.S. Bk. 10, Pg. 42  
GRASS VALLEY ANNEX 51-A R.S. Bk. 9, Pg. 30

**ASSESSOR'S PARCEL MAP**  
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NOTE: Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles  
**Assessor's Map Bk. 8 -Pg. 01**  
**County of Nevada, Calif.**  
**2003**  
Last Update 8-7-08



GRASS VALLEY ANNEX. 55 RS Bk. 9, Pg. 268  
GRASS VALLEY ANNEX, A98-05 RS Bk. 12, Pg. 114  
MORGAN RANCH UNIT ONE SUB. Bk. 7, Pg. 89  
MORGAN RANCH UNIT 3A SUB. Bk. 8, Pg. 32  
WHISPERING PINES/MORGAN RANCH REFUNDING DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

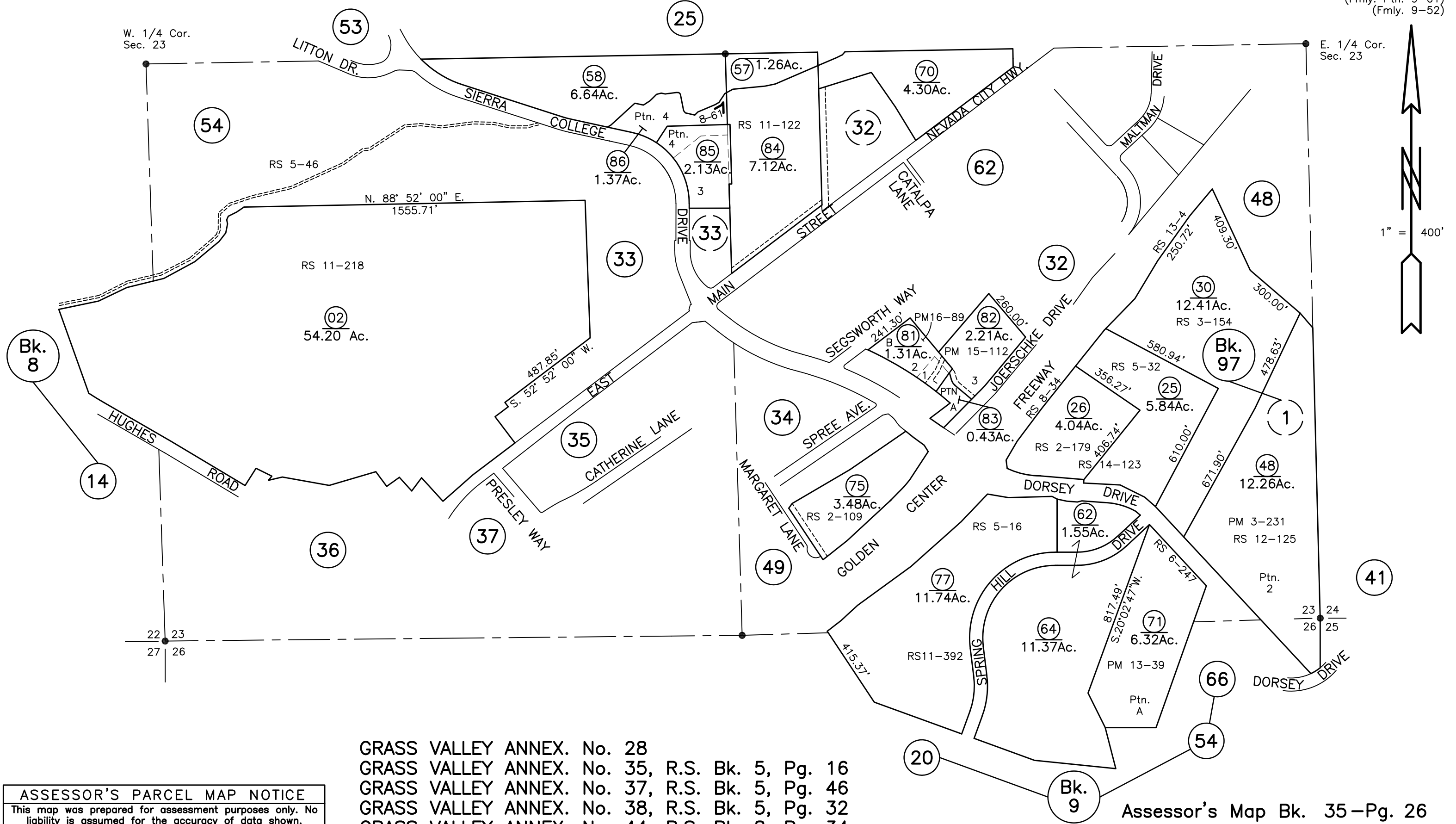
1-1-99  
1-1-00  
1-1-02  
1-1-03  
1-1-05  
1-1-06  
1-1-07

Assessor's Map Bk. 8 -Pg.06  
County of Nevada, Calif.  
1998

Last Updated 8-7-08

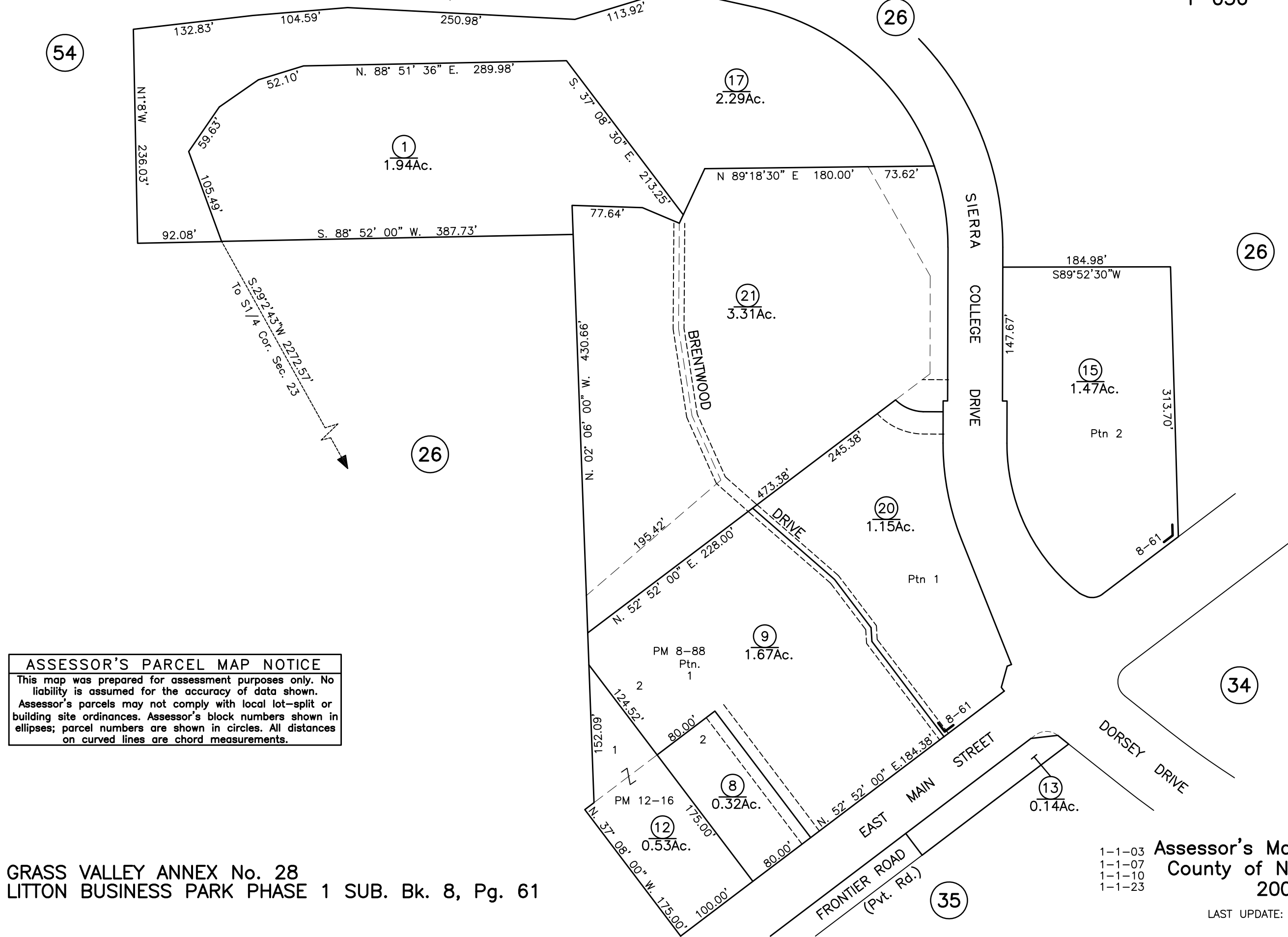
Page 177

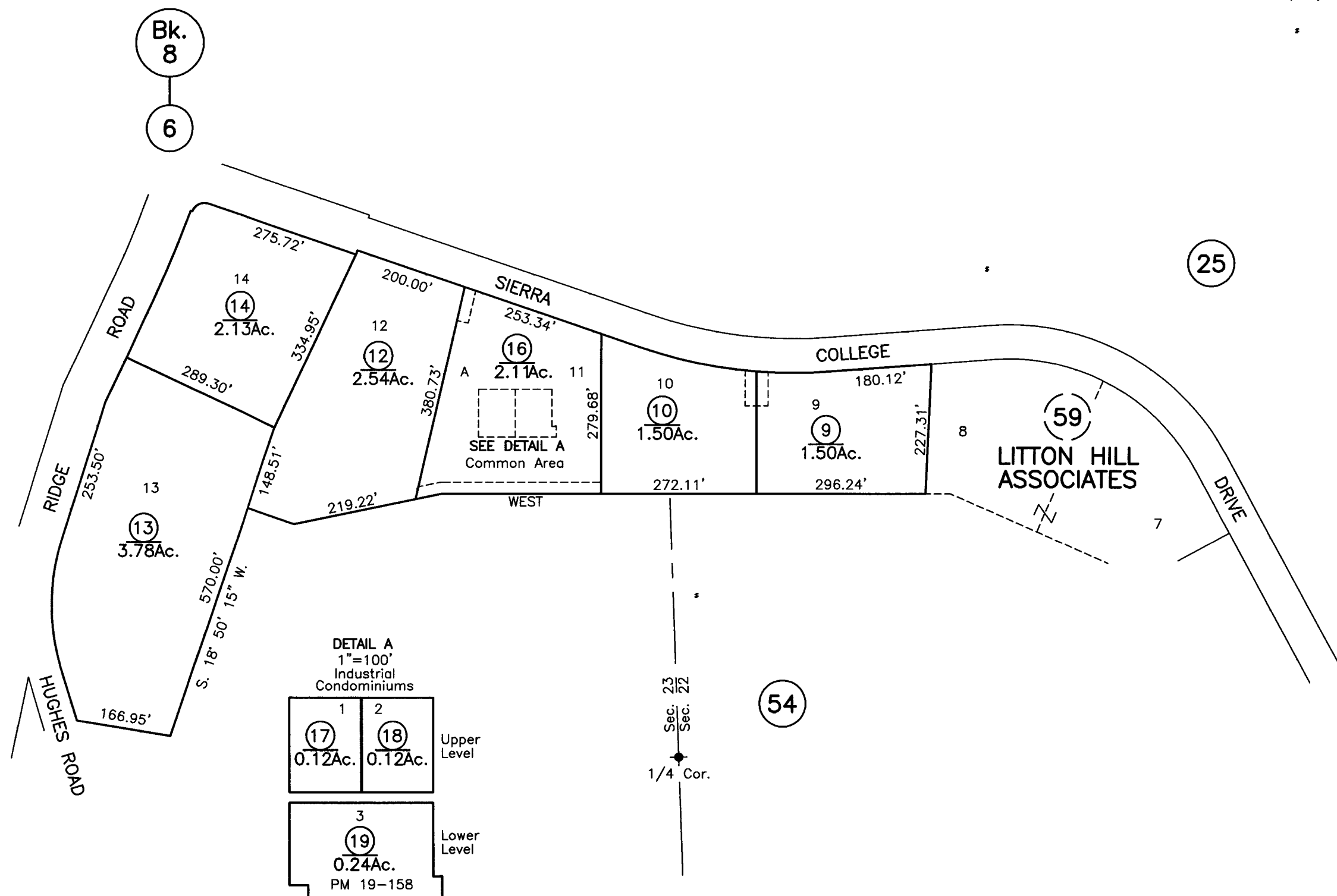
NW 12/98



ASSESSOR'S PARCEL MAP NOTICE

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LITTON BUSINESS PARK PHASE ONE SUB. Bk. 8, Pg. 61  
SIERRA BUILDING GROUP LLC P.M. Bk. 19, Pg. 158

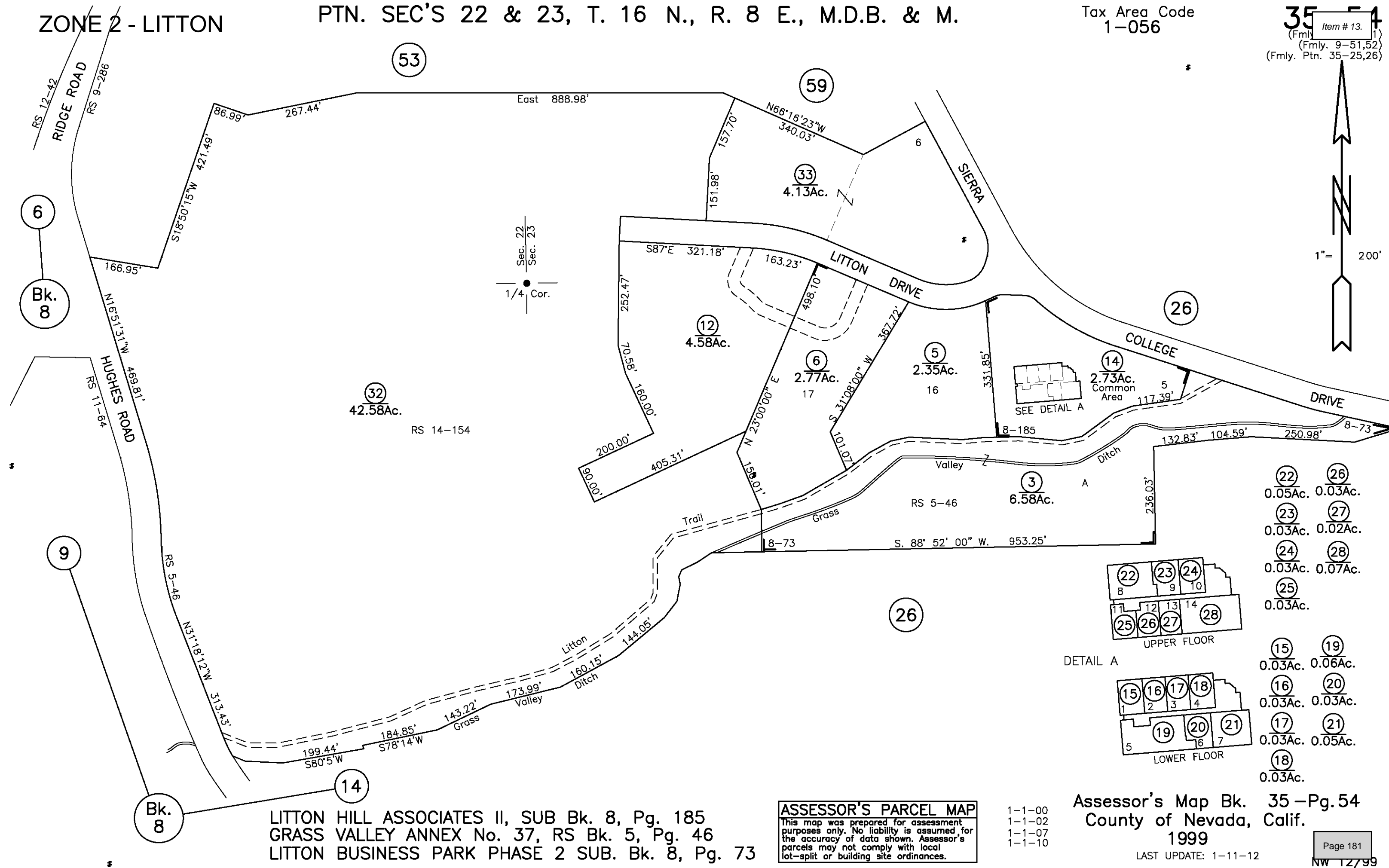
**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-99  
1-1-01  
1-1-02  
1-1-03  
1-1-06  
1-1-07  
1-1-10

Assessor's Map Bk. 35 -Pg.53  
County of Nevada, Calif.  
1998

Last Update 1-27-11





LITTON HILL ASSOCIATES II, SUB Bk. 8, Pg. 185  
GRASS VALLEY ANNEX No. 37, RS Bk. 5, Pg. 46  
LITTON BUSINESS PARK PHASE 2 SUB. Bk. 8, Pg. 73

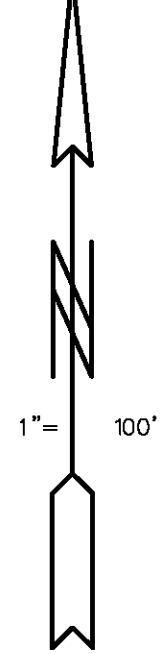
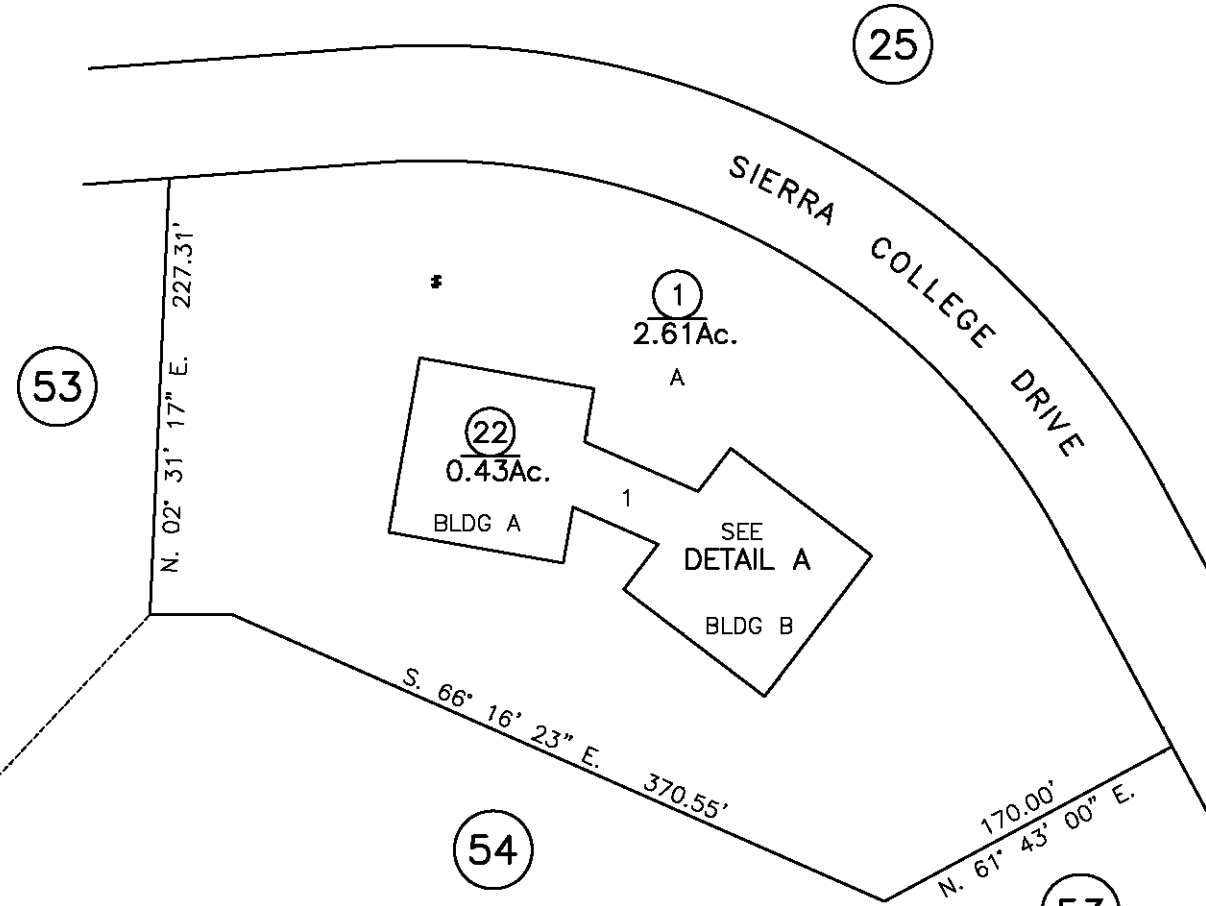
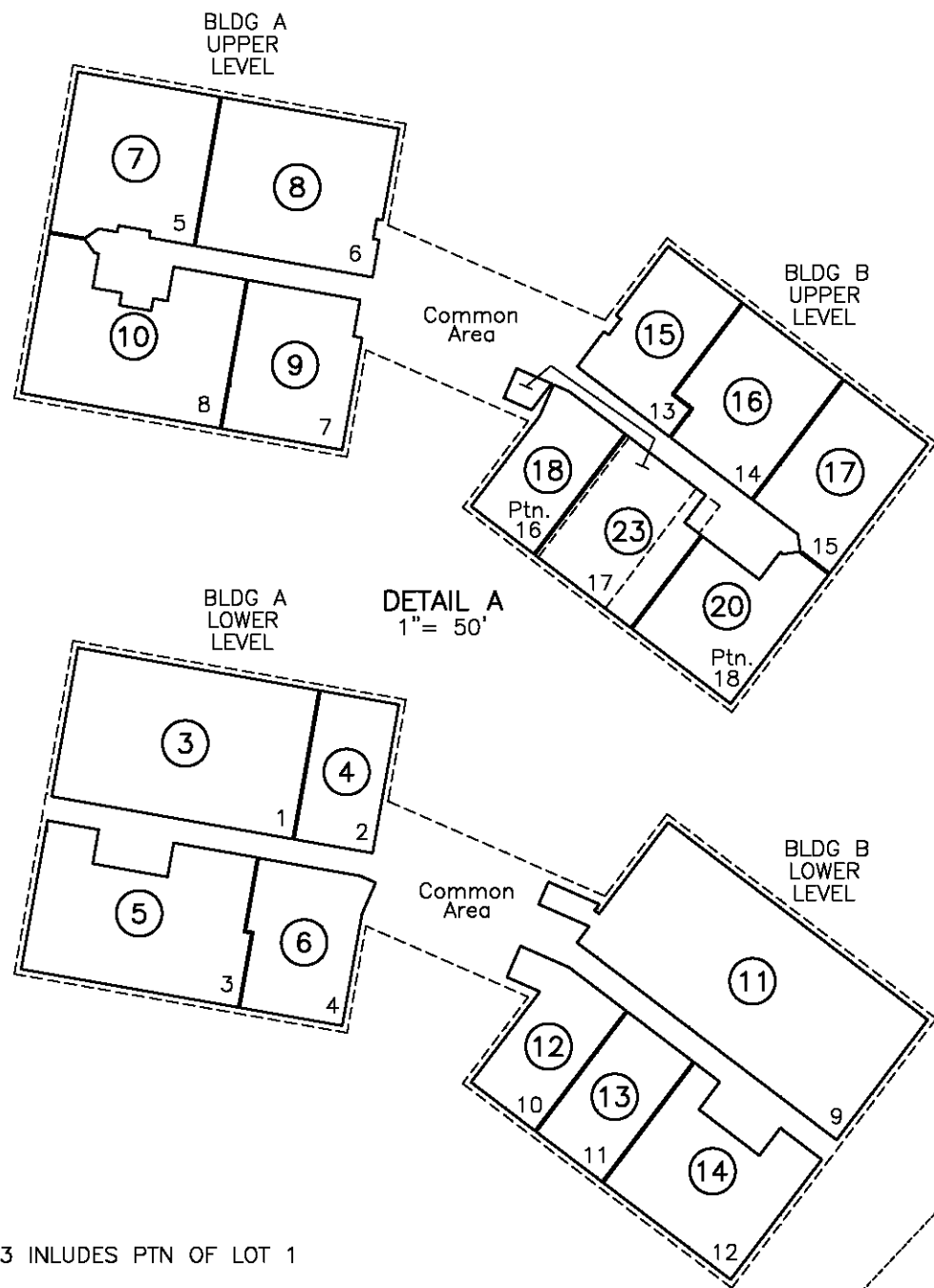
**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-00  
1-1-02  
1-1-07  
1-1-10

Assessor's Map Bk. 35 -Pg.54  
County of Nevada, Calif.  
1999

LAST UPDATE: 1-11-12

- 3 0.06Ac.
- 4 0.02Ac.
- 5 0.05Ac.
- 6 0.03Ac.
- 7 0.04Ac.
- 8 0.05Ac.
- 9 0.03Ac.
- 10 0.05Ac.
- 11 0.09Ac.
- 12 0.02Ac.
- 13 0.02Ac.
- 14 0.04Ac.
- 15 0.02Ac.
- 16 0.03Ac.
- 17 0.03Ac.
- 18 0.02Ac.
- 23 0.03Ac. NOTE: PCL 23 INCLUDES PTN OF LOT 1
- 20 0.03Ac.



W. 1/4 Cor.  
Sec. 23

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-02  
1-1-04  
1-1-05

## RESOLUTION NO. 2023-34

RESOLUTION CONFIRMING DIAGRAM AND  
ASSESSMENT AND LEVYING ASSESSMENT FOR FISCAL YEAR 2023-24  
LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2  
(Pursuant to the Landscaping and Lighting Act of 1972)  
(Residential Landscaping and Lighting District – Morgan Ranch,  
Ventana Sierra, Scotia Pines, Morgan Ranch West and Ridge Meadows)

The City Council of the City of Grass Valley resolves:

1. Pursuant to Chapter 3 of the Landscaping and Lighting Act of 1972, the City Council directed Bjorn Jones, P.E., Engineer of Work for Assessment District No. 1988-2, to prepare and file an annual report for fiscal year 2023-24.
2. The Engineer of Work filed his annual report on June 13, 2023, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment district for fiscal year 2023-24 and set a public hearing to be held on June 27, 2023, at the Grass Valley Council Chambers, Grass Valley, California. Notice of the hearing was given in the time and manner required by law.
3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report either in writing or orally, and the City Council has considered each protest.
4. The City Council hereby confirms the diagram and assessment as set forth in the annual report of the Engineer of Work and hereby levies the assessment set forth therein for fiscal year 2023-24.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney

## RESOLUTION NO. 2023-35

RESOLUTION REQUESTING THE COUNTY AUDITOR TO PLACE  
ASSESSMENTS ON THE TAX ROLL  
LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2  
(RESIDENTIAL LANDSCAPING AND LIGHTING – MORGAN RANCH,  
VENTANA SIERRA, SCOTIA PINES, MORGAN RANCH WEST AND RIDGE MEADOWS)

The City Council of the City of Grass Valley resolves:

On June 27, 2023, the City Council adopted Resolution No. 2023-XX Resolution Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2023-24 for the Landscaping & Lighting District No. 1988-2, (Residential Landscaping and Lighting District - Morgan Ranch, Ventana Sierra, Scotia Pines, Morgan Ranch West and Ridge Meadows), City of Grass Valley, County of Nevada, State of California. In accordance with the provisions of Section 22641 of the Streets and Highways Code, the City Clerk forwarded to the County Auditor of the County of Nevada a Clerk's Certification to the County Auditor, a copy of which is attached hereto as Exhibit A and made a part hereof, and has provided the information necessary to place the annual assessment in said district on the 2023-24 tax roll.

The City Council hereby requests that the County Auditor place the assessments on said tax roll. The City Council understands that costs for this service will be charged in accordance with the "Standard Form Tax Collection Services" contract between the City of Grass Valley and the County of Nevada.

The City Clerk is hereby requested to forward a copy of this resolution to the County Auditor of the County of Nevada.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



May 18, 2023

# ENGINEER'S REPORT

RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2

ANNUAL ASSESSMENT 2023/2024

for

CITY OF GRASS VALLEY

NEVADA COUNTY, CALIFORNIA

Respectfully submitted, as directed by the City Council.

By: \_\_\_\_\_

Bjorn P. Jones, P.E.  
R.C.E. No. 75378

## **ENGINEER'S REPORT AFFIDAVIT**

### **RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2** (Morgan Ranch, Ventana Sierra, Scotia Pines, Morgan Ranch West and Ridge Meadows)

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Grass Valley, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with the County Auditor of the County of Nevada on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

## **OVERVIEW**

Bjorn P. Jones, Engineer of Work for Residential Landscaping and Lighting District No. 1988-2 (Zone I - Morgan Ranch, Zone II - Ventana Sierra Tract 90-03 Annexation No. 1993-1, and Zone III - Scotia Pines Subdivision Annexation No. 30-A, Zone IV – Morgan Ranch West Annexation No. 2010-1, Zone V – Ridge Meadows Annexation 2016-1), City of Grass Valley, Nevada County, California makes this report, as directed by City Council, pursuant to Section 22585 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The improvements which are the subject matter of this report are briefly described as follows:

### **Zone I - Morgan Ranch**

The installation, maintenance and servicing of landscaping and associated improvements, as delineated on the plans prepared by Josephine McProud, Landscape Architect, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. Irrigation, including the operation, adjustment and repair of the irrigation system.
4. The removal of trimmings, rubbish, debris and solid waste.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.

### **Zone II - Ventana Sierra (Tract 90-03)**

The installation, maintenance and servicing of landscaping and associated improvements, as delineated on the plans prepared by Josephine McProud, Landscape Architect, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. Irrigation, including the operation, adjustment and repair of the irrigation system.
4. The removal of trimmings, rubbish, debris and solid waste.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.

### **Zone III - Scotia Pines Subdivision**

The installation, maintenance and servicing of landscaping and associated improvements of Parcels A, B, C as delineated on Final Map 91-01, on file with the Nevada County Recorder's Office. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. The removal of trimmings, rubbish, debris and solid waste.
4. Mosquito abatement.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.

#### **Zone IV – Morgan Ranch West**

The installation, maintenance and servicing of public street light facilities including the furnishing and payment of electric power.

#### **Zone V – Ridge Meadows**

The installation, maintenance and servicing of landscaping and associated improvements, as delineated on the plans prepared by K. Clausen, Landscape Architect, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district. Maintenance, in general, means the furnishing of labor and materials for the ordinary upkeep and care of landscape areas including:

1. The repair, removal or replacement of any improvement.
2. Landscaping, including cultivation, weeding, mowing, pruning, tree removal, replanting, spraying, fertilizing, and treating for disease.
3. Irrigation, including the operation, adjustment and repair of the irrigation system.
4. The removal of trimmings, rubbish, debris and solid waste.

Servicing means the furnishing and payment of:

1. Electric power for any public street light facilities or for the operation of any improvements.
2. Water for the irrigation of any landscaping or the maintenance of any improvements.



This report consists of five (5) parts, as follows:

- PART A - Plans and specifications for the improvements that are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference only.
- PART B - An estimate of the cost of the improvements for Fiscal Year 2023/2024.
- PART C - An assessment of the estimated cost of the improvement and levy on each benefiting parcel of land within the district.
- PART D - The Method of Apportionment by which the undersigned has determined the amount proposed to be levied on each parcel.
- PART E - A diagram showing all parcels of real property within this district. The diagram is keyed to Part C by Assessor's Parcel Number.

## **PART A** **PLANS**

Plans for the landscape, irrigation and street lighting for each zone have been prepared by a variety of landscape architects and engineers. These Plans have been filed separately with the City Engineer's office and are incorporated in this Report by reference only as the initial improvements were completed by separate contracts.

The following reference drawings are on file with the office of the City Engineer:

Zone I - Morgan Ranch, Landscape Plans (Dwg. No. 1560)

Zone II - Ventana Sierra, Landscape Plans (Dwg. No. 1689)

Zone III - Scotia Pines, Subdivision Map (Dwg. No. 1719)

Zone IV – Morgan Ranch West, Improvement Plans (Dwg. No. 2000)

Zone V – Ridge Meadows, Improvement and Landscape Plans (Dwg. No. 1453)

## **PART B** **COST ESTIMATE**

The estimated cost for the maintenance of improvements described in this report for the fiscal year 2023/2024 includes the use of reserve funds to provide maintenance of the landscape areas and is as follows:

	<b>ZONE 1</b> <b>(Morgan Ranch)</b>	<b>ZONE 2</b> <b>(Ventana Sierra)</b>	<b>ZONE 3</b> <b>(Scotia Pines)</b>	<b>ZONE 4</b> <b>(Morgan Ranch West)</b>	<b>ZONE 5</b> <b>(Ridge Meadows)</b>
<b>COST INFORMATION</b>					
Maintenance Costs	\$45,000	\$1,400	\$300	\$7,500	\$8,930
Water and Electricity Servicing	\$8,900	\$1,700	\$800	\$100	\$650
County Administrative Fee	\$220	\$100	\$180	\$220	\$220
City Administration Costs	\$296	\$190	\$200	\$180	\$300
<b>Total Direct and Admin Costs</b>	<b>\$54,416</b>	<b>\$3,390</b>	<b>\$1,480</b>	<b>\$8,000</b>	<b>\$10,100</b>
<b>ASSESSMENT INFORMATION</b>					
Direct Costs	\$54,416	\$3,390	\$1,480	\$8,000	\$10,100
Reserve Collections/ (Transfer)	(\$26,000)	\$0	\$3,008	(\$7,500)	(\$2,100)
<b>Net Total Assessment</b>	<b>\$28,416</b>	<b>\$3,390</b>	<b>\$4,488</b>	<b>\$500</b>	<b>\$8,000</b>
<b>FUND BALANCE INFORMATION</b>					
Projected Reserve After FY 2022/2023	\$54,652	\$3,344	(\$2,722)	\$8,400	\$10,145
Interest Earnings	\$100	\$20	\$0	\$30	\$40
Reserve Fund Adjustments	(\$26,000)	\$0	\$3,008	(\$7,500)	(\$2,100)
<b>Projected Reserve at End of Year</b>	<b>\$28,752</b>	<b>\$3,364</b>	<b>\$286</b>	<b>\$930</b>	<b>\$8,085</b>

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$28,416.00	\$28,420.26	\$28,416.00

Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	\$74.00	008-060-048	01056	\$37.00	\$37.00
1	\$74.00	008-060-049	01056	\$37.00	\$37.00
1	\$74.00	008-060-050	01056	\$37.00	\$37.00
1	\$74.00	008-060-051	01056	\$37.00	\$37.00
1	\$74.00	008-060-052	01056	\$37.00	\$37.00
1	\$74.00	008-060-053	01056	\$37.00	\$37.00
1	\$74.00	008-861-001	01061	\$37.00	\$37.00
1	\$74.00	008-861-002	01061	\$37.00	\$37.00
1	\$74.00	008-861-003	01061	\$37.00	\$37.00
1	\$74.00	008-861-004	01061	\$37.00	\$37.00
1	\$74.00	008-861-005	01061	\$37.00	\$37.00
1	\$74.00	008-861-006	01061	\$37.00	\$37.00
1	\$74.00	008-861-007	01061	\$37.00	\$37.00
1	\$74.00	008-861-008	01061	\$37.00	\$37.00
1	\$74.00	008-861-010	01061	\$37.00	\$37.00
1	\$74.00	008-861-011	01061	\$37.00	\$37.00
1	\$74.00	008-861-012	01061	\$37.00	\$37.00
1	\$74.00	008-861-013	01061	\$37.00	\$37.00
1	\$74.00	008-861-014	01061	\$37.00	\$37.00
1	\$74.00	008-861-015	01061	\$37.00	\$37.00
1	\$74.00	008-861-016	01061	\$37.00	\$37.00
1	\$74.00	008-861-017	01061	\$37.00	\$37.00
1	\$74.00	008-861-018	01061	\$37.00	\$37.00
1	\$74.00	008-861-020	01061	\$37.00	\$37.00
1	\$74.00	008-861-021	01061	\$37.00	\$37.00
1	\$74.00	008-861-022	01061	\$37.00	\$37.00
1	\$74.00	008-861-023	01061	\$37.00	\$37.00
1	\$74.00	008-861-024	01061	\$37.00	\$37.00
1	\$74.00	008-861-025	01061	\$37.00	\$37.00
1	\$74.00	008-861-026	01061	\$37.00	\$37.00
1	\$74.00	008-861-027	01061	\$37.00	\$37.00
1	\$74.00	008-861-028	01061	\$37.00	\$37.00
1	\$74.00	008-861-029	01061	\$37.00	\$37.00
1	\$74.00	008-861-030	01061	\$37.00	\$37.00
1	\$74.00	008-861-031	01061	\$37.00	\$37.00
1	\$74.00	008-861-032	01061	\$37.00	\$37.00
1	\$74.00	008-861-033	01061	\$37.00	\$37.00
1	\$74.00	008-861-034	01061	\$37.00	\$37.00
1	\$74.00	008-861-035	01056	\$37.00	\$37.00
1	\$74.00	008-861-036	01056	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-861-037	01056	\$37.00	\$37.00
1	\$74.00	008-861-038	01056	\$37.00	\$37.00
1	\$74.00	008-861-039	01056	\$37.00	\$37.00
1	\$74.00	008-861-040	01056	\$37.00	\$37.00
1	\$74.00	008-880-001	01061	\$37.00	\$37.00
1	\$74.00	008-880-002	01061	\$37.00	\$37.00
1	\$74.00	008-880-003	01061	\$37.00	\$37.00
1	\$74.00	008-880-004	01061	\$37.00	\$37.00
1	\$74.00	008-880-005	01061	\$37.00	\$37.00
1	\$74.00	008-880-006	01061	\$37.00	\$37.00
1	\$74.00	008-880-007	01061	\$37.00	\$37.00
1	\$74.00	008-880-008	01061	\$37.00	\$37.00
1	\$74.00	008-880-009	01061	\$37.00	\$37.00
1	\$74.00	008-880-010	01061	\$37.00	\$37.00
1	\$74.00	008-880-011	01061	\$37.00	\$37.00
1	\$74.00	008-880-012	01061	\$37.00	\$37.00
1	\$74.00	008-880-013	01061	\$37.00	\$37.00
1	\$74.00	008-880-014	01061	\$37.00	\$37.00
1	\$74.00	008-880-015	01061	\$37.00	\$37.00
1	\$74.00	008-880-016	01061	\$37.00	\$37.00
1	\$74.00	008-880-017	01061	\$37.00	\$37.00
1	\$74.00	008-880-018	01061	\$37.00	\$37.00
1	\$74.00	008-880-019	01061	\$37.00	\$37.00
1	\$74.00	008-880-020	01061	\$37.00	\$37.00
1	\$74.00	008-880-021	01061	\$37.00	\$37.00
1	\$74.00	008-880-022	01061	\$37.00	\$37.00
1	\$74.00	008-880-023	01061	\$37.00	\$37.00
1	\$74.00	008-880-024	01061	\$37.00	\$37.00
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1	\$74.00	008-880-026	01061	\$37.00	\$37.00
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1	\$74.00	008-880-028	01061	\$37.00	\$37.00
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1	\$74.00	008-880-030	01061	\$37.00	\$37.00
1	\$74.00	008-880-031	01061	\$37.00	\$37.00
1	\$74.00	008-880-032	01061	\$37.00	\$37.00
1	\$74.00	008-880-033	01061	\$37.00	\$37.00
1	\$74.00	008-880-034	01061	\$37.00	\$37.00
1	\$74.00	008-880-035	01061	\$37.00	\$37.00
1	\$74.00	008-880-036	01061	\$37.00	\$37.00
1	\$74.00	008-880-037	01061	\$37.00	\$37.00
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1	\$74.00	008-890-002	01061	\$37.00	\$37.00
1	\$74.00	008-890-003	01061	\$37.00	\$37.00
1	\$74.00	008-890-004	01061	\$37.00	\$37.00
1	\$74.00	008-890-005	01061	\$37.00	\$37.00
1	\$74.00	008-890-006	01061	\$37.00	\$37.00
1	\$74.00	008-890-007	01061	\$37.00	\$37.00
1	\$74.00	008-890-008	01061	\$37.00	\$37.00
1	\$74.00	008-890-009	01061	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-890-010	01061	\$37.00	\$37.00
1	\$74.00	008-890-011	01061	\$37.00	\$37.00
1	\$74.00	008-890-012	01061	\$37.00	\$37.00
1	\$74.00	008-890-017	01061	\$37.00	\$37.00
1	\$74.00	008-890-018	01061	\$37.00	\$37.00
1	\$74.00	008-890-019	01061	\$37.00	\$37.00
1	\$74.00	008-890-021	01061	\$37.00	\$37.00
1	\$74.00	008-890-022	01061	\$37.00	\$37.00
1	\$74.00	008-890-023	01061	\$37.00	\$37.00
1	\$74.00	008-890-024	01061	\$37.00	\$37.00
1	\$74.00	008-890-025	01061	\$37.00	\$37.00
1	\$74.00	008-890-026	01061	\$37.00	\$37.00
1	\$74.00	008-890-027	01061	\$37.00	\$37.00
1	\$74.00	008-890-028	01061	\$37.00	\$37.00
1	\$74.00	008-890-029	01061	\$37.00	\$37.00
1	\$74.00	008-890-030	01061	\$37.00	\$37.00
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1	\$74.00	008-890-032	01061	\$37.00	\$37.00
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1	\$74.00	008-890-037	01061	\$37.00	\$37.00
1	\$74.00	008-920-001	01061	\$37.00	\$37.00
1	\$74.00	008-920-008	01061	\$37.00	\$37.00
1	\$74.00	008-920-009	01061	\$37.00	\$37.00
1	\$74.00	008-920-010	01061	\$37.00	\$37.00
1	\$74.00	008-920-011	01061	\$37.00	\$37.00
1	\$74.00	008-920-012	01061	\$37.00	\$37.00
1	\$74.00	008-920-013	01061	\$37.00	\$37.00
1	\$74.00	008-920-014	01061	\$37.00	\$37.00
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1	\$74.00	008-920-016	01061	\$37.00	\$37.00
1	\$74.00	008-920-017	01061	\$37.00	\$37.00
1	\$74.00	008-920-018	01061	\$37.00	\$37.00
1	\$74.00	008-920-019	01061	\$37.00	\$37.00
1	\$74.00	008-920-020	01061	\$37.00	\$37.00
1	\$74.00	008-920-021	01061	\$37.00	\$37.00
1	\$74.00	008-920-022	01061	\$37.00	\$37.00
1	\$74.00	008-920-023	01061	\$37.00	\$37.00
1	\$74.00	008-920-024	01061	\$37.00	\$37.00
1	\$74.00	008-920-025	01061	\$37.00	\$37.00
1	\$74.00	008-920-026	01061	\$37.00	\$37.00
1	\$74.00	008-920-027	01061	\$37.00	\$37.00
1	\$74.00	008-920-028	01061	\$37.00	\$37.00
1	\$74.00	008-920-031	01061	\$37.00	\$37.00
1	\$74.00	008-920-032	01061	\$37.00	\$37.00
1	\$74.00	008-920-033	01061	\$37.00	\$37.00
1	\$74.00	008-920-034	01061	\$37.00	\$37.00
1	\$74.00	008-920-035	01061	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-931-001	01061	\$37.00	\$37.00
1	\$74.00	008-931-002	01061	\$37.00	\$37.00
1	\$74.00	008-931-003	01061	\$37.00	\$37.00
1	\$74.00	008-931-004	01061	\$37.00	\$37.00
1	\$74.00	008-931-005	01061	\$37.00	\$37.00
1	\$74.00	008-931-006	01061	\$37.00	\$37.00
1	\$74.00	008-931-007	01061	\$37.00	\$37.00
1	\$74.00	008-931-008	01061	\$37.00	\$37.00
1	\$74.00	008-931-009	01061	\$37.00	\$37.00
1	\$74.00	008-931-010	01061	\$37.00	\$37.00
1	\$74.00	008-931-011	01061	\$37.00	\$37.00
1	\$74.00	008-931-012	01061	\$37.00	\$37.00
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1	\$74.00	008-931-017	01061	\$37.00	\$37.00
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1	\$74.00	008-931-021	01061	\$37.00	\$37.00
1	\$74.00	008-931-022	01061	\$37.00	\$37.00
1	\$74.00	008-931-023	01061	\$37.00	\$37.00
1	\$74.00	008-931-024	01061	\$37.00	\$37.00
1	\$74.00	008-931-025	01061	\$37.00	\$37.00
1	\$74.00	008-931-026	01061	\$37.00	\$37.00
1	\$74.00	008-931-027	01061	\$37.00	\$37.00
1	\$74.00	008-931-028	01061	\$37.00	\$37.00
1	\$74.00	008-931-029	01061	\$37.00	\$37.00
1	\$74.00	008-931-030	01061	\$37.00	\$37.00
1	\$74.00	008-931-031	01061	\$37.00	\$37.00
1	\$74.00	008-931-032	01061	\$37.00	\$37.00
1	\$74.00	008-931-033	01061	\$37.00	\$37.00
1	\$74.00	008-931-034	01061	\$37.00	\$37.00
1	\$74.00	008-931-035	01061	\$37.00	\$37.00
1	\$74.00	008-931-036	01061	\$37.00	\$37.00
1	\$74.00	008-931-037	01061	\$37.00	\$37.00
1	\$74.00	008-931-038	01061	\$37.00	\$37.00
1	\$74.00	008-931-039	01061	\$37.00	\$37.00
1	\$74.00	008-931-040	01061	\$37.00	\$37.00
1	\$74.00	008-931-041	01061	\$37.00	\$37.00
1	\$74.00	008-931-042	01061	\$37.00	\$37.00
1	\$74.00	008-931-043	01061	\$37.00	\$37.00
1	\$74.00	008-931-044	01061	\$37.00	\$37.00
1	\$74.00	008-931-045	01061	\$37.00	\$37.00
1	\$74.00	008-931-046	01061	\$37.00	\$37.00
1	\$74.00	008-931-047	01061	\$37.00	\$37.00
1	\$74.00	008-931-048	01061	\$37.00	\$37.00
1	\$74.00	008-931-049	01061	\$37.00	\$37.00
1	\$74.00	008-931-050	01061	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-931-051	01061	\$37.00	\$37.00
1	\$74.00	008-931-052	01061	\$37.00	\$37.00
1	\$74.00	008-931-053	01061	\$37.00	\$37.00
1	\$74.00	008-931-054	01061	\$37.00	\$37.00
1	\$74.00	008-931-055	01061	\$37.00	\$37.00
1	\$74.00	008-931-056	01061	\$37.00	\$37.00
1	\$74.00	008-931-057	01061	\$37.00	\$37.00
1	\$74.00	008-932-001	01061	\$37.00	\$37.00
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1	\$74.00	008-932-003	01061	\$37.00	\$37.00
1	\$74.00	008-932-004	01061	\$37.00	\$37.00
1	\$74.00	008-932-005	01061	\$37.00	\$37.00
1	\$74.00	008-932-006	01061	\$37.00	\$37.00
1	\$74.00	008-932-007	01061	\$37.00	\$37.00
1	\$74.00	008-932-008	01061	\$37.00	\$37.00
1	\$74.00	008-932-009	01061	\$37.00	\$37.00
1	\$74.00	008-932-010	01061	\$37.00	\$37.00
1	\$74.00	008-932-011	01061	\$37.00	\$37.00
1	\$74.00	008-932-012	01061	\$37.00	\$37.00
1	\$74.00	008-932-013	01061	\$37.00	\$37.00
1	\$74.00	008-932-014	01061	\$37.00	\$37.00
1	\$74.00	008-932-015	01061	\$37.00	\$37.00
1	\$74.00	008-932-016	01061	\$37.00	\$37.00
1	\$74.00	008-932-017	01061	\$37.00	\$37.00
1	\$74.00	008-932-018	01061	\$37.00	\$37.00
1	\$74.00	008-932-019	01061	\$37.00	\$37.00
1	\$74.00	008-932-020	01061	\$37.00	\$37.00
1	\$74.00	008-932-021	01061	\$37.00	\$37.00
1	\$74.00	008-932-022	01061	\$37.00	\$37.00
1	\$74.00	008-932-023	01061	\$37.00	\$37.00
1	\$74.00	008-932-024	01061	\$37.00	\$37.00
1	\$74.00	008-932-025	01061	\$37.00	\$37.00
1	\$74.00	008-932-026	01061	\$37.00	\$37.00
1	\$74.00	008-932-027	01061	\$37.00	\$37.00
1	\$74.00	008-932-028	01061	\$37.00	\$37.00
1	\$74.00	008-932-029	01061	\$37.00	\$37.00
1	\$74.00	008-932-030	01061	\$37.00	\$37.00
1	\$74.00	008-932-031	01061	\$37.00	\$37.00
1	\$74.00	008-932-032	01061	\$37.00	\$37.00
1	\$74.00	008-932-033	01061	\$37.00	\$37.00
1	\$74.00	008-932-034	01061	\$37.00	\$37.00
1	\$74.00	008-932-035	01061	\$37.00	\$37.00
1	\$74.00	008-932-036	01061	\$37.00	\$37.00
1	\$74.00	008-932-037	01061	\$37.00	\$37.00
1	\$74.00	008-932-038	01061	\$37.00	\$37.00
1	\$74.00	008-950-003	01061	\$37.00	\$37.00
1	\$74.00	008-950-004	01061	\$37.00	\$37.00
1	\$74.00	008-950-005	01061	\$37.00	\$37.00
1	\$74.00	008-950-006	01061	\$37.00	\$37.00
1	\$74.00	008-950-007	01061	\$37.00	\$37.00



**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-950-008	01061	\$37.00	\$37.00
1	\$74.00	008-950-009	01061	\$37.00	\$37.00
1	\$74.00	008-950-010	01061	\$37.00	\$37.00
1	\$74.00	008-950-011	01061	\$37.00	\$37.00
1	\$74.00	008-950-012	01061	\$37.00	\$37.00
1	\$74.00	008-950-013	01061	\$37.00	\$37.00
1	\$74.00	008-950-014	01061	\$37.00	\$37.00
1	\$74.00	008-950-015	01061	\$37.00	\$37.00
1	\$74.00	008-950-016	01061	\$37.00	\$37.00
1	\$74.00	008-950-017	01061	\$37.00	\$37.00
1	\$74.00	008-950-018	01061	\$37.00	\$37.00
1	\$74.00	008-950-019	01061	\$37.00	\$37.00
1	\$74.00	008-950-020	01061	\$37.00	\$37.00
1	\$74.00	008-950-021	01061	\$37.00	\$37.00
1	\$74.00	008-950-022	01061	\$37.00	\$37.00
1	\$74.00	008-950-023	01061	\$37.00	\$37.00
1	\$74.00	008-950-024	01061	\$37.00	\$37.00
1	\$74.00	008-950-025	01061	\$37.00	\$37.00
1	\$74.00	008-950-026	01061	\$37.00	\$37.00
1	\$74.00	008-950-027	01061	\$37.00	\$37.00
1	\$74.00	008-950-028	01061	\$37.00	\$37.00
1	\$74.00	008-950-037	01061	\$37.00	\$37.00
1	\$74.00	008-950-038	01061	\$37.00	\$37.00
1	\$74.00	008-950-039	01061	\$37.00	\$37.00
1	\$74.00	008-950-040	01061	\$37.00	\$37.00
1	\$74.00	008-950-041	01061	\$37.00	\$37.00
1	\$74.00	008-950-042	01061	\$37.00	\$37.00
1	\$74.00	008-950-043	01061	\$37.00	\$37.00
1	\$74.00	008-950-044	01061	\$37.00	\$37.00
1	\$74.00	008-950-045	01061	\$37.00	\$37.00
1	\$74.00	008-950-046	01061	\$37.00	\$37.00
1	\$74.00	008-950-047	01061	\$37.00	\$37.00
1	\$74.00	008-950-048	01061	\$37.00	\$37.00
1	\$74.00	008-950-049	01061	\$37.00	\$37.00
1	\$74.00	008-950-050	01061	\$37.00	\$37.00
1	\$74.00	008-950-051	01061	\$37.00	\$37.00
1	\$74.00	008-950-055	01061	\$37.00	\$37.00
1	\$74.00	008-950-058	01061	\$37.00	\$37.00
1	\$74.00	008-950-060	01061	\$37.00	\$37.00
1	\$74.00	008-950-061	01056	\$37.00	\$37.00
1	\$74.00	008-950-062	01056	\$37.00	\$37.00
1	\$74.00	008-950-063	01056	\$37.00	\$37.00
1	\$74.00	008-950-064	01056	\$37.00	\$37.00
1	\$74.00	008-950-065	01061	\$37.00	\$37.00
1	\$74.00	008-950-066	01061	\$37.00	\$37.00
1	\$74.00	008-950-067	01061	\$37.00	\$37.00
1	\$74.00	008-950-068	01061	\$37.00	\$37.00
1	\$74.00	008-950-069	01061	\$37.00	\$37.00
1	\$74.00	008-950-070	01061	\$37.00	\$37.00
1	\$74.00	008-950-071	01061	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-950-072	01061	\$37.00	\$37.00
1	\$74.00	008-950-073	01061	\$37.00	\$37.00
1	\$74.00	008-950-074	01056	\$37.00	\$37.00
1	\$74.00	008-950-075	01056	\$37.00	\$37.00
1	\$74.00	008-950-076	01061	\$37.00	\$37.00
1	\$74.00	008-960-003	01061	\$37.00	\$37.00
1	\$74.00	008-960-004	01061	\$37.00	\$37.00
1	\$74.00	008-960-005	01061	\$37.00	\$37.00
1	\$74.00	008-960-006	01061	\$37.00	\$37.00
1	\$74.00	008-960-007	01061	\$37.00	\$37.00
1	\$74.00	008-960-008	01061	\$37.00	\$37.00
1	\$74.00	008-960-010	01061	\$37.00	\$37.00
1	\$74.00	008-960-014	01061	\$37.00	\$37.00
1	\$74.00	008-960-015	01061	\$37.00	\$37.00
1	\$74.00	008-960-016	01061	\$37.00	\$37.00
1	\$74.00	008-960-017	01061	\$37.00	\$37.00
1	\$74.00	008-960-018	01061	\$37.00	\$37.00
1	\$74.00	008-960-019	01061	\$37.00	\$37.00
1	\$74.00	008-960-020	01061	\$37.00	\$37.00
1	\$74.00	008-960-021	01061	\$37.00	\$37.00
1	\$74.00	008-960-022	01061	\$37.00	\$37.00
1	\$74.00	008-960-023	01061	\$37.00	\$37.00
1	\$74.00	008-960-024	01061	\$37.00	\$37.00
1	\$74.00	008-960-028	01061	\$37.00	\$37.00
1	\$74.00	008-960-029	01061	\$37.00	\$37.00
1	\$74.00	008-960-030	01061	\$37.00	\$37.00
1	\$74.00	008-960-031	01061	\$37.00	\$37.00
1	\$74.00	008-960-032	01061	\$37.00	\$37.00
1	\$74.00	008-960-033	01061	\$37.00	\$37.00
1	\$74.00	008-960-034	01061	\$37.00	\$37.00
1	\$74.00	008-960-040	01061	\$37.00	\$37.00
1	\$74.00	008-960-041	01061	\$37.00	\$37.00
1	\$74.00	008-960-042	01061	\$37.00	\$37.00
1	\$74.00	008-960-043	01061	\$37.00	\$37.00
1	\$74.00	008-960-044	01061	\$37.00	\$37.00
1	\$74.00	008-970-002	01056	\$37.00	\$37.00
1	\$74.00	008-970-003	01056	\$37.00	\$37.00
1	\$74.00	008-970-004	01056	\$37.00	\$37.00
1	\$74.00	008-970-005	01056	\$37.00	\$37.00
1	\$74.00	008-970-006	01056	\$37.00	\$37.00
1	\$74.00	008-970-007	01056	\$37.00	\$37.00
1	\$74.00	008-970-008	01056	\$37.00	\$37.00
1	\$74.00	008-970-009	01056	\$37.00	\$37.00
1	\$74.00	008-970-010	01056	\$37.00	\$37.00
1	\$74.00	008-970-011	01056	\$37.00	\$37.00
1	\$74.00	008-970-012	01056	\$37.00	\$37.00
1	\$74.00	008-970-014	01056	\$37.00	\$37.00
1	\$74.00	008-970-015	01056	\$37.00	\$37.00
1	\$74.00	008-970-016	01056	\$37.00	\$37.00
1	\$74.00	008-970-017	01056	\$37.00	\$37.00

**PART C****ASSESSMENT ROLL****Zone 1 - Morgan Ranch Subdivision**

1	\$74.00	008-970-018	01056	\$37.00	\$37.00
1	\$74.00	008-970-019	01056	\$37.00	\$37.00
1	\$74.00	008-970-020	01056	\$37.00	\$37.00
1	\$74.00	008-970-021	01056	\$37.00	\$37.00
1	\$74.00	008-970-022	01056	\$37.00	\$37.00
1	\$74.00	008-970-023	01056	\$37.00	\$37.00
1	\$74.00	008-970-024	01056	\$37.00	\$37.00
1	\$74.00	008-970-025	01056	\$37.00	\$37.00
1	\$74.00	008-970-026	01056	\$37.00	\$37.00
1	\$74.00	008-970-027	01056	\$37.00	\$37.00
1	\$74.00	008-970-028	01056	\$37.00	\$37.00
1	\$74.00	008-970-029	01056	\$37.00	\$37.00
1	\$74.00	008-970-030	01056	\$37.00	\$37.00
1	\$74.00	008-970-031	01056	\$37.00	\$37.00
1	\$74.00	008-970-032	01056	\$37.00	\$37.00
1	\$74.00	008-970-033	01056	\$37.00	\$37.00
1	\$74.00	008-970-034	01056	\$37.00	\$37.00
1	\$74.00	008-970-036	01061	\$37.00	\$37.00
1	\$74.00	008-970-037	01061	\$37.00	\$37.00
1	\$74.00	008-970-039	01061	\$37.00	\$37.00
1	\$74.00	008-970-040	01056	\$37.00	\$37.00
1	\$74.00	008-970-041	01056	\$37.00	\$37.00
1	\$74.00	008-970-042	01056	\$37.00	\$37.00
1	\$74.00	008-970-043	01056	\$37.00	\$37.00
1	\$74.00	008-970-044	01056	\$37.00	\$37.00
1	\$74.00	008-970-045	01056	\$37.00	\$37.00
1	\$74.00	008-970-046	01056	\$37.00	\$37.00
1	\$74.00	008-970-047	01056	\$37.00	\$37.00
1	\$74.00	008-970-048	01056	\$37.00	\$37.00
1	\$74.00	008-970-049	01056	\$37.00	\$37.00
1	\$74.00	008-970-050	01056	\$37.00	\$37.00
1	\$74.00	008-970-051	01056	\$37.00	\$37.00
1	\$74.00	008-970-052	01056	\$37.00	\$37.00
1	\$74.00	008-970-053	01056	\$37.00	\$37.00
1	\$74.00	008-970-054	01056	\$37.00	\$37.00
1	\$74.00	008-970-055	01056	\$37.00	\$37.00
1	\$74.00	008-970-056	01056	\$37.00	\$37.00
1	\$74.00	008-970-057	01056	\$37.00	\$37.00
1	\$74.00	008-970-058	01056	\$37.00	\$37.00
1	\$74.00	008-970-059	01056	\$37.00	\$37.00
1	\$74.00	008-970-060	01056	\$37.00	\$37.00
1	\$74.00	008-970-061	01056	\$37.00	\$37.00
1	\$74.00	008-970-062	01056	\$37.00	\$37.00
1	\$74.00	008-970-063	01056	\$37.00	\$37.00
384	<b>\$28,416.00</b>	<b>Subtotal - Developed Land</b>		<b>\$14,208.00</b>	<b>\$14,208.00</b>

## **PART C**

### **ASSESSMENT ROLL**

#### **Zone 2 - Ventana Sierra (Tract 90-03)**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$3,390.00	\$3,552.21	\$3,389.98

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
-	-	-	-	-----	-
1	178.42	004-630-002	01061	89.21	89.21
1	178.42	004-630-003	01061	89.21	89.21
1	178.42	004-630-004	01061	89.21	89.21
1	178.42	004-630-005	01061	89.21	89.21
1	178.42	004-630-006	01061	89.21	89.21
1	178.42	004-630-007	01061	89.21	89.21
1	178.42	004-630-008	01061	89.21	89.21
1	178.42	004-630-009	01061	89.21	89.21
1	178.42	004-630-010	01061	89.21	89.21
1	178.42	004-630-011	01061	89.21	89.21
1	178.42	004-630-012	01061	89.21	89.21
1	178.42	004-630-013	01061	89.21	89.21
1	178.42	004-630-014	01061	89.21	89.21
1	178.42	004-630-015	01061	89.21	89.21
1	178.42	004-630-016	01061	89.21	89.21
1	178.42	004-630-017	01061	89.21	89.21
1	178.42	004-630-020	01061	89.21	89.21
1	178.42	004-630-021	01061	89.21	89.21
1	178.42	004-630-023	01061	89.21	89.21
19	\$3,389.98			\$1,694.99	\$1,694.99

**PART C****ASSESSMENT ROLL****Zone 3 - Scotia Pines Subdivision**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$4,488.00	\$4,488.45	\$4,488.00

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	81.60	029-330-001	01000	40.80	40.80
1	81.60	029-330-002	01000	40.80	40.80
1	81.60	029-330-003	01000	40.80	40.80
1	81.60	029-330-005	01000	40.80	40.80
1	81.60	029-330-006	01000	40.80	40.80
1	81.60	029-330-007	01000	40.80	40.80
1	81.60	029-330-008	01000	40.80	40.80
1	81.60	029-330-009	01000	40.80	40.80
1	81.60	029-330-010	01000	40.80	40.80
1	81.60	029-330-011	01000	40.80	40.80
1	81.60	029-330-012	01000	40.80	40.80
1	81.60	029-330-013	01000	40.80	40.80
1	81.60	029-330-014	01000	40.80	40.80
1	81.60	029-330-015	01000	40.80	40.80
1	81.60	029-330-016	01000	40.80	40.80
1	81.60	029-330-017	01000	40.80	40.80
1	81.60	029-330-018	01000	40.80	40.80
1	81.60	029-330-019	01000	40.80	40.80
1	81.60	029-330-020	01000	40.80	40.80
1	81.60	029-330-021	01000	40.80	40.80
1	81.60	029-330-022	01000	40.80	40.80
1	81.60	029-330-023	01000	40.80	40.80
1	81.60	029-330-024	01000	40.80	40.80
1	81.60	029-330-026	01000	40.80	40.80
1	81.60	029-330-027	01000	40.80	40.80
1	81.60	029-330-030	01000	40.80	40.80
1	81.60	029-330-031	01000	40.80	40.80
1	81.60	029-330-032	01000	40.80	40.80
1	81.60	029-330-033	01000	40.80	40.80
1	81.60	029-330-034	01000	40.80	40.80
1	81.60	029-330-035	01000	40.80	40.80
1	81.60	029-330-036	01000	40.80	40.80
1	81.60	029-330-037	01000	40.80	40.80
1	81.60	029-330-038	01000	40.80	40.80
1	81.60	029-330-039	01000	40.80	40.80
1	81.60	029-330-040	01000	40.80	40.80

**PART C****ASSESSMENT ROLL****Zone 3 - Scotia Pines Subdivision**

1	81.60	029-330-041	01000	40.80	40.80
1	81.60	029-330-042	01000	40.80	40.80
1	81.60	029-330-043	01000	40.80	40.80
1	81.60	029-330-044	01000	40.80	40.80
1	81.60	029-330-047	01000	40.80	40.80
1	81.60	029-330-048	01000	40.80	40.80
1	81.60	029-330-049	01000	40.80	40.80
1	81.60	029-330-050	01000	40.80	40.80
1	81.60	029-330-051	01000	40.80	40.80
1	81.60	029-330-052	01000	40.80	40.80
1	81.60	029-330-053	01000	40.80	40.80
1	81.60	029-330-054	01000	40.80	40.80
1	81.60	029-330-055	01000	40.80	40.80
1	81.60	029-330-056	01000	40.80	40.80
1	81.60	029-330-061	01000	40.80	40.80
1	81.60	029-330-062	01000	40.80	40.80
1	81.60	029-330-064	01000	40.80	40.80
1	81.60	029-330-065	01000	40.80	40.80
1	81.60	029-330-066	01000	40.80	40.80
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55	\$4,488.00			\$2,244.00	\$2,244.00

**PART C****ASSESSMENT ROLL****Zone 4 - Morgan Ranch West**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$500.00	\$572.93	\$500.00

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	20.00	004-660-002	01056	10.00	10.00
1	20.00	004-660-003	01056	10.00	10.00
1	20.00	004-660-004	01056	10.00	10.00
1	20.00	004-660-005	01056	10.00	10.00
1	20.00	004-660-006	01056	10.00	10.00
1	20.00	004-660-007	01056	10.00	10.00
1	20.00	004-660-008	01056	10.00	10.00
1	20.00	004-660-009	01056	10.00	10.00
1	20.00	004-660-010	01056	10.00	10.00
1	20.00	004-660-011	01056	10.00	10.00
1	20.00	004-660-012	01056	10.00	10.00
1	20.00	004-660-013	01056	10.00	10.00
1	20.00	004-660-014	01056	10.00	10.00
1	20.00	004-660-015	01056	10.00	10.00
1	20.00	004-660-016	01056	10.00	10.00
1	20.00	004-660-017	01056	10.00	10.00
1	20.00	004-660-018	01056	10.00	10.00
1	20.00	004-660-019	01056	10.00	10.00
1	20.00	004-660-020	01056	10.00	10.00
1	20.00	004-660-021	01056	10.00	10.00
1	20.00	004-660-022	01056	10.00	10.00
1	20.00	004-660-023	01056	10.00	10.00
1	20.00	004-660-024	01056	10.00	10.00
1	20.00	004-660-029	01056	10.00	10.00
1	20.00	004-660-027	01056	10.00	10.00
25	\$500.00			\$250.00	\$250.00

**PART C****ASSESSMENT ROLL****Zone 5 - Ridge Meadows**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$8,000.14	\$10,477.95	\$8,000.14

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	216.22	008-980-001	01056	108.11	108.11
1	216.22	008-980-002	01056	108.11	108.11
1	216.22	008-980-003	01056	108.11	108.11
1	216.22	008-980-004	01056	108.11	108.11
1	216.22	008-980-005	01056	108.11	108.11
1	216.22	008-980-006	01056	108.11	108.11
1	216.22	008-980-007	01056	108.11	108.11
1	216.22	008-980-008	01056	108.11	108.11
1	216.22	008-980-009	01056	108.11	108.11
1	216.22	008-980-010	01056	108.11	108.11
1	216.22	008-980-011	01056	108.11	108.11
1	216.22	008-980-012	01056	108.11	108.11
1	216.22	008-980-013	01056	108.11	108.11
1	216.22	008-980-014	01056	108.11	108.11
1	216.22	008-980-015	01056	108.11	108.11
1	216.22	008-980-016	01056	108.11	108.11
1	216.22	008-980-017	01056	108.11	108.11
1	216.22	008-980-018	01056	108.11	108.11
1	216.22	008-980-019	01056	108.11	108.11
1	216.22	008-980-020	01056	108.11	108.11
1	216.22	008-980-021	01056	108.11	108.11
1	216.22	008-980-022	01056	108.11	108.11
1	216.22	008-980-023	01056	108.11	108.11
1	216.22	008-980-024	01056	108.11	108.11
1	216.22	008-980-025	01056	108.11	108.11
1	216.22	008-980-026	01056	108.11	108.11
1	216.22	008-980-027	01056	108.11	108.11
1	216.22	008-980-028	01056	108.11	108.11
1	216.22	008-980-029	01056	108.11	108.11
1	216.22	008-980-030	01056	108.11	108.11
1	216.22	008-980-031	01056	108.11	108.11
1	216.22	008-980-032	01056	108.11	108.11
1	216.22	008-980-033	01056	108.11	108.11
1	216.22	008-980-034	01056	108.11	108.11
1	216.22	008-980-035	01056	108.11	108.11
1	216.22	008-980-036	01056	108.11	108.11
1	216.22	008-980-037	01056	108.11	108.11
37	\$8,000.14			\$4,000.07	\$4,000.07



## **PART D** **METHOD OF APPORTIONING**

In order to maintain sufficient funding for the Districts, assessments will be adjusted annually by the Consumer Price Indexes (CPI) Pacific Cities and U.S. City Average for February of the year of calculation All Items Indexes for the West. The corresponding CPI for February 2023 was 6.0%.

### **ZONE I - Morgan Ranch**

The Morgan Ranch Subdivision was annexed into the 1988-2 Residential L&L District in 1996. Because the district was created before Proposition 218, the initial assessment per dwelling unit of \$87.00 has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund. Per the formation documents, it is the intent that each dwelling unit of the project shares equally in all expenses of Zone I.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year. The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

Based on the total build-out number of parcels as of 6/1/2023, and the total assessment needed for FY 2023/2024, the levy will be increased \$4.18 per dwelling unit to \$74.00 per dwelling unit in accordance with the Consumer Price Index.

The total assessment for 2022/2023 was \$24,811.57. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$28,420.26. The actual total assessment will be \$28,416.00. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the number of parcels.

### **ZONE II - Ventana Sierra (Tract 90-03)**

The Ventana Sierra Subdivision was annexed into the 1988-2 Residential L&L District in 1993. Because the district was created before Proposition 218, the initial assessment per dwelling unit of \$190.00 has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund. Per the formation documents, it is the intent that each dwelling unit of the project shares equally in all expenses of Zone II.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments

("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year. The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

Based on the total number of parcels in Ventana Sierra as of 6/1/2023 and the total assessment needed for FY 2023/2024, the levy will be increased \$10.00 per dwelling unit to \$178.42 per dwelling unit in accordance with the Consumer Price Index.

The total annual assessment for 2022/2023 was \$3,351.14. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$3,552.21. The actual total assessment will be \$3,389.98. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the number of parcels.

### **ZONE III - Scotia Pines Subdivision**

The Scotia Pines Subdivision was annexed into the 1988-2 Residential L&L District in 1996. Because the district was created before Proposition 218, the initial assessment per dwelling unit of \$66.27 has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund. Per the formation documents, it is the intent that each dwelling unit of the project shares equally in all expenses of Zone III.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year. The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

Based on the total number of parcels in Scotia Pines as of 6/1/2023 and the total assessment needed for FY 2023/2024, the levy will be increased \$4.62 per dwelling unit to \$81.60 per dwelling unit in accordance with the CPI.

The total annual assessment for 2022/2023 was \$4,233.39. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$4,488.45. The actual total assessment will be \$4,488.00. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the number of parcels.

## **ZONE IV - Morgan Ranch West**

The Morgan Ranch West Subdivision was annexed into the 1988-2 Residential L&L District in 2010. Because the district was created before Proposition 218, the initial assessment per dwelling unit of \$51.08 has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund. Per the formation documents, it is the intent that each dwelling unit of the project shares equally in all expenses of Zone IV.

The street lights in Morgan Ranch West and the maintenance of those street lights are of entirely local and special benefit to the parcels in Morgan Ranch West, and no general benefits are provided by them. The street lighting services funded by the District constitute residential street lighting which provides safety lighting and sidewalk and parking illumination for the special benefit of assessed parcels.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year. The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

Based on the total build-out number of parcels as of 6/1/2023, and the total assessment needed for FY 2023/2024, the levy will remain unchanged at \$20.00 per dwelling unit.

The total annual assessment for 2022/2023 was \$500. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$572.93. The actual total assessment will be \$500.00. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the number of parcels.

## **ZONE V – Ridge Meadows**

The Ridge Meadows Subdivision was annexed into the 1988-2 Residential L&L District in 2016. Because the district was created before Proposition 218, the initial assessment per dwelling unit of \$239.72 has been adjusted annually based on actual increases in utility and maintenance costs and the balance of the operational reserve fund. Per the formation documents, it is the intent that each dwelling unit of the project shares equally in all expenses of Zone V.

The landscaping, irrigation and street lights in Ridge Meadows and the maintenance of the landscaping, irrigation and street lights are of entirely local and special benefit to the parcels in Ridge Meadows, and no general benefits are provided by them. The street lighting services funded by the District constitute residential street lighting which provides safety lighting and sidewalk and parking illumination for the special benefit of assessed parcels.

The annual maximum assessments shall be adjusted annually, as set forth hereinafter, based upon the Consumer Price Indexes Pacific Cities and U.S. City Average as issued by the United States Department of Labor, Bureau of Labor Statistics. The Base Index to be used for subsequent annual adjustments ("Base Index") shall be the Index published annually in February ("Base Month"). The annual maximum assessment per lot, as defined in this report, shall be adjusted every year based upon the cumulative increase, if any, in the Index as it stands on the Base Month of each year over the Base Index. Any reduction or de-escalation in the Index from one year to the next will not result in a reduction of the annual costs. The annual costs will be levied consistent with the previous year. The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

Based on the total build-out number of parcels as of 6/1/2023, and the total assessment needed for FY 2023/2024, the levy will remain unchanged at \$216.22 per dwelling unit.

The total annual assessment for 2022/2023 was \$8,000.14. Applying the inflation adjustment based on the cumulative increase to the initial assessment, the maximum allowable assessment for 2023/2024 is \$10,477.95. The actual total assessment will be \$8,000.14. Each parcel's assessment rate, as depicted in Part C was calculated by using the assessment per parcel formula shown above which evenly distributes the assessment over the number of parcels.

## **PART E** **ASSESSMENT DIAGRAM**

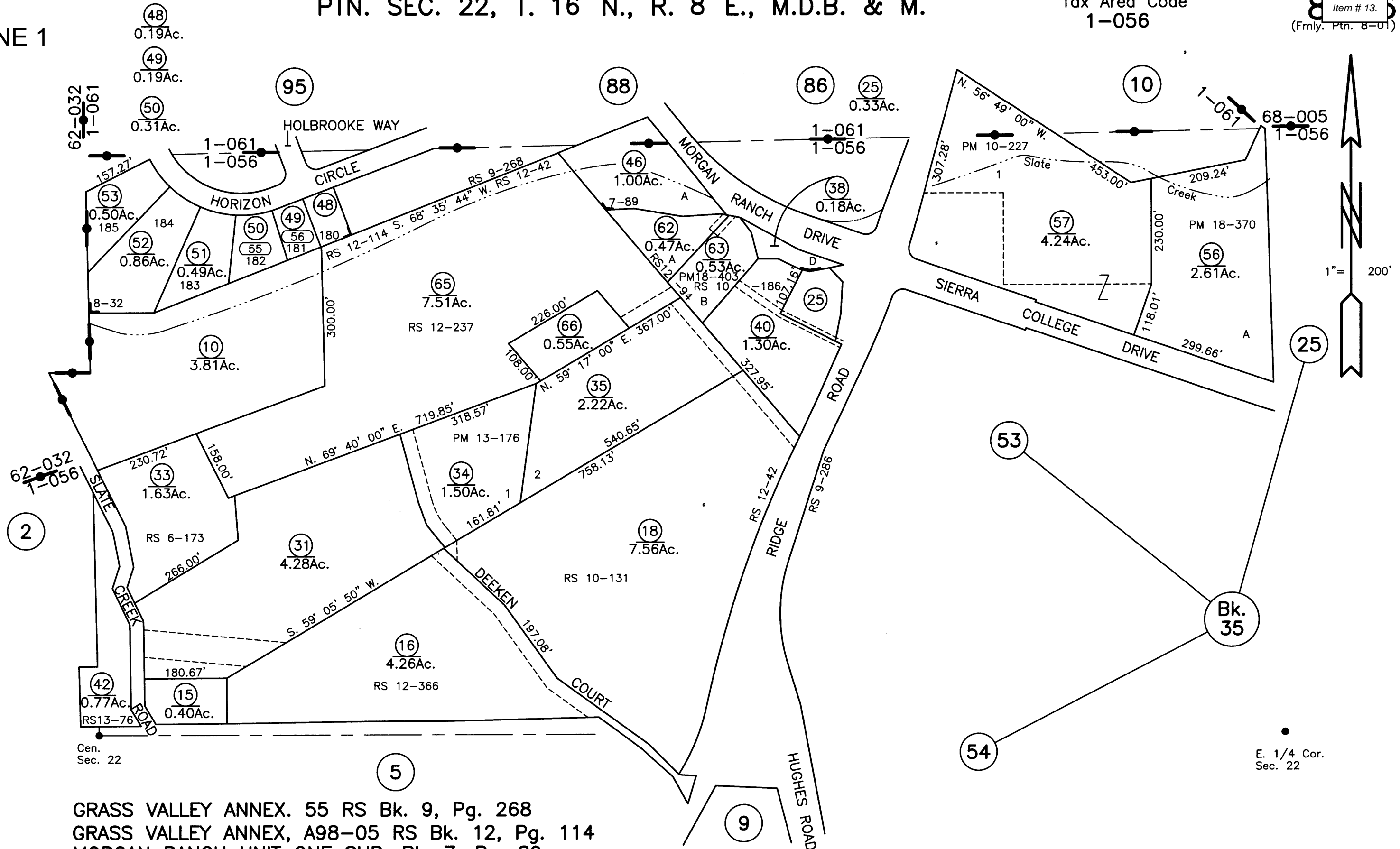
The following pages are excerpts from the latest Assessor's Parcel Maps of the County of Nevada illustrating the approximate location, size and area of the benefiting parcels within the Landscaping and Lighting District.

ZONE 1

PTN. SEC. 22, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code  
1-056

Item # 13.  
(Fmly. Ptn. 8-01)



GRASS VALLEY ANNEX. 55 RS Bk. 9, Pg. 268  
GRASS VALLEY ANNEX, A98-05 RS Bk. 12, Pg. 114  
MORGAN RANCH UNIT ONE SUB. Bk. 7, Pg. 89  
MORGAN RANCH UNIT 3A SUB. Bk. 8, Pg. 32  
WHISPERING PINES/MORGAN RANCH REFUNDING DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-99  
1-1-00  
1-1-02  
1-1-03  
1-1-05  
1-1-06  
1-1-07

Assessor's Map Bk. 8 -Pg.06  
County of Nevada, Calif.  
1998

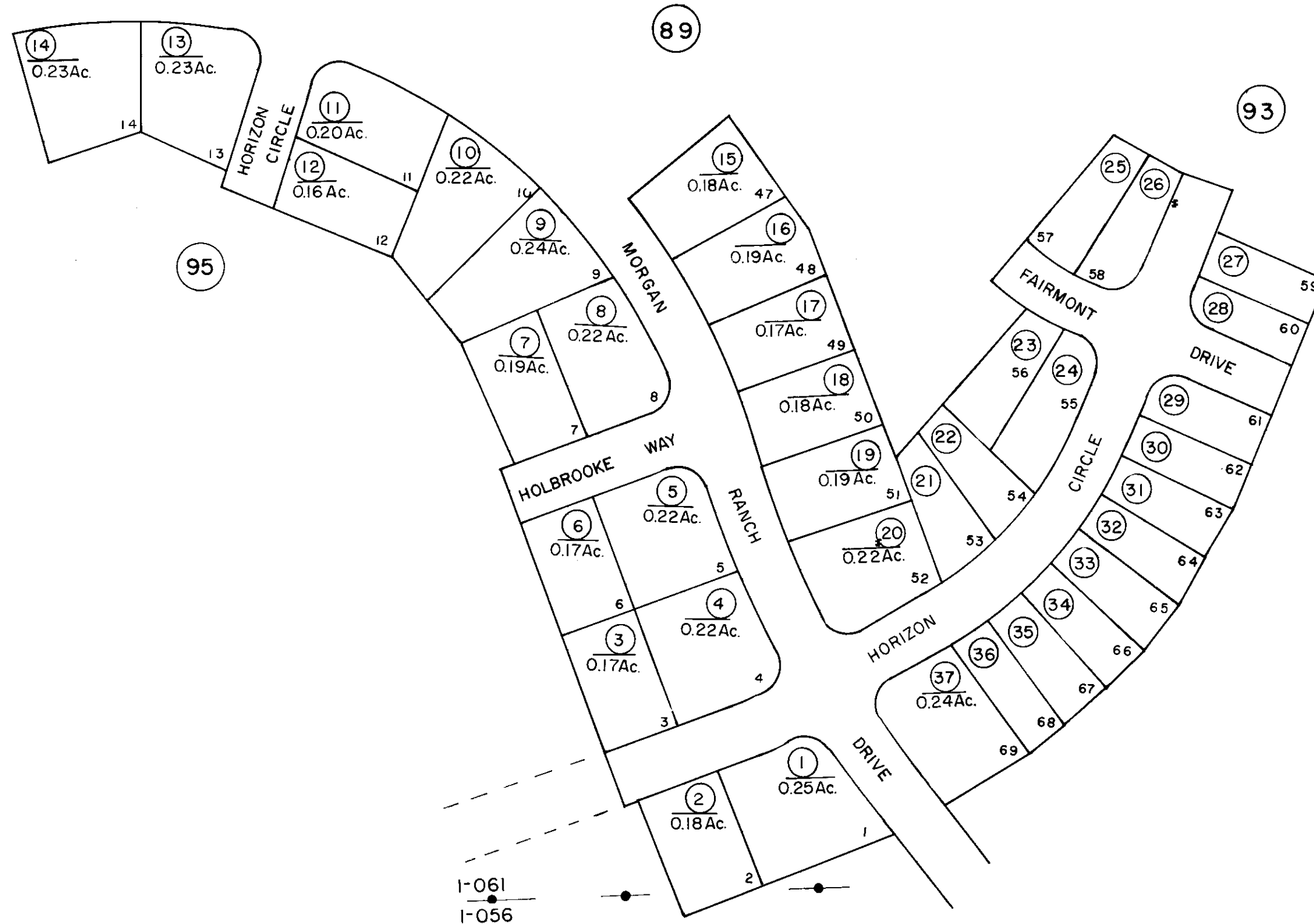
Last Updated 8-7-08

Page 210

NW 12/98



ZONE 1



1-061  
1-056

MORGAN RANCH UNIT ONE SUB. Bk. 7 Pg. 89

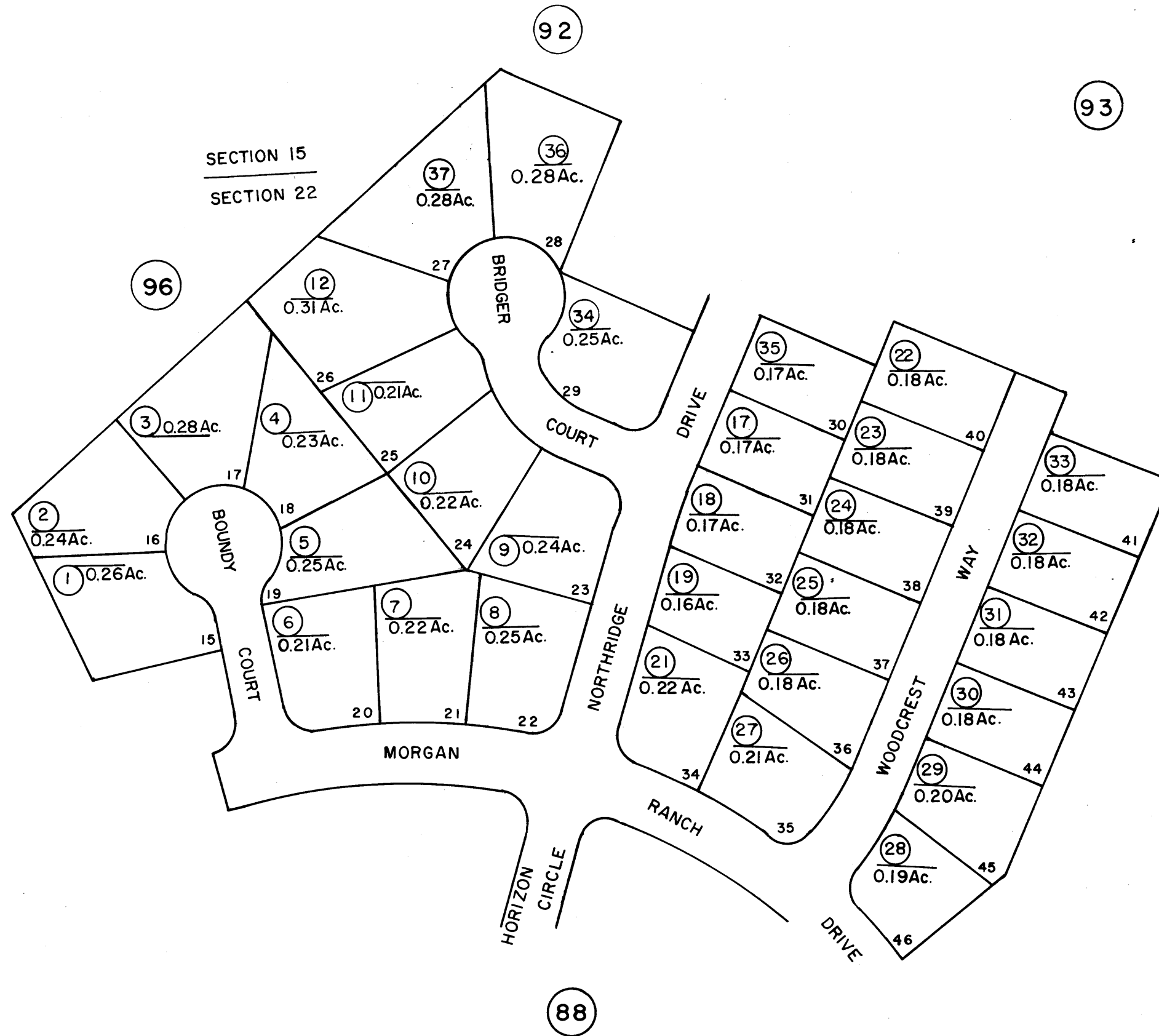
**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

Assessor's Map Bk. 8 - Pg. 88  
County of Nevada, Calif.

1988  
3-1-89 3-1-95  
3-1-90 3-1-96  
3-1-91 1-1-00  
3-1-93 1-1-03  
3-1-94



ZONE 1



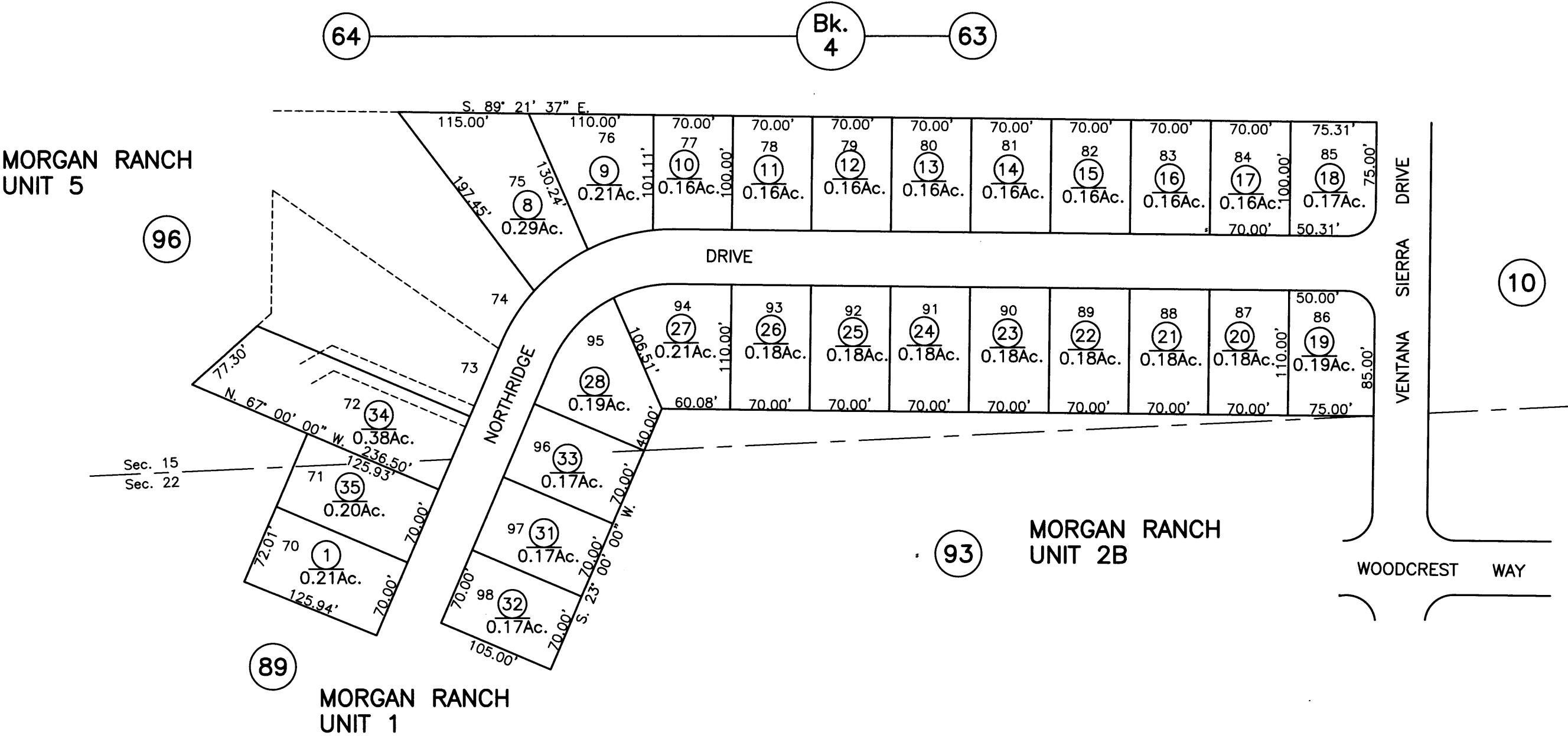
MORGAN RANCH UNIT ONE SUB. Bk. 7 Pg. 89

**ASSESSOR'S PARCEL MAP**  
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Assessor's Map Bk. 8 - Pg. 89  
County of Nevada, Calif.

1988 3-1-89 3-1-95  
3-1-90 3-1-96  
3-1-91 1-1-97  
3-1-92 1-1-99  
3-1-94 1-1-00  
1-1-06

ZONE 1



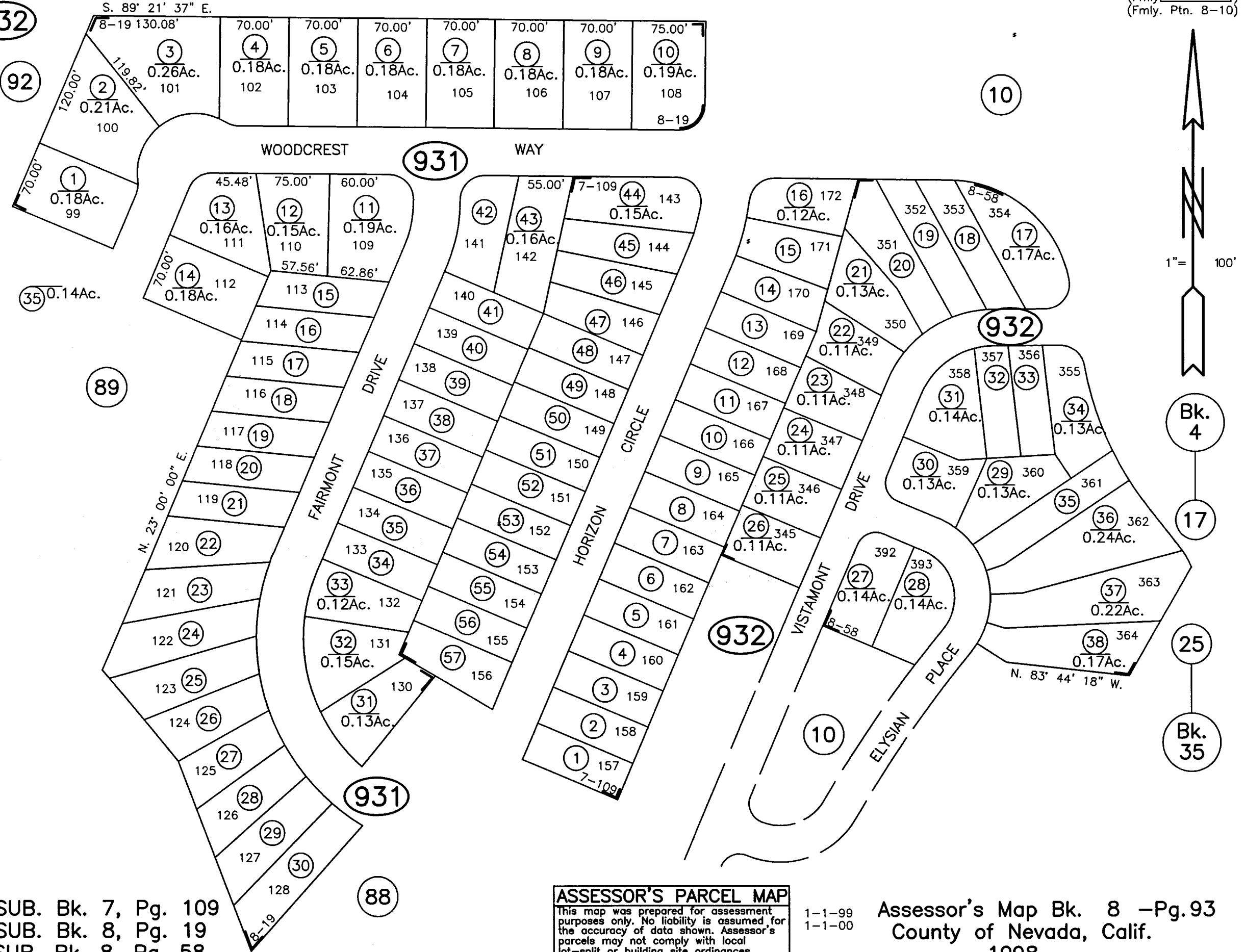
MORGAN RANCH UNIT 2A SUB. Bk. 7, Pg. 100

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-00  
1-1-01  
1-1-02  
1-1-03  
1-1-06  
Assessor's Map Bk. 8 -Pg.92  
County of Nevada, Calif.  
1999

**Zone 1**

- |              |              |              |
|--------------|--------------|--------------|
| (15) 0.10Ac. | (38) 0.10Ac. | (1) 0.10Ac.  |
| (16) 0.10Ac. | (39) 0.10Ac. | (2) 0.10Ac.  |
| (17) 0.10Ac. | (40) 0.10Ac. | (3) 0.10Ac.  |
| (18) 0.10Ac. | (41) 0.10Ac. | (4) 0.10Ac.  |
| (19) 0.10Ac. | (42) 0.13Ac. | (5) 0.10Ac.  |
| (20) 0.10Ac. | (45) 0.11Ac. | (6) 0.10Ac.  |
| (21) 0.10Ac. | (46) 0.11Ac. | (7) 0.10Ac.  |
| (22) 0.13Ac. | (47) 0.10Ac. | (8) 0.10Ac.  |
| (23) 0.14Ac. | (48) 0.10Ac. | (9) 0.10Ac.  |
| (24) 0.16Ac. | (49) 0.10Ac. | (10) 0.10Ac. |
| (25) 0.14Ac. | (50) 0.10Ac. | (11) 0.10Ac. |
| (26) 0.12Ac. | (51) 0.10Ac. | (12) 0.10Ac. |
| (27) 0.11Ac. | (52) 0.10Ac. | (13) 0.10Ac. |
| (28) 0.12Ac. | (53) 0.10Ac. | (14) 0.10Ac. |
| (29) 0.13Ac. | (54) 0.10Ac. | (15) 0.11Ac. |
| (30) 0.15Ac. | (55) 0.10Ac. | (16) 0.12Ac. |
| (34) 0.10Ac. | (56) 0.10Ac. | (18) 0.12Ac. |
| (35) 0.10Ac. | (57) 0.11Ac. | (19) 0.12Ac. |
|              |              | (20) 0.15Ac. |
|              |              | (32) 0.09Ac. |
|              |              | (33) 0.09Ac. |
| (37) 0.10Ac. |              |              |



MORGAN RANCH UNIT 2B SUB. Bk. 7, Pg. 109  
MORGAN RANCH UNIT 2C SUB. Bk. 8, Pg. 19  
MORGAN RANCH UNIT 4A SUB. Bk. 8, Pg. 58

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-99  
1-1-00

Assessor's Map Bk. 8 -Pg.93  
County of Nevada, Calif.  
1998

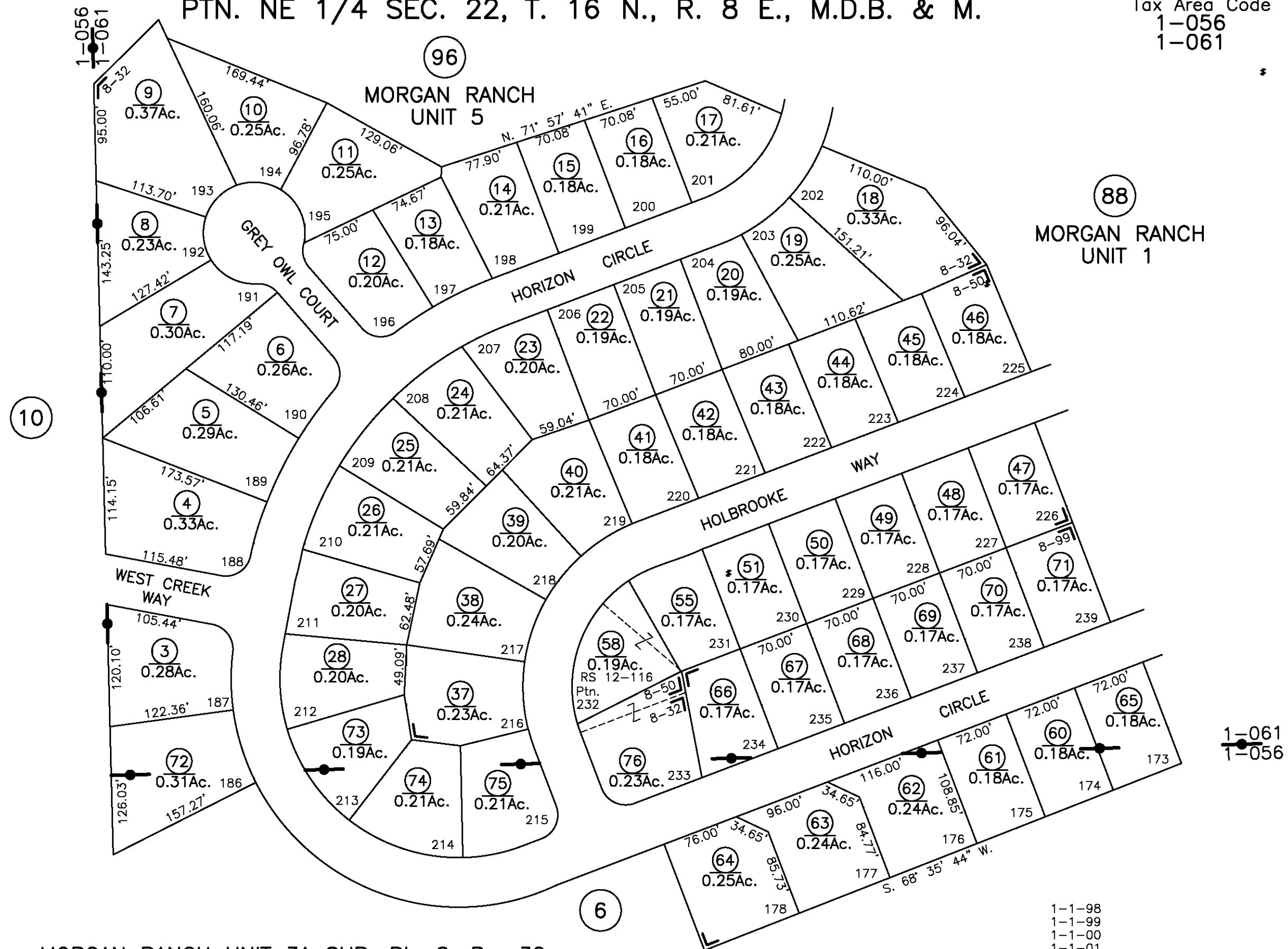
ZONE 1

PTN. NE 1/4 SEC. 22, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code

1-056  
1-061

Item # 13.  
(Fmly. Ptn. 8-01)  
(Fmly. Ptn. 8-06, 8-10)



MORGAN RANCH UNIT 3A SUB. Bk. 8, Pg. 32  
MORGAN RANCH UNIT 3B SUB. Bk. 8, Pg. 50  
MORGAN RANCH UNIT 3C SUB. Bk. 8, Pg. 99  
WHISPERING PINES/MORGAN RANCH REFUNDING DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-98  
1-1-99  
1-1-00  
1-1-01  
1-1-02  
1-1-03  
1-1-04  
1-1-05  
1-1-06  
1-1-09

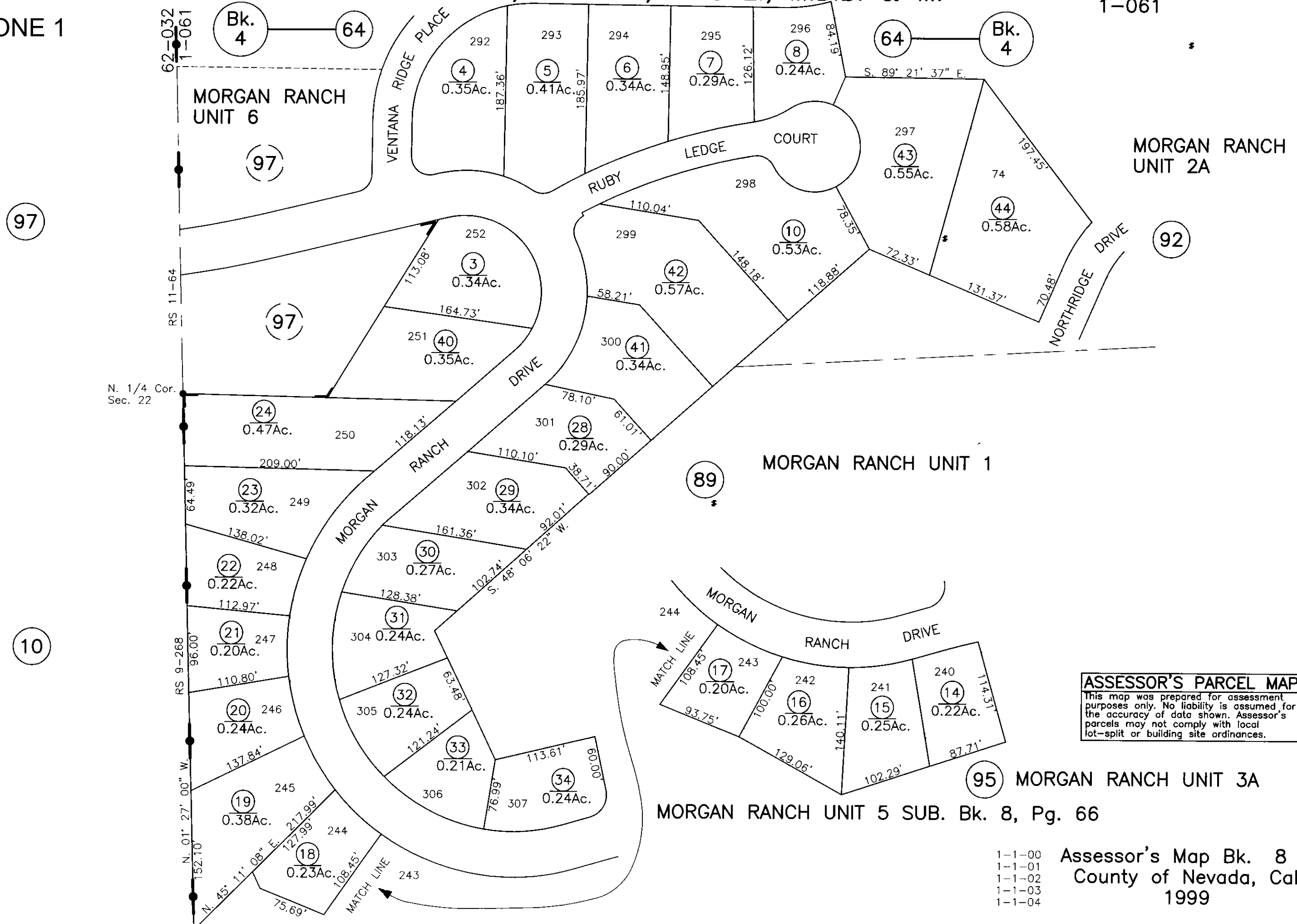
Assessor's Map Bk. 8 -Pg.95  
County of Nevada, Calif.

1997

LAST UPDATE: 2-2-12

Page 216

mm 9/97



1-1-00  
1-1-01  
1-1-02  
1-1-03  
1-1-04

Assessor's Map Bk. 8 -Pg.96  
County of Nevada, Calif.  
1999

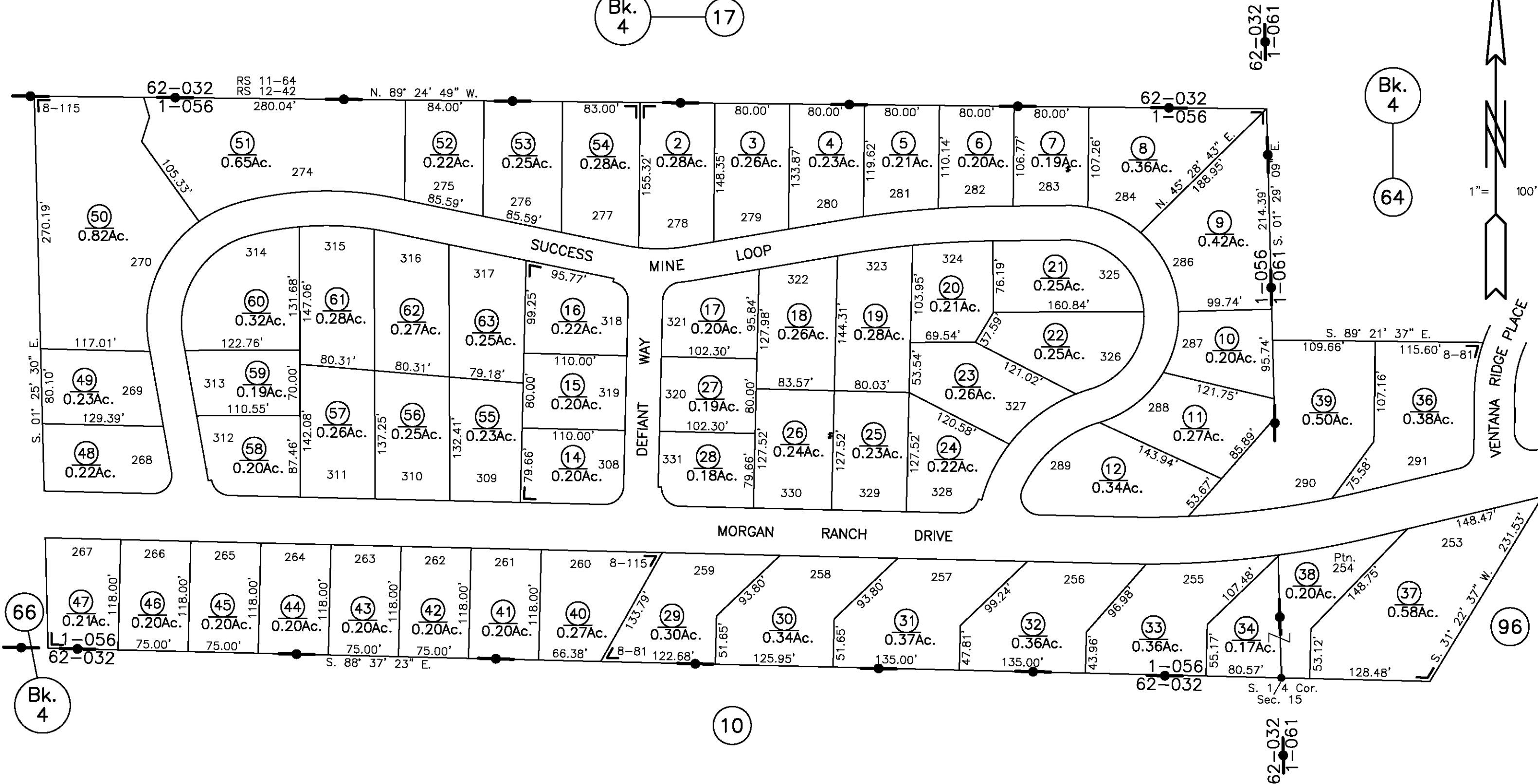
ZONE 1

Bk. 4 — 17

Bk. 4

64

1" = 100'



MORGAN RANCH UNIT 6 Bk. 8, Pg. 81  
MORGAN RANCH UNIT 7 Bk. 8, Pg. 115  
MORGAN RANCH BENEFIT ASSESSMENT DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-01  
1-1-02  
1-1-05  
1-1-06  
1-1-09

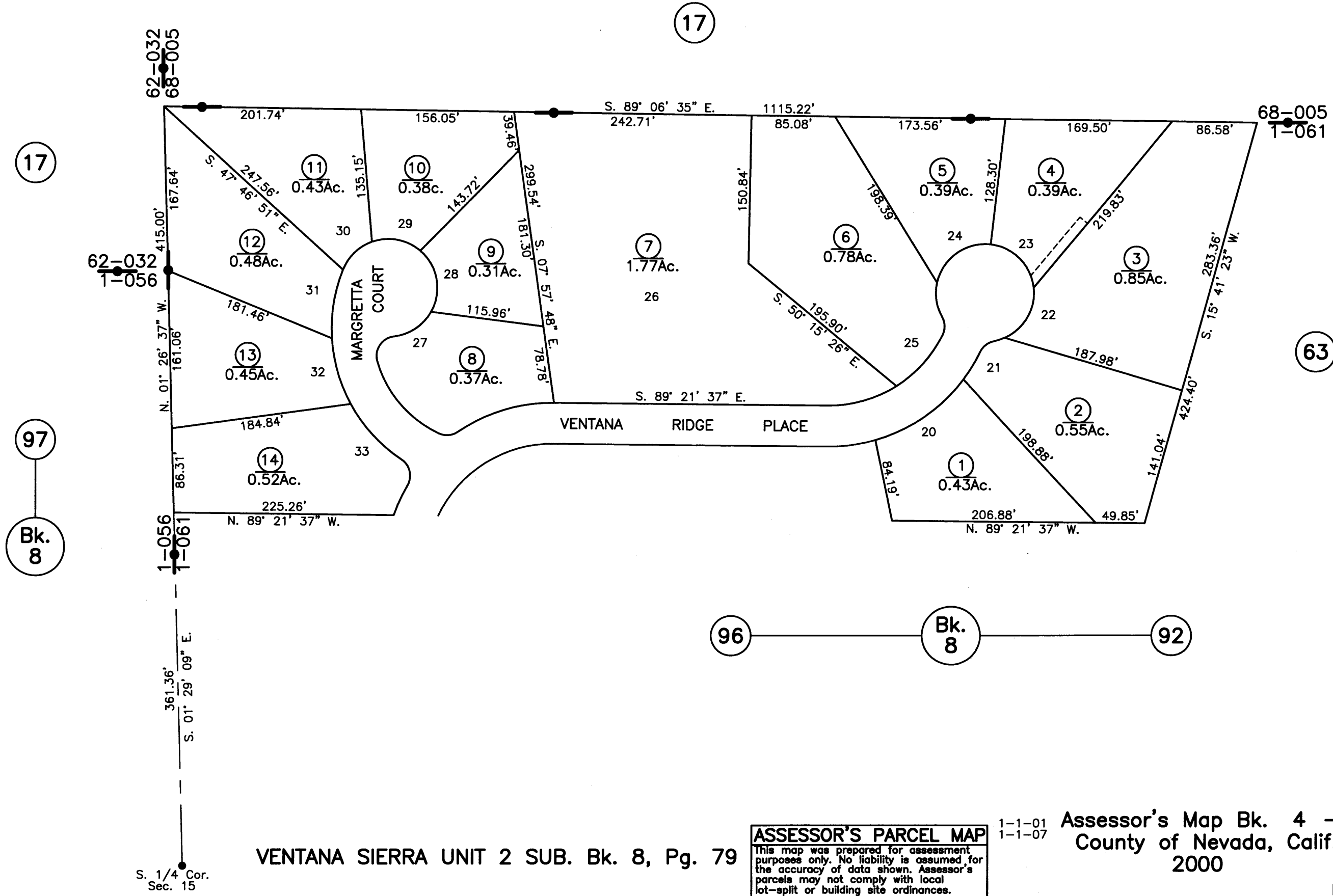
Assessor's Map Bk. 8 -Pg.97  
County of Nevada, Calif.  
2000

ZONE 2

PTN. S.E. 1/4 SEC. 15, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code  
1-061

4 Item # 13.  
(Fmly. 1-061)

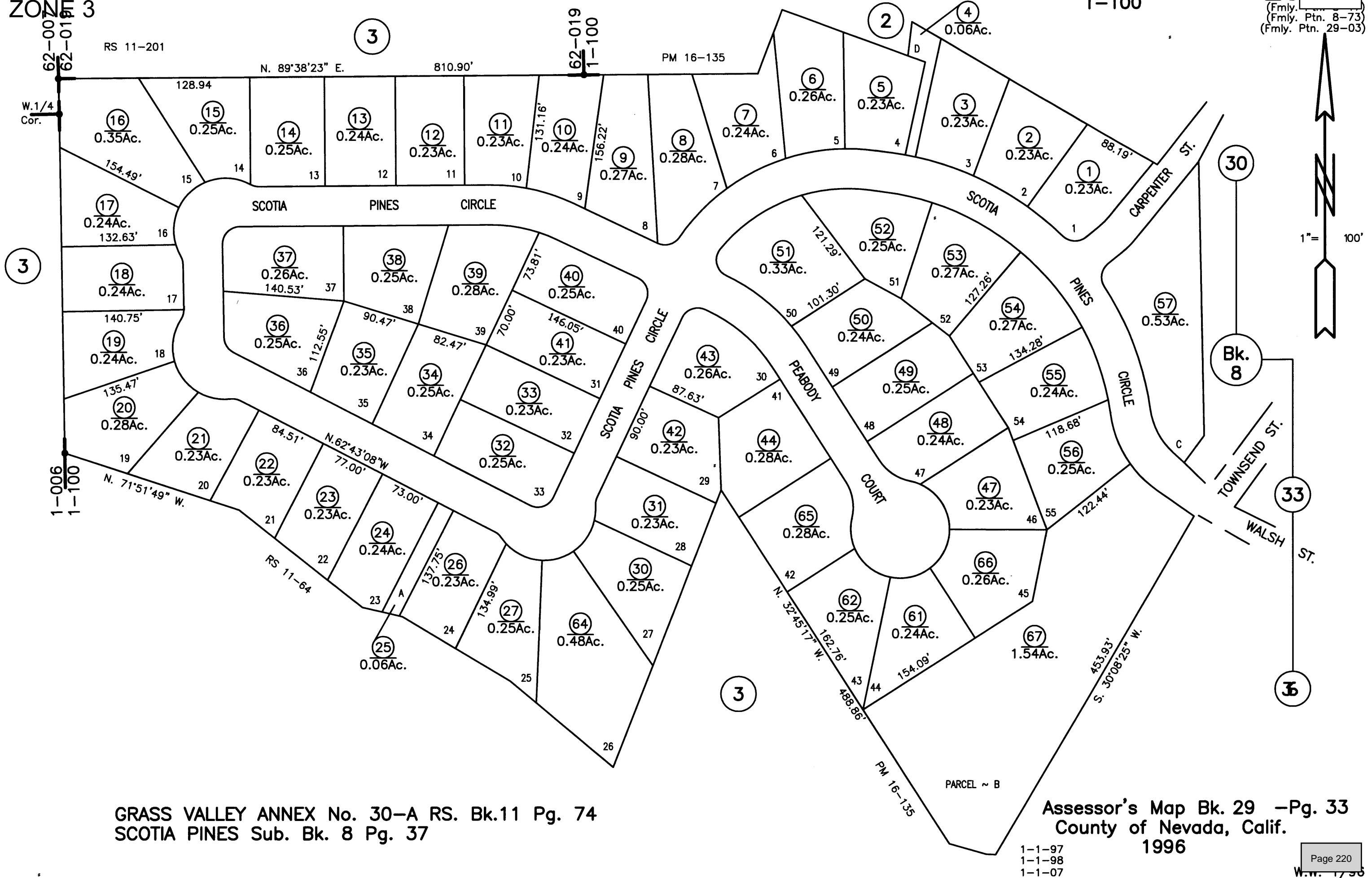


VENTANA SIERRA UNIT 2 SUB. Bk. 8, Pg. 79

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-01  
1-1-07  
Assessor's Map Bk. 4 -Pg.64  
County of Nevada, Calif.  
2000

### ZONE 3



GRASS VALLEY ANNEX No. 30-A RS. Bk.11 Pg. 74  
SCOTIA PINES Sub. Bk. 8 Pg. 37

Assessor's Map Bk. 29 -Pg. 33  
County of Nevada, Calif.  
1996

1-1-97  
1-1-98  
1-1-07

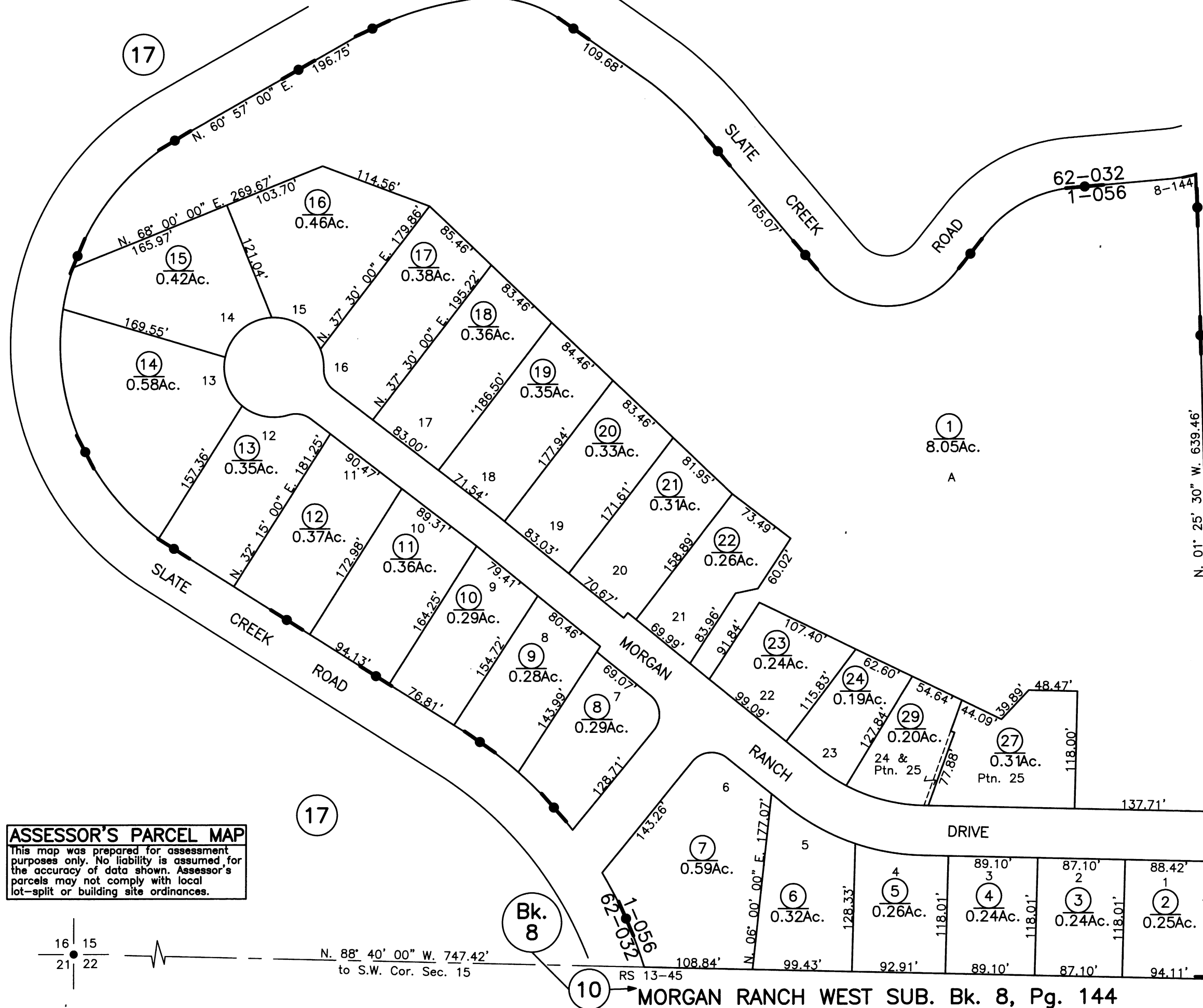


ZONE 4

PTN. S.W. 1/4 SEC. 15, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code  
1-056

4 Item # 13.  
(Fmly)



17

62-032  
1-056

MORGAN RANCH 7

97

Bk. 8

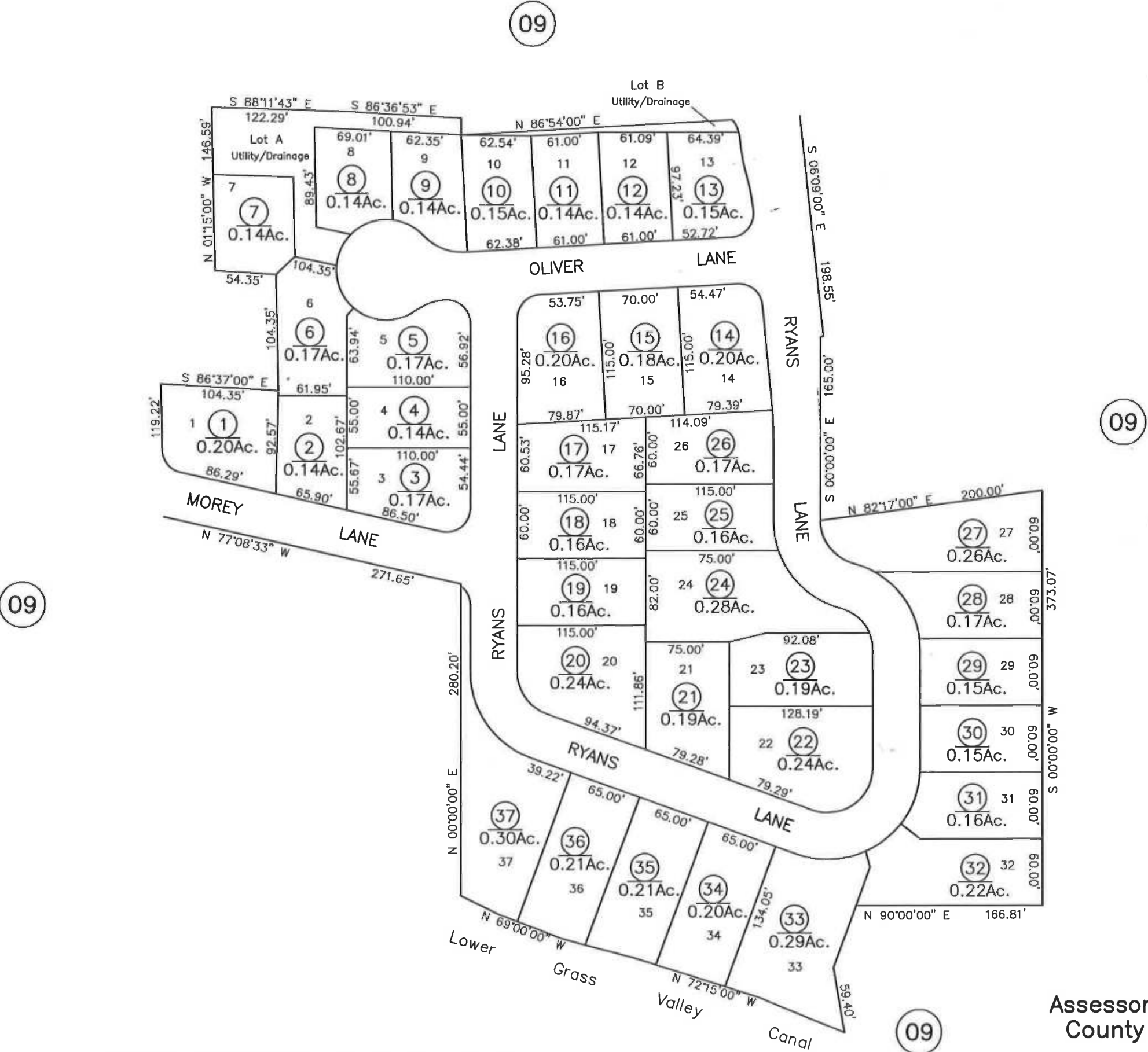
1-1-06

Assessor's Map Bk. 4 -Pg. 66  
County of Nevada, Calif.  
2005

LAST UPDATE 9-12-08

Page 221

NW 127.00



**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

## RESOLUTION NO. 2023-36

RESOLUTION CONFIRMING DIAGRAM AND  
ASSESSMENT AND LEVYING ASSESSMENT FOR FISCAL YEAR 2023-24  
ASSESSMENT DISTRICT NO. 2003-1  
(Morgan Ranch Unit 7)  
(Pursuant to the Benefit Assessment Act of 1982)

The City Council of the City of Grass Valley resolves:

1. Pursuant Section 54715, California Government Code (hereafter the "1982 Act") the City Council directed Bjorn Jones, P.E., Engineer of Work for Benefit Assessment District No. 2003-1, to prepare and file an annual report for fiscal year 2023-24.

2. The Engineer of Work filed his annual report on June 13, 2023, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment district for fiscal year 2023-24 and set a public hearing to be held on June 27, 2023, at the Grass Valley Council Chambers, Grass Valley, California. Notice of the hearing was given in the time and manner required by law.

3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report either in writing or orally, and the City Council has considered each protest.

4. The City Council hereby confirms the diagram and assessment as set forth in the annual report of the Engineer of Work and hereby levies the assessment set forth therein for fiscal year 2023-24.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney

## RESOLUTION NO. 2023-37

RESOLUTION REQUESTING THE COUNTY AUDITOR TO PLACE  
ASSESSMENTS ON THE TAX ROLL  
ASSESSMENT DISTRICT NO. 2003-1  
(Morgan Ranch Unit 7)

The City Council of the City of Grass Valley resolves:

On June 27, 2023, the City Council adopted Resolution No. 2023-XX, Resolution Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2023-24 for the Assessment District No. 2003-1 Morgan Ranch-Unit 7, City of Grass Valley, County of Nevada, State of California. In accordance with the provisions of Section 54718 of the Government Code, the City Clerk forwarded to the County Auditor of the County of Nevada a Clerk's Certification to the County Auditor, a copy of which is attached hereto as Exhibit A and made a part hereof, and has provided the information necessary to place the annual assessment in said district on the 2023-24 tax roll.

The City Council hereby requests that the County Auditor place the assessments on said tax roll. The City Council understands that costs for this service will be charged in accordance with the "Standard Form Tax Collection Services" contract between the City of Grass Valley and the County of Nevada.

The City Clerk is hereby requested to forward a copy of this resolution to the County Auditor of the County of Nevada.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



MAY 18, 2023

Item # 13.

# ENGINEER'S REPORT

MORGAN RANCH UNIT 7 BENEFIT ASSESSMENT DISTRICT NO. 2003-1

ANNUAL ASSESMENT 2023/2024

for

CITY OF GRASS VALLEY

NEVADA COUNTY, CALIFORNIA

Respectfully submitted, as directed by the City Council.

By: \_\_\_\_\_

Bjorn P. Jones, P.E.  
R.C.E. No. 75378

## **ENGINEER'S REPORT AFFIDAVIT**

### **BENFIT ASSESSMENT DISTRICT NO. 2003-1 (Morgan Ranch Unit 7)**

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Grass Valley, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with the County Auditor of the County of Nevada on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

## **OVERVIEW**

Bjorn P. Jones, Engineer of Work for Morgan Ranch Unit 7 Benefit Assessment District No. 2003-1, City of Grass Valley, Nevada County, California makes this report, as directed by City Council, pursuant to Section 54715 of the Government Code (Benefit Assessment District of 1982).

The improvements which are the subject matter of this report are briefly described as follows:

### **Morgan Ranch Unit 7**

The maintenance, operation and servicing of drainage improvements, as delineated on plans prepared by Nevada City Engineering, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district, including the maintenance, operations, and servicing of the drainage improvements.

This report consists of five (5) parts, as follows:

**PART A** - Plans and specifications for the improvements that are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference only.

**PART B** - An estimate of the cost of the improvements for Fiscal Year 2023/2024.

**PART C** - An assessment of the estimated cost of the improvement and levy on each benefiting parcel of land within the district.

**PART D** - The Method of Apportionment by which the undersigned has determined the amount proposed to be levied on each parcel.

**PART E** - A diagram showing all parcels of real property within this district. The diagram is keyed to Part C by Assessor's Parcel Number.

## **PART A** **PLANS**

Plans and specifications for the drainage improvements have been prepared by Nevada City Engineering. These Plans and Specifications have been filed separately with the City Clerk and the City Engineer's office and are incorporated in this Report by reference only; the initial improvements were completed by separate contracts.

The following reference drawings are on file with the office of the City Engineer:

Morgan Ranch - Unit 7 Plans (Dwg No. 1892)



## **PART B** **COST ESTIMATE**

The estimated cost for the maintenance of improvements described in this Report for the fiscal year 2023/2024 includes the use of reserve funds to provide maintenance to the detention basins and is as follows:

<b>Morgan Ranch Unit 7</b>	
<b>COST INFORMATION</b>	
Direct Maintenance Costs	\$10,000
County Administrative Fee	\$215
City Administration Costs	\$265
<b>Total Direct and Admin Costs</b>	<b>\$10,480</b>
<b>ASSESSMENT INFORMATION</b>	
Direct Costs	\$10,480
Reserve Collections/ (Transfer)	(\$10,000)
<b>Net Total Assessment</b>	<b>\$480</b>
<b>FUND BALANCE INFORMATION</b>	
Projected Reserve After FY 2022/2023	\$19,390
Interest Earnings	\$65
Reserve Fund Adjustments	(\$10,000)
<b>Projected Reserve at End of Year</b>	<b>\$9,455</b>

**PART C****ASSESSMENT ROLL****Morgan Ranch - Unit 7 Subdivision**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$480.00	\$550.01	\$480.00

Percent of Undeveloped Land or No. of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	\$20.00	008-970-040	01056	\$10.00	\$10.00
1	\$20.00	008-970-041	01056	\$10.00	\$10.00
1	\$20.00	008-970-042	01056	\$10.00	\$10.00
1	\$20.00	008-970-043	01056	\$10.00	\$10.00
1	\$20.00	008-970-044	01056	\$10.00	\$10.00
1	\$20.00	008-970-045	01056	\$10.00	\$10.00
1	\$20.00	008-970-046	01056	\$10.00	\$10.00
1	\$20.00	008-970-047	01056	\$10.00	\$10.00
1	\$20.00	008-970-048	01056	\$10.00	\$10.00
1	\$20.00	008-970-049	01056	\$10.00	\$10.00
1	\$20.00	008-970-050	01056	\$10.00	\$10.00
1	\$20.00	008-970-051	01056	\$10.00	\$10.00
1	\$20.00	008-970-052	01056	\$10.00	\$10.00
1	\$20.00	008-970-053	01056	\$10.00	\$10.00
1	\$20.00	008-970-054	01056	\$10.00	\$10.00
1	\$20.00	008-970-055	01056	\$10.00	\$10.00
1	\$20.00	008-970-056	01056	\$10.00	\$10.00
1	\$20.00	008-970-057	01056	\$10.00	\$10.00
1	\$20.00	008-970-058	01056	\$10.00	\$10.00
1	\$20.00	008-970-059	01056	\$10.00	\$10.00
1	\$20.00	008-970-060	01056	\$10.00	\$10.00
1	\$20.00	008-970-061	01056	\$10.00	\$10.00
1	\$20.00	008-970-062	01056	\$10.00	\$10.00
1	\$20.00	008-970-063	01056	\$10.00	\$10.00
24	<b>\$480.00</b>	<b>Subtotal - Developed Land</b>		<b>\$240.00</b>	<b>\$240.00</b>

## **PART D**

### **METHOD OF APPORTIONING**

In order to maintain sufficient funding for the Districts, assessments will be adjusted annually by the Consumer Price Indexes (CPI) Pacific Cities and U.S. City Average for February of the year of calculation All Items Indexes for the West. The corresponding CPI for February 2022 was 8.1%.

#### **Morgan Ranch Unit 7**

The initial assessment spread created a yearly assessment per dwelling unit of \$84.29. It is the intent that each dwelling unit of the entire project share equally in all expenses upon completion.

The 2021/2022 assessment was \$480. Applying the inflation adjustment, the maximum allowable assessment for 2022/2023 is \$550.01. The actual total assessment will remain unchanged at \$480.00. Based on the total build-out number of parcels and the total assessment needed, the FY 2022/2023 levy will remain at \$20.00 per dwelling unit.

The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

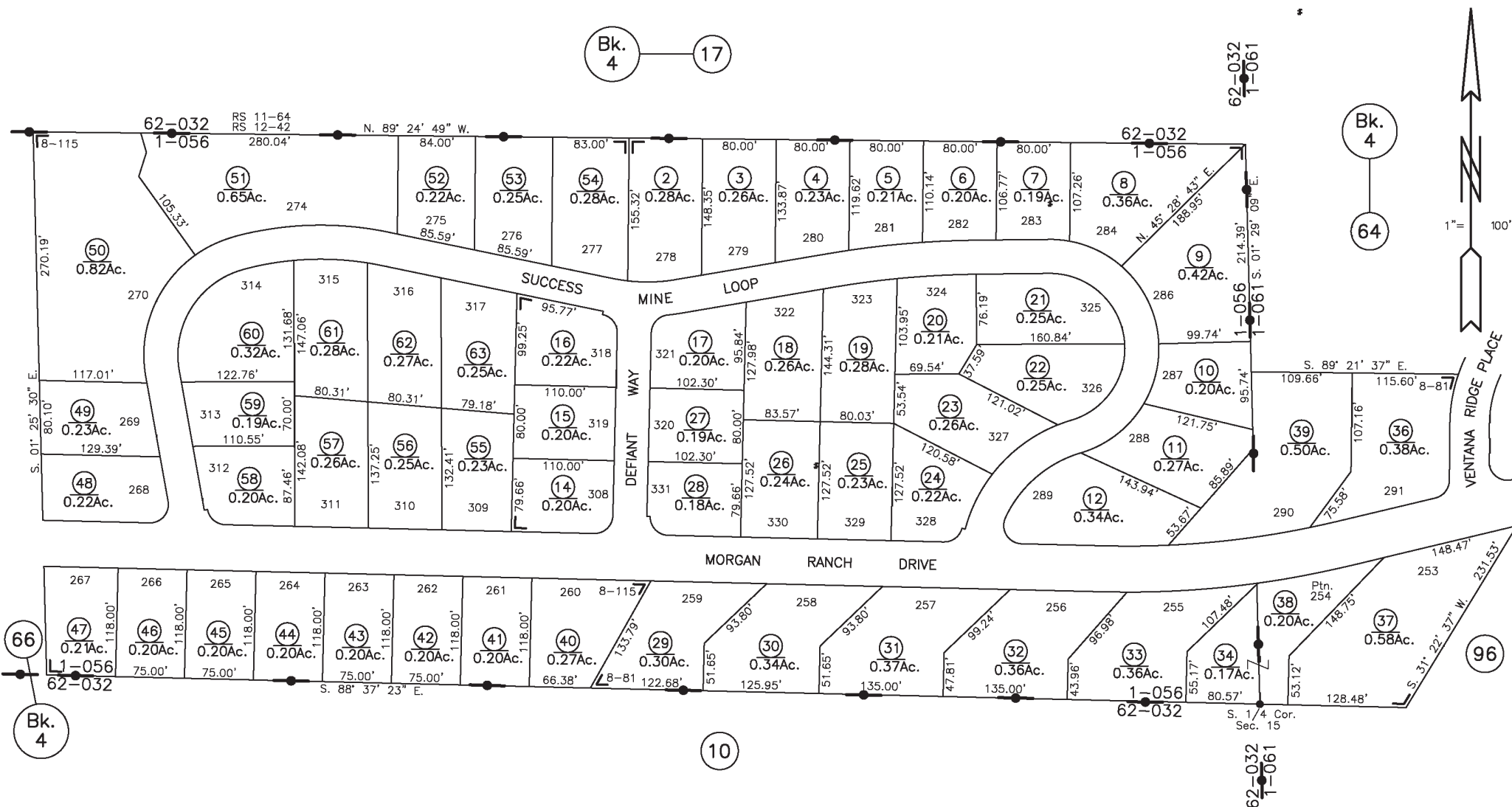
## **PART E** **ASSESSMENT DIAGRAM**

The following pages are excerpts from the latest Assessor's Parcel Maps of the County of Nevada illustrating the approximate location, size and area of the benefiting parcels within the Benefit Assessment District.

PTN. S.1/2 SEC. 15, T. 16 N., R. 8 E., M.D.B. & M.

Tax Area Code  
1-056  
1-061

8-97  
(Fmly. Ptn. 4-17)  
(Fmly. Ptn. 8-10)



MORGAN RANCH UNIT 6 Bk. 8, Pg. 81  
MORGAN RANCH UNIT 7 Bk. 8, Pg. 115  
MORGAN RANCH BENEFIT ASSESSMENT DISTRICT

**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.

1-1-01  
1-1-02  
1-1-05  
1-1-06  
1-1-09

Assessor's Map Bk. 8 -Pg.97  
County of Nevada, Calif.  
2000

LAST UPDATE: 2-2-12

DLB 12/00

## RESOLUTION NO. 2023-38

RESOLUTION CONFIRMING DIAGRAM AND  
ASSESSMENT AND LEVYING ASSESSMENT FOR FISCAL YEAR 2023-24  
ASSESSMENT DISTRICT NO. 2010-1  
(Morgan Ranch West)  
(Pursuant to the Benefit Assessment Act of 1982)

The City Council of the City of Grass Valley resolves:

1. Pursuant Section 54715, California Government Code (hereafter the "1982 Act") the City Council directed Bjorn Jones, P.E., Engineer of Work for Benefit Assessment District No. 2010-1, to prepare and file an annual report for fiscal year 2023-24.

2. The Engineer of Work filed his annual report on June 13, 2023, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment district for fiscal year 2023-24 and set a public hearing to be held on June 27, 2023, at the Grass Valley Council Chambers, Grass Valley, California. Notice of the hearing was given in the time and manner required by law.

3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report either in writing or orally, and the City Council has considered each protest.

4. The City Council hereby confirms the diagram and assessment as set forth in the annual report of the Engineer of Work and hereby levies the assessment set forth therein for fiscal year 2023-24.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney

## RESOLUTION NO. 2023-39

RESOLUTION REQUESTING THE COUNTY AUDITOR TO PLACE  
ASSESSMENTS ON THE TAX ROLL  
ASSESSMENT DISTRICT NO. 2010-1  
(Morgan Ranch West)

The City Council of the City of Grass Valley resolves:

On June 27, 2023, the City Council adopted Resolution No. 2023-XX, Resolution Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2023-24 for the Assessment District No. 2010-1 Morgan Ranch West, City of Grass Valley, County of Nevada, State of California. In accordance with the provisions of Section 54718 of the Government Code, the City Clerk forwarded to the County Auditor of the County of Nevada a Clerk's Certification to the County Auditor, a copy of which is attached hereto as Exhibit A and made a part hereof, and has provided the information necessary to place the annual assessment in said district on the 2023-24 tax roll.

The City Council hereby requests that the County Auditor place the assessments on said tax roll. The City Council understands that costs for this service will be charged in accordance with the "Standard Form Tax Collection Services" contract between the City of Grass Valley and the County of Nevada.

The City Clerk is hereby requested to forward a copy of this resolution to the County Auditor of the County of Nevada.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



MAY 18, 2023

Item # 13.

# ENGINEER'S REPORT

MORGAN RANCH WEST BENEFIT ASSESSMENT DISTRICT NO. 2010-1

ANNUAL ASSESMENT 2023/2024

for

CITY OF GRASS VALLEY

NEVADA COUNTY, CALIFORNIA

Respectfully submitted, as directed by the City Council.

By: \_\_\_\_\_

Bjorn P. Jones P.E.  
R.C.E. No. 75378



## **ENGINEER'S REPORT AFFIDAVIT**

### **BENEFIT ASSESSMENT DISTRICT NO. 2010-1 (Morgan Ranch West)**

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Grass Valley, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with the County Auditor of the County of Nevada on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

## **OVERVIEW**

Bjorn P. Jones Engineer of Work for Morgan Ranch West Benefit Assessment District No. 2010-1, City of Grass Valley, Nevada County, California makes this report, as directed by City Council, pursuant to Section 54715 of the Government Code (Benefit Assessment District of 1982).

The improvements which are the subject matter of this report are briefly described as follows:

### **Morgan Ranch West**

The maintenance, operation and servicing of drainage improvements, as delineated on plans prepared by Nevada City Engineering, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district, including the maintenance, operations, and servicing of the drainage improvements.

This report consists of five (5) parts, as follows:

**PART A** - Plans and specifications for the improvements that are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference only.

**PART B** - An estimate of the cost of the improvements for Fiscal Year 2023/2024.

**PART C** - An assessment of the estimated cost of the improvement and levy on each benefiting parcel of land within the district.

**PART D** - The Method of Apportionment by which the undersigned has determined the amount proposed to be levied on each parcel.

**PART E** - A diagram showing all parcels of real property within this district. The diagram is keyed to Part C by Assessor's Parcel Number.

## **PART A** **PLANS**

Plans for the landscape, irrigation and street lighting for each zone have been prepared by a variety of landscape architects and engineers. These Plans have been filed separately with the City Engineer's office and are incorporated in this Report by reference only as the initial improvements were completed by separate contracts.

The following reference drawings are on file with the office of the City Engineer:

Morgan Ranch West Improvement Plans (Dwg No. 2000)

**PART B**  
**COST ESTIMATE**

The estimated cost for the maintenance of improvements described in this Report for the fiscal year 2023/2024 includes the use of reserve funds to provide maintenance to the detention basins and is as follows:

<b>Morgan Ranch West</b>	
<b>COST INFORMATION</b>	
Direct Maintenance Costs	\$5,260
County Administrative Fee	\$215
City Administration Costs	\$275
<b>Total Direct and Admin Costs</b>	<b>\$5,750</b>
<b>ASSESSMENT INFORMATION</b>	
Direct Costs	\$5,750
Reserve Collections/ (Transfer)	(\$5,000)
<b>Net Total Assessment</b>	<b>\$750</b>
<b>FUND BALANCE INFORMATION</b>	
Projected Reserve After FY 2022/2023	\$11,211
Interest Earnings	\$35
Reserve Fund Adjustments	(\$5,000)
<b>Projected Reserve at End of Year</b>	<b>\$6,246</b>

**PART C****ASSESSMENT ROLL****Morgan Ranch West**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$750.00	\$859.40	\$750.00

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
-	-	-	-	-	-
1	30.00	004-660-002	01056	15.00	15.00
1	30.00	004-660-003	01056	15.00	15.00
1	30.00	004-660-004	01056	15.00	15.00
1	30.00	004-660-005	01056	15.00	15.00
1	30.00	004-660-006	01056	15.00	15.00
1	30.00	004-660-007	01056	15.00	15.00
1	30.00	004-660-008	01056	15.00	15.00
1	30.00	004-660-009	01056	15.00	15.00
1	30.00	004-660-010	01056	15.00	15.00
1	30.00	004-660-011	01056	15.00	15.00
1	30.00	004-660-012	01056	15.00	15.00
1	30.00	004-660-013	01056	15.00	15.00
1	30.00	004-660-014	01056	15.00	15.00
1	30.00	004-660-015	01056	15.00	15.00
1	30.00	004-660-016	01056	15.00	15.00
1	30.00	004-660-017	01056	15.00	15.00
1	30.00	004-660-018	01056	15.00	15.00
1	30.00	004-660-019	01056	15.00	15.00
1	30.00	004-660-020	01056	15.00	15.00
1	30.00	004-660-021	01056	15.00	15.00
1	30.00	004-660-022	01056	15.00	15.00
1	30.00	004-660-023	01056	15.00	15.00
1	30.00	004-660-024	01056	15.00	15.00
1	30.00	004-660-029	01056	15.00	15.00
1	30.00	004-660-027	01056	15.00	15.00
25	\$750.00			\$375.00	\$375.00

## **PART D**

### **METHOD OF APPORTIONING**

In order to maintain sufficient funding for the Districts, assessments will be adjusted annually by the Consumer Price Indexes (CPI) Pacific Cities and U.S. City Average for February of the year of calculation All Items Indexes for the West. The corresponding CPI for February 2023 was 6.0%.

#### **Morgan Ranch West**

The initial assessment spread created a yearly assessment per dwelling unit of \$84.29. It is the intent that each dwelling unit of the entire project share equally in all expenses upon completion.

The 2022/2023 assessment was \$750.00. Applying the inflation adjustment, the maximum allowable assessment for 2023/2024 is \$859.40. The actual total assessment will remain unchanged at \$750.00. Based on the total build-out number of parcels and the total assessment needed, the FY 2023/2024 levy will be \$30.00 per dwelling unit.

The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)

## **PART E** **ASSESSMENT DIAGRAM**

The following pages are excerpts from the latest Assessor's Parcel Maps of the County of Nevada illustrating the approximate location, size and area of the benefiting parcels within the Landscaping and Lighting District.

## RESOLUTION NO. 2023-40

RESOLUTION CONFIRMING DIAGRAM AND  
ASSESSMENT AND LEVYING ASSESSMENT FOR FISCAL YEAR 2023-24  
ASSESSMENT DISTRICT NO. 2016-1  
(Ridge Meadows)  
(Pursuant to the Benefit Assessment Act of 1982)

The City Council of the City of Grass Valley resolves:

1. Pursuant Section 54715, California Government Code (hereafter the "1982 Act") the City Council directed Bjorn Jones, P.E., Engineer of Work for Benefit Assessment District No. 2016-1, to prepare and file an annual report for fiscal year 2023-24.

2. The Engineer of Work filed his annual report on June 13, 2023, and the City Council adopted its resolution of intention to levy and collect assessments within the assessment district for fiscal year 2023-24 and set a public hearing to be held on June 27, 2023, at the Grass Valley Council Chambers, Grass Valley, California. Notice of the hearing was given in the time and manner required by law.

3. At the public hearing, the City Council afforded to every interested person an opportunity to make a protest to the annual report either in writing or orally, and the City Council has considered each protest.

4. The City Council hereby confirms the diagram and assessment as set forth in the annual report of the Engineer of Work and hereby levies the assessment set forth therein for fiscal year 2023-24.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

\_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST:

\_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Colantuono, City Attorney



## RESOLUTION NO. 2023-41

RESOLUTION REQUESTING THE COUNTY AUDITOR TO PLACE  
ASSESSMENTS ON THE TAX ROLL  
ASSESSMENT DISTRICT NO. 2016-1  
(Ridge Meadows)

The City Council of the City of Grass Valley resolves:

On June 27, 2023, the City Council adopted Resolution No. 2023-XX, Resolution Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2023-24 for the Assessment District No. 2016-1 Ridge Meadows, City of Grass Valley, County of Nevada, State of California. In accordance with the provisions of Section 54718 of the Government Code, the City Clerk forwarded to the County Auditor of the County of Nevada a Clerk's Certification to the County Auditor, a copy of which is attached hereto as Exhibit A and made a part hereof, and has provided the information necessary to place the annual assessment in said district on the 2023-24 tax roll.

The City Council hereby requests that the County Auditor place the assessments on said tax roll. The City Council understands that costs for this service will be charged in accordance with the "Standard Form Tax Collection Services" contract between the City of Grass Valley and the County of Nevada.

The City Clerk is hereby requested to forward a copy of this resolution to the County Auditor of the County of Nevada.

ADOPTED as a Resolution of the Council of the City of Grass Valley at a regular meeting thereof held on the 27<sup>th</sup> day of June, 2023, by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAINING: Council Members

SIGNED: \_\_\_\_\_  
Jan Arbuckle, Mayor

ATTEST: \_\_\_\_\_  
Taylor Day, City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
Michael Colantuono, City Attorney



MAY 18, 2023

Item # 13.

# ENGINEER'S REPORT

**RIDGE MEADOWS BENEFIT ASSESSMENT DISTRICT NO. 2016-1**

ANNUAL ASSESMENT 2023/2024

for

CITY OF GRASS VALLEY

NEVADA COUNTY, CALIFORNIA

Respectfully submitted, as directed by the City Council.

By: \_\_\_\_\_

Bjorn P. Jones, P.E.  
R.C.E. No. 75378

## **ENGINEER'S REPORT AFFIDAVIT**

### **BENEFIT ASSESSMENT DISTRICT NO. 2016-1 (Ridge Meadows)**

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was approved and confirmed by the City Council of the City of Grass Valley, California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached was filed with the County Auditor of the County of Nevada on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
City Clerk, City of Grass Valley  
Nevada County, California

## **OVERVIEW**

Bjorn P. Jones, Engineer of Work for Ridge Meadows Benefit Assessment District No. 2016-1, City of Grass Valley, Nevada County, California makes this report, as directed by City Council, pursuant to Section 54715 of the Government Code (Benefit Assessment District of 1982).

The improvements which are the subject matter of this report are briefly described as follows:

### **Ridge Meadows**

The maintenance, operation and servicing of drainage improvements, as delineated on plans prepared by Nevada City Engineering, on file with the City of Grass Valley, and modified by subsequent development, or changes instituted by the City of Grass Valley in the routine administration of the district, including the maintenance, operations, and servicing of the drainage improvements.

This report consists of five (5) parts, as follows:

**PART A** - Plans and specifications for the improvements that are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference only.

**PART B** - An estimate of the cost of the improvements for Fiscal Year 2023/2024.

**PART C** - An assessment of the estimated cost of the improvement and levy on each benefiting parcel of land within the district.

**PART D** - The Method of Apportionment by which the undersigned has determined the amount proposed to be levied on each parcel.

**PART E** - A diagram showing all parcels of real property within this district. The diagram is keyed to Part C by Assessor's Parcel Number.

## **PART A** **PLANS**

Plans for the drainage facilities have been prepared by a variety of landscape architects and engineers. These Plans have been filed separately with the City Engineer's office and are incorporated in this Report by reference only as the initial improvements were completed by separate contracts.

The following reference drawings are on file with the office of the City Engineer:

Ridge Meadows Improvement Plans (Dwg No. 1453)

## **PART B** **COST ESTIMATE**

The estimated cost for the maintenance of improvements described in this Report for the fiscal year 2023/2024 includes the use of reserve funds to provide maintenance to the drainage facilities and is as follows:

<b>Ridge Meadows BAD</b>	
<b>COST INFORMATION</b>	
Direct Maintenance Costs	\$6,200
County Administrative Fee	\$215
City Administration Costs	\$285
<b>Total Direct and Admin Costs</b>	<b>\$6,700</b>
<b>ASSESSMENT INFORMATION</b>	
Direct Costs	\$6,700
Reserve Collections/ (Transfer)	(\$6,000)
<b>Net Total Assessment</b>	<b>\$700</b>
<b>FUND BALANCE INFORMATION</b>	
Projected Reserve After FY 2022/2023	\$15,665
Interest Earnings	\$35
Reserve Fund Adjustments	(\$6,000)
<b>Projected Reserve at End of Year</b>	<b>\$9,700</b>

**PART C****ASSESSMENT ROLL****Zone 5 - Ridge Meadows**

FISCAL YEAR	TOTAL ASSESSMENT GOAL	MAX ASSESSMENT Last Year Max + 6.0% CPI	TOTAL ASSESSMENT
2023/2024	\$700.00	\$2,119.84	\$700.04

Number of Dwelling Units	Levy	Assessor Parcel No.	Tax Area Code	1st Installment	2nd Installment
1	18.92	008-980-001	01056	9.46	9.46
1	18.92	008-980-002	01056	9.46	9.46
1	18.92	008-980-003	01056	9.46	9.46
1	18.92	008-980-004	01056	9.46	9.46
1	18.92	008-980-005	01056	9.46	9.46
1	18.92	008-980-006	01056	9.46	9.46
1	18.92	008-980-007	01056	9.46	9.46
1	18.92	008-980-008	01056	9.46	9.46
1	18.92	008-980-009	01056	9.46	9.46
1	18.92	008-980-010	01056	9.46	9.46
1	18.92	008-980-011	01056	9.46	9.46
1	18.92	008-980-012	01056	9.46	9.46
1	18.92	008-980-013	01056	9.46	9.46
1	18.92	008-980-014	01056	9.46	9.46
1	18.92	008-980-015	01056	9.46	9.46
1	18.92	008-980-016	01056	9.46	9.46
1	18.92	008-980-017	01056	9.46	9.46
1	18.92	008-980-018	01056	9.46	9.46
1	18.92	008-980-019	01056	9.46	9.46
1	18.92	008-980-020	01056	9.46	9.46
1	18.92	008-980-021	01056	9.46	9.46
1	18.92	008-980-022	01056	9.46	9.46
1	18.92	008-980-023	01056	9.46	9.46
1	18.92	008-980-024	01056	9.46	9.46
1	18.92	008-980-025	01056	9.46	9.46
1	18.92	008-980-026	01056	9.46	9.46
1	18.92	008-980-027	01056	9.46	9.46
1	18.92	008-980-028	01056	9.46	9.46
1	18.92	008-980-029	01056	9.46	9.46
1	18.92	008-980-030	01056	9.46	9.46
1	18.92	008-980-031	01056	9.46	9.46
1	18.92	008-980-032	01056	9.46	9.46
1	18.92	008-980-033	01056	9.46	9.46
1	18.92	008-980-034	01056	9.46	9.46
1	18.92	008-980-035	01056	9.46	9.46
1	18.92	008-980-036	01056	9.46	9.46
1	18.92	008-980-037	01056	9.46	9.46
37	\$700.04			\$350.02	\$350.02

## **PART D**

### **METHOD OF APPORTIONING**

In order to maintain sufficient funding for the Districts, assessments will be adjusted annually by the Consumer Price Indexes (CPI) Pacific Cities and U.S. City Average for February of the year of calculation All Items Indexes for the West. The corresponding CPI for February 2023 was 6.0%.

#### **Ridge Meadows**

##### **General Benefit**

The drainage facilities in Ridge Meadows and the maintenance, operation, and servicing of those facilities are of entirely local and special benefit to the parcels in Ridge Meadows, and no general benefits are provided by them.

##### **Apportionment of Special Benefits**

The initial assessment spread created a yearly assessment per dwelling unit of \$104.80. It is the intent that each dwelling unit of the project shares equally in all expenses.

The 2022/2023 assessment was \$700.04. Applying the inflation adjustment, the maximum allowable assessment for 2023/2024 is \$1,999.85. The actual total assessment will remain unchanged at \$700.04. Based on the total build-out number of parcels and the total assessment needed, the FY 2023/2024 levy will remain at \$18.92 per dwelling unit.

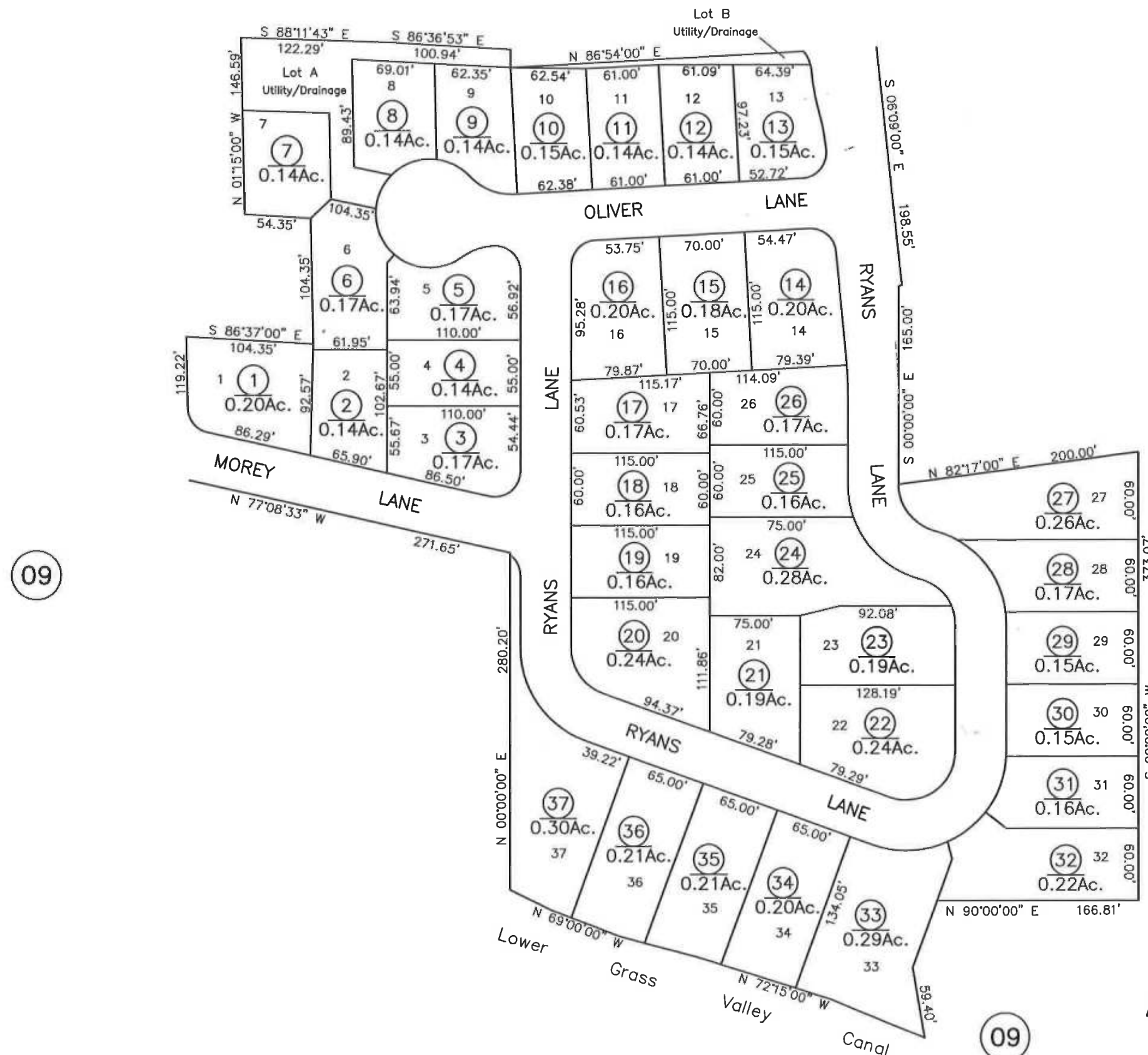
The assessment formula is:

Assessment Per Parcel = Round (Total Assessment / # of Parcels)



## **PART E** **ASSESSMENT DIAGRAM**

The following pages are excerpts from the latest Assessor's Parcel Maps of the County of Nevada illustrating the approximate location, size and area of the benefiting parcels within the Landscaping and Lighting District.



**ASSESSOR'S PARCEL MAP**  
This map was prepared for assessment purposes only. No liability is assumed for the accuracy of data shown. Assessor's parcels may not comply with local lot-split or building site ordinances.



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Development Impact Fees - Update of Development Impact Fees and Water & Wastewater Capacity Fees

**CEQA:** Not a Project

**Recommendation:** That Council hold a public hearing and adopt a resolution amending the City's Development Impact Fees and the Water and Wastewater Capacity Fees.

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

**Council Meeting Date:** 6/27/2023

**Date Prepared:** 6/22/2023

**Agenda:** Public Hearing

**Background Information:** In September 2021, the City entered into a professional services agreement with NBS for the preparation of a Development Nexus and Impact Fee Study. Two studies were prepared simultaneously by separate NBS teams to completely re-evaluate the City's Impact Fee structure, one analysis for Water and Wastewater Capacity Fees and one for Development Fees established for all other City facilities, including Parks, Fire, Police, General Facilities and Storm Drainage Improvements. The studies seek to analyze the impacts of new development on the various types of City capital facilities and systems, and to calculate suitable impact fees based on that analysis.

On May 9, 2023, City Staff and the NBS consultant teams presented to Council a comprehensive overview of the Fee study process, including the draft "Water & Wastewater Capacity Fee Study" and the "Development Impact Fee Study" reports. The impact and capacity fees calculated in these reports are proposed to replace the City's existing impact fees and are intended to satisfy all legal requirements governing such fees.

A summary of the fee sections is as follows:

### **Development Impact Fees**

California's impact fee statute includes Government Code Sections 66000 through 66025 and is titled the "Mitigation Fee Act". The act requires an agency imposing impact fees to make findings to: identify the purpose of the fee, identify the use of the fee, and determine that there is a reasonable relationship between the use of the fee, the need for the facility and the development type on which it is imposed.

The Development Impact Fee study uses a standard based methodology that first analyzes all the existing City owned assets and facilities in each category in order to establish an existing level of service as a cost per capita. Using this cost as a baseline, impact fees are

established as a cost per unit of development based on the capital costs for new facilities and other capital asset upgrades that are needed to mitigate the impacts of additional development. Specific types of City facilities are studied and discussed in separate chapters of the report, including Parks, Fire, Police, General Government and Storm Drainage.

It should be noted that because of provisions in AB 602 incorporated into California law in 2022, impact fees for residential development are now proposed to be based on unit size categories rather than the traditionally, and previously utilized category of unit type. Additionally, storm drainage impact fees are now calculated as per-acre fees rather than per-unit fees. The land use categories used to calculate storm drainage impact fees are not consistent with the categories of development used for the other impact fees, so storm drainage fees are shown in a separate schedule.

Attachment 1 includes a summary table of the proposed impact fees developed by NBS for the different types of City facilities and a table of the existing fees, adjusted so that the residential development type categories match those in the proposed fee structure.

### **Water and Wastewater Capacity Fees**

California Government Code Section 66013 governs water and wastewater capacity charges and defines these types of fees as a one-time “charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities.” The Code authorizes public agencies to impose capacity fees on customers connecting to or upsizing their connection to the water and/or wastewater systems.

The Water and Wastewater Capacity Fee report addresses the utility system assets; the treatment facilities, distribution and collections system infrastructure, and the various equipment and vehicles required to operate the system and provide service to users. Updated project lists for both systems were developed based on the projects identified in the system Master Plans and includes those future capital improvement projects required to serve both existing and future development. The report uses a “Combination Approach” which requires new customers to pay both their fair share of existing system assets (“buy-in”), as well as their share of the planned future capital improvements needed to provide the necessary capacity in the City’s water and wastewater systems.

The sum of the existing and future planned asset values, along with an adjustment for cash reserves and debt service, defines the total cost basis allocated to future customers. This total adjusted cost basis is then divided by the expected number of future customers to establish base capacity charges. In turn, both water and wastewater capacity fees are tiered based on the potential demand that each customer can place on the system. Therefore, water capacity fees for a new connection will be proportional to the service’s meter size and wastewater capacity fees will be proportional to the number of equivalent dwelling units (EDUs) assigned to each connecting customer.

The tables in Attachment 2 summarize the proposed capacity fees developed by NBS to ensure that new development is funding their fair share of water and wastewater facility improvements.

Staff and the consultant have extensively reviewed the numbers and assumptions in the report in order to minimize the fiscal impact on future development while ensuring a consistent level of service is possible as that development occurs. Staff have met with representatives of the local Contractor's Association to allow input and listen to their concerns. In sum, when one considers a standard 1,500SF residential home built on a 10,000 square foot lot, with water and sewer services, the proposed total development impact fees paid to the City would be \$27,232.37 compared to an existing total cost of \$29,515.01, an 7.7% reduction in impact fees.

Staff recommends that Council conduct the noticed public hearing and subsequently adopt the attached resolution, amending the City Water and Wastewater Capacity Fees and Development Impact Fees. Fees would become effective a minimum of sixty days following adoption, or no sooner than September 1, 2023.

**Council Goals/Objectives:** Implementation of the proposed Water and Wastewater Capacity Fees and Development Impact Fees executes portions of work tasks towards achieving/maintaining Strategic Plan Goal #3 - Recreation and Parks, Goal #4 - Economic Development and Vitality, Goal #6 - Public safety and Goal #7 Water & Wastewater Systems & Underground Infrastructure.

**Fiscal Impact:** The proposed water, wastewater and development impact fees are established based on the capital costs for facilities and other capital assets needed to mitigate the impacts of additional development.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** \_\_\_ City Manager

**ATTACHMENT 1: PROPOSED CITYWIDE IMPACT FEES TABLE**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Park Trails	Fire	Police	General Gov't <sup>2</sup>	Total
Residential: <800 Sq. Ft.	DU	2,717.47	267.29	297.03	406.79	1,054.28	\$ 4,742.86
Residential: 800-1,200 Sq. Ft.	DU	2,860.49	281.36	472.55	508.49	1,109.77	\$ 5,232.66
Residential: >1,200-2,100 Sq. Ft.	DU	3,003.52	295.42	607.56	610.19	1,165.26	\$ 5,681.95
Residential: >2,100 Sq. Ft.	DU	3,146.54	309.49	742.58	677.99	1,220.75	\$ 6,097.34
Commercial	KSF			374.58	1,428.60	532.39	\$ 2,335.58
Hotel/Lodging	Room			604.61	467.97	122.11	\$ 1,194.69
Office	KSF			103.02	221.03	473.78	\$ 797.83
Medical Office	KSF			667.54	1,421.50	454.24	\$ 2,543.29
Hospital Facilities	Bed			2,226.55	1,523.98	3,536.27	\$ 7,286.80
Light Industrial	KSF			44.47	121.46	210.03	\$ 375.95
Manufacturing	KSF			103.50	60.24	302.83	\$ 466.56
Warehouse	KSF			41.95	105.09	92.80	\$ 239.84
College/University	Students			1.54	3.10	48.84	\$ 53.49

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

<sup>2</sup> General government impact fees include animal control impact fees

**EXISTING CITYWIDE IMPACT FEES TABLE**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Park Trails	Fire	Police	General Gov't.	Total
Residential: <800 Sq. Ft.	DU	2,423.49	0.00	715.87	289.13	393.87	\$ 3,822.36
Residential: 800-1,200 Sq. Ft.	DU	2,423.49	0.00	715.87	289.13	393.87	\$ 3,822.36
Residential: >1,200-2,100 Sq. Ft.	DU	2,945.92	0.00	870.19	346.82	478.57	\$ 4,641.50
Residential: >2,100 Sq. Ft.	DU	2,945.92	0.00	870.19	346.82	478.57	\$ 4,641.50
Commercial	KSF			772.29	635.05	256.96	\$ 1,664.30
Hotel/Lodging	Room			164.75	126.88	54.93	\$ 346.56
Office	KSF			1,005.77	288.14	334.98	\$ 1,628.89
Medical Office	KSF			939.51	472.71	312.51	\$ 1,724.73
Hospital Facilities	Bed			782.82	229.87	260.82	\$ 1,273.51
Light Industrial	KSF			534.73	91.36	18.55	\$ 644.64
Manufacturing	KSF			391.61	49.95	138.13	\$ 579.69
Warehouse	KSF			295.40	64.89	98.75	\$ 459.04
College/University	N/A				No Existing Fee		

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

## PROPOSED DRAINAGE IMPACT FEES TABLE

Development Type	Cost per Acre of ISA <sup>1</sup>	ISA Factor <sup>2</sup>	Impact Fee per Net Dev Acre <sup>3</sup>
Residential: <1,200 Sq. Ft.	\$ 4,305.42	0.60	\$ 2,583.25
Residential: >1,200 Sq. Ft.	\$ 4,305.42	0.40	\$ 1,722.17
<b>Commercial/Office</b>	\$ 4,305.42	0.80	\$ 3,444.34
<i>Hotel/Lodging</i>			
<i>Office</i>			
<i>Medical Office</i>			
<i>Hospital Facilities</i>			
<b>Industrial</b>	\$ 4,305.42	0.80	\$ 3,444.34
<i>Light industrial</i>			
<i>Manufacturing</i>			
<i>Warehouse</i>			
<b>Public/Quasi-Public</b>	\$ 4,305.42	0.44	\$ 1,894.39
<i>K-12 Public Schools</i>			
<i>College/University</i>			

<sup>1</sup> See Table 7.3

<sup>2</sup> See Table 7.2

<sup>3</sup> Impact fee per net developed acre = cost per acre of impervious surface area (ISA) X ISA factor

**ATTACHMENT 2: PROPOSED WATER CAPACITY FEES TABLE**

Meter Size	Standard Meters <sup>1</sup>		Capacity Fee by Meter Size
	Meter Capacity (gpm)	Equivalency to 3/4-inch meter	
Current Fee			\$11,681
	<i>Displacement Meters</i>		
5/8 inch	30	1.00	\$12,077
3/4 inch	30	1.00	\$12,077
1 inch	50	1.67	\$20,128
1.5 inch	100	3.33	\$40,256
2 inch	160	5.33	\$64,410
	<i>Compound Class I Meters</i>		
3 inch	320	10.67	\$128,820
4 inch	500	16.67	\$201,281
6 inch	1,000	33.33	\$402,561
8 inch	1,600	53.33	\$644,098

1. Meter flow rates are from AWWA M-1 Table B-1.

**PROPOSED WASTEWATER CAPACITY FEES TABLE**

Summary of Capacity Fee Calculation	System Cost Basis	Estimated EDU Increase	Base Capacity Fee per EDU
Current Capacity Fee			\$12,370
Proposed Sewer Capacity Fee	\$ 15,672,910	1,726	\$9,078



**RESOLUTION NO. R2023-43****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING DEVELOPMENT IMPACT FEES AND WATER AND WASTEWATER CAPACITY FEES**

**WHEREAS**, the City Council of the City of Grass Valley has adopted Chapters 3.32 through 3.56 of the Grass Valley Municipal Code which created and established the authority for imposing and charging development impact fees; and

**WHEREAS**, Government Code Section 66001 mandates the conditions under which the City may establish, increase or impose a fee as a condition of approval of a development project; and

**WHEREAS**, the City has completed a comprehensive review of its impact fee program as documented in the NBS Government Finance Group report titled "Development Impact Fee Study" and the NBS "Water & Wastewater Capacity Fee Study" report; and

**WHEREAS**, on May 9, 2023, the City held a public meeting to discuss amendments to Development Impact Fees and Water and Wastewater Capacity Fees; and

**WHEREAS**, on June 27, 2023, the City held a noticed public hearing to consider amendments to Development Impact Fees and Water and Wastewater Capacity fees; and

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

1. That the foregoing statements are true and correct.
2. That the Development Impact Fees and Water & Wastewater Capacity Fees, policies and calculations comply with California Government Code Section 66001 by establishing the basis for imposition of fees on new development by:
  - a. Identifying the purpose of the fee.
  - b. Identifying the use to which the fee will be put.
  - c. Shows a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
  - d. Shows a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed.
  - e. Shows a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed.
3. That the Development Impact Fees and the fee methodologies as prepared by NBS and titled "Development Impact Fee Study" attached hereto as Exhibit "A" are hereby adopted.
4. That the Capacity Fees and the fee methodologies as prepared by NBS and titled "Water & Wastewater Capacity Fee Study" attached hereto as Exhibit "B" are hereby adopted.

5. That the revised Development Impact Fees and Water and Wastewater Capacity Fees shall become effective on or after September 1, 2023.

**PASSED AND ADOPTED** as a Resolution by the City Council of the City of Grass Valley at a regular meeting thereof held on the 27th day of June 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

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## Development Impact Fee Study **DRAFT** Final Report

February 28, 2023

Prepared by:



Corporate Headquarters

32605 Temecula Parkway, Suite 100  
Temecula, CA 92592  
Toll free: 800-835-6262

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## Executive Summary

The City of Grass Valley has retained NBS Government Finance Group to prepare this study to analyze the impacts of new development on several types of City capital facilities and to calculate impact fees based on that analysis. The methods used in this study are intended to satisfy all legal requirements of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000 *et seq.*) and the Quimby Act (Government Code Section 66477) where applicable.

### Organization of the Report

Chapter 1 of this report provides an overview of the legal requirements for establishing and imposing such fees, and methods that can be used to calculate impact fees.

Chapter 2 contains data on existing and future development used in this report.

Chapters 3 through 7 analyze the impacts of development on specific types of facilities and calculate impact fees for those facilities. The facilities addressed in this report are listed by chapter below:

- Chapter 3. Park Land, Park and Recreation Improvements and Trails
- Chapter 4. Fire Protection Facilities
- Chapter 5. Police Facilities
- Chapter 6. General Government Facilities
- Chapter 7. Storm Drainage System Improvements

Chapter 8 analyses the basis for an administrative charge that the City may wish to add to the impact fees calculated in this report and Chapter 9 contains recommendations for adopting and implementing impact fees, including suggested findings to satisfy the requirements of the Mitigation Fee Act.

### Development Projections

Chapter 2 of this report presents estimates of existing development in Grass Valley and a forecast of future development out to 2040. Future development shown in Chapter 2 indicates that the City's population could increase by about 36% to almost 18,500 by 2040. Other measures of development such as employment and police and fire calls for service are projected to increase in the range of 18% to 28%.

The methods used to calculate impact fees in this report do not depend on assumptions about the rate or timing of future development. The future development projected in Chapter 2 may occur sooner or later than 2040 without affecting the validity of the impact fee calculations.

Chapter 2 also establishes values for factors such as population per unit, service population per unit, and police and fire calls per unit that are used in the impact fee calculations.



It is important to note that because of provisions of AB 602 that were incorporated into California law effective in 2022, impact fees for residential development in this study are based on unit size categories rather than unit type (e.g., single-family or multi-family units).

## Impact Fee Analysis

The impact fee analysis for each type of facility addressed in this report is presented in a separate chapter. In each case, the relationship, or nexus, between development and the need for a particular type of facility is defined in a way that allows the impact of additional development on facility needs to be quantified.

The impact fees are based on capital costs for facilities and other capital assets needed to mitigate the impacts of additional development. Impact fees may not be used for maintenance or operating costs. Impact fees calculated in this report are shown on page S-5 of this Executive Summary.

The following paragraphs briefly discuss the methods used to calculate impact fees for the facilities addressed in this study.

**Parks and Recreation Facilities.** Chapter 3 of this report calculates impact fees for park land acquisition, park and recreation improvements and trails. The cost of park maintenance vehicles and equipment is included in the cost of park and recreation improvements. The following paragraphs discuss the three types of impact fees calculated in Chapter 3.

Park Land Impact Fees. The City has a Quimby Act ordinance that governs park land dedication and fees in lieu of dedication for residential development involving a subdivision or parcel map. This study calculates a separate park land impact fee that can be applied to residential development that does not involve a subdivision and therefore is not subject to Quimby Act in-lieu fees. These fees are based on the relationship between the City's current population and existing park acreage.

Park and Recreation Improvement Impact Fees. The park and recreation impact fees in Chapter 3 are based on the relationship between the City's existing population and the replacement cost of existing park and recreation improvements. Park maintenance vehicles and equipment are also included. Costs for facilities funded by Measure E are excluded from the impact fee analysis.

Trail Impact Fees. Impact fees for trails are based on the relationship between the City's existing population and the replacement cost of existing trails.

For all of the fees calculated in Chapter 3, the existing level of service is established as a cost per capita which is then converted into fees per unit of residential development based on the estimated average population per unit for each category of residential development defined in this report. Because parks and recreation facilities are intended to serve residents of the City, these fees apply only to residential development.



**Fire Protection Facilities.** Chapter 4 calculates impact fees for fire protection facilities, including apparatus and vehicles, based on the existing level of service in the City. The existing level of service is defined as the relationship between the replacement cost of existing Fire Department capital assets and the number of calls for service per year received by the Fire Department. That relationship is stated as a cost per call for service per year.

As part of this study, NBS analyzed the distribution of Fire Department calls for service for a full year to determine the average number of calls per unit per year generated by different types of development. The impact fee per unit for each type of development is calculated by multiplying the cost per call by the number of calls per unit per year for that type of development. Fire protection impact fees are intended to apply to all types of new development in the City.

**Police Facilities.** Chapter 5 calculates impact fees for Police Department facilities and vehicles based on the existing level of service in the City. The existing level of service is defined as the relationship between the replacement cost of existing Police Department facilities, vehicles and equipment and the number of calls for service per year received by the Department. That relationship is stated as a cost per call for service per year.

As part of this study, NBS analyzed the distribution of Police Department calls for service for a full year to determine the average number of calls per unit per year generated by different types of development. The impact fee per unit for each type of development is calculated by multiplying the cost per call and the number of calls per unit per year for that type of development. Police impact fees are intended to apply to all types of new development in the City.

**General Government Facilities.** Chapter 6 calculates impact fees for Grass Valley's general government facilities including City Hall, the corporation Yard, as well as a small number of general government vehicles. The impact of development on the need for those facilities is represented by service population, which is a weighted composite of resident population and employees of businesses in the City. See Chapter 2 for a more detailed discussion of service population. Impact fees for general government assets are based on the existing level of service which is defined as the relationship between the City's existing service population the replacement cost of existing assets. That relationship is stated as a cost per capita of service population.

Chapter 6 also calculates impact fees for animal control facilities. Those fees assume that the need for animal control services is driven by residential development. The existing level of service for animal control facilities is defined as the relationship between the City's existing population and the replacement cost of existing animal control facilities. That relationship is stated as a cost per capita of population.

The impact fees per unit for general government and animal control facilities for each category of development are calculated by multiplying the cost per capita by the population or service population per unit for that type of development.

Impact fees for general government facilities are intended to apply all types of new development in the City. Impact fees for animal control facilities are intended to apply only to residential development.

**Storm Drainage Impact Fees.** In Chapter 7, this report updates storm drainage impact fees based on a list of improvement needs from a March 1986 Storm Drainage Master Plan. Costs for those improvements have been escalated to 2022 levels by the Grass Valley City Engineer. No cost is shown in Chapter 7 for some improvements that have been completed. Costs for storm drainage improvements are allocated to various types of development based on the added impervious surface area per acre for each type of development. Added impervious surfaces such as roofs and paving increase the amount of runoff into the drainage system. Impact fees for storm drainage improvements are calculated as per-acre fees rather than per-unit fees as is the case for other impact fees in this study.

In addition, the land use categories used to calculate storm drainage impact fees are not consistent with the categories of development used for other impact fees in this study, so the storm drainage impact fees are shown in a separate schedule from other impact fees in the next section.

## Impact Fee Summary

Table S.1 on the next page summarizes the impact fees calculated in this report. Because they are based on acreage rather than units, storm drainage impact fees are shown separately in Table S.5. Blank areas in Table S.1 indicate that some impact fees are calculated only for residential development. Table S.1 does not show impact fees that would apply to public facilities and K-12 public schools, because the City is unable or unlikely to impose those fees.

Table S.1 also does not show impact fees for park land acquisition calculated in this study because they would apply to a relatively small percentage of new residential developments. Residential development involving a subdivision or parcel map would be subject to the requirements of the City's Quimby Act ordinance instead. (See Municipal Code Chapter 17.86 for park land dedication and in-lieu fee requirements for subdivisions).

Also note that, as discussed previously, residential development categories shown in Table S.1 are defined in terms of unit size rather than the unit type because of changes to State law adopted in AB 602 and effective in 2022.

**Table S.1: Summary of Proposed Citywide Impact Fees**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Trails	Fire	Police	General Gov't <sup>2</sup>	Total
Residential: <800 Sq. Ft.	DU	2,700.99	265.67	295.23	404.33	1,047.89	\$ 4,714.10
Residential: 800-1,200 Sq. Ft.	DU	2,843.15	279.65	469.68	505.41	1,103.04	\$ 5,200.93
Residential: >1,200-2,100 Sq. Ft.	DU	2,985.31	293.63	603.88	606.49	1,158.19	\$ 5,647.50
Residential: >2,100 Sq. Ft.	DU	3,127.46	307.62	738.08	673.88	1,213.34	\$ 6,060.38
Commercial	KSF			372.31	1,419.94	529.17	\$ 2,321.42
Hotel/Lodging	Room			600.94	465.13	121.37	\$ 1,187.44
Office	KSF			102.39	219.69	470.91	\$ 792.99
Medical Office	KSF			663.49	1,412.88	451.49	\$ 2,527.87
Hospital Facilities	Bed			2,213.05	1,514.74	3,514.83	\$ 7,242.62
Light Industrial	KSF			44.20	120.72	208.75	\$ 373.67
Manufacturing	KSF			102.87	59.87	300.99	\$ 463.74
Warehouse	KSF			41.70	104.45	92.24	\$ 238.39
College/University	Students			1.53	3.08	48.55	\$ 53.16

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

<sup>2</sup> General government impact fees include animal control impact fees

Table S.2 shows the proposed impact fees from Table S.1 with the addition of a 0.6% administrative fee to cover the cost of periodic impact fee update studies. That percentage is calculated as the average annual cost of preparing an impact fee update study every five years (\$10,000) divided by the projected annual revenue from impact fees (\$1,663,931). That annual revenue estimate is based on 1/18<sup>th</sup> of the total impact fee revenue of \$29,951,000 projected from 2023 to 2040 based on the proposed impact fees shown in Table S.1 and the amount of future development shown in Chapter 2. See Chapter 8 for more detail.

**Table S.2: Summary of Proposed Citywide Impact Fees Including 0.6% Administration Fee**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Park Trails	Fire	Police	General Gov't <sup>2</sup>	Total
Residential: <800 Sq. Ft.	DU	2,717.47	267.29	297.03	406.79	1,054.28	\$ 4,742.86
Residential: 800-1,200 Sq. Ft.	DU	2,860.49	281.36	472.55	508.49	1,109.77	\$ 5,232.66
Residential: >1,200-2,100 Sq. Ft.	DU	3,003.52	295.42	607.56	610.19	1,165.26	\$ 5,681.95
Residential: >2,100 Sq. Ft.	DU	3,146.54	309.49	742.58	677.99	1,220.75	\$ 6,097.34
Commercial	KSF			374.58	1,428.60	532.39	\$ 2,335.58
Hotel/Lodging	Room			604.61	467.97	122.11	\$ 1,194.69
Office	KSF			103.02	221.03	473.78	\$ 797.83
Medical Office	KSF			667.54	1,421.50	454.24	\$ 2,543.29
Hospital Facilities	Bed			2,226.55	1,523.98	3,536.27	\$ 7,286.80
Light Industrial	KSF			44.47	121.46	210.03	\$ 375.95
Manufacturing	KSF			103.50	60.24	302.83	\$ 466.56
Warehouse	KSF			41.95	105.09	92.80	\$ 239.84
College/University	Students			1.54	3.10	48.84	\$ 53.49

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

<sup>2</sup> General government impact fees include animal control impact fees

Table S.3 shows the City's existing impact fees. The City's existing residential impact fees are defined in terms of unit type (e.g., single-family or multi-family) while the proposed impact fees are defined in terms of unit size categories. To make a comparison between the two sets of fees possible, Table S.3 equates the two smaller unit size categories with multi-family units and the two larger unit size categories with single-family units.

Another area where the comparison requires some adjustment is for hospital facilities. The proposed impact fees for hospital facilities are based on the number of beds while the City's existing impact fees for hospitals are per 1,000 square feet (KSF). The relationship between beds and square footage in a typical community hospital is roughly 2,000 square feet per bed, so in Table S.3 we have doubled the fees per KSF to convert them into per-bed fees for comparison.

**Table S.3: Summary of Existing Impact Fees**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Trails	Fire	Police	General Gov't.	Total
Residential: <800 Sq. Ft.	DU	2,423.49	0.00	715.87	289.13	393.87	\$ <b>3,822.36</b>
Residential: 800-1,200 Sq. Ft.	DU	2,423.49	0.00	715.87	289.13	393.87	\$ <b>3,822.36</b>
Residential: >1,200-2,100 Sq. Ft.	DU	2,945.92	0.00	870.19	346.82	478.57	\$ <b>4,641.50</b>
Residential: >2,100 Sq. Ft.	DU	2,945.92	0.00	870.19	346.82	478.57	\$ <b>4,641.50</b>
Commercial	KSF			772.29	635.05	256.96	\$ <b>1,664.30</b>
Hotel/Lodging	Room			164.75	126.88	54.93	\$ <b>346.56</b>
Office	KSF			1,005.77	288.14	334.98	\$ <b>1,628.89</b>
Medical Office	KSF			939.51	472.71	312.51	\$ <b>1,724.73</b>
Hospital Facilities	Bed			782.82	229.87	260.82	\$ <b>1,273.51</b>
Light Industrial	KSF			534.73	91.36	18.55	\$ <b>644.64</b>
Manufacturing	KSF			391.61	49.95	138.13	\$ <b>579.69</b>
Warehouse	KSF			295.40	64.89	98.75	\$ <b>459.04</b>
College/University	N/A				No Existing Fee		

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

Table S.4 shows the difference between the existing impact fees in Table S.3 and the proposed impact fees including the administrative fee from Table S.2. Numbers in parentheses indicate that the proposed fees are lower than the existing fees.

**Table S.4: Difference Between Existing and Proposed Citywide Impact Fees**

Development Type	Unit Type <sup>1</sup>	Park Imprvmnts	Park Trails	Fire	Police	General Gov't.	Total
Residential: <800 Sq. Ft.	DU	293.98	267.29	(418.84)	117.66	660.41	\$ <b>920.50</b>
Residential: 800-1,200 Sq. Ft.	DU	437.00	281.36	(243.32)	219.36	715.90	\$ <b>1,410.30</b>
Residential: >1,200-2,100 Sq. Ft.	DU	57.60	295.42	(262.63)	263.37	686.69	\$ <b>1,040.45</b>
Residential: >2,100 Sq. Ft.	DU	200.62	309.49	(127.61)	331.17	742.18	\$ <b>1,455.84</b>
Commercial	KSF			(397.71)	793.55	275.43	\$ <b>671.28</b>
Hotel/Lodging	Room			439.86	341.09	67.18	\$ <b>848.13</b>
Office	KSF			(902.75)	(67.11)	138.80	\$ <b>(831.06)</b>
Medical Office	KSF			(271.97)	948.79	141.73	\$ <b>818.56</b>
Hospital Facilities	Bed			1,443.73	1,294.11	3,275.45	\$ <b>6,013.29</b>
Light Industrial	KSF			(490.26)	30.10	191.48	\$ <b>(268.69)</b>
Manufacturing	KSF			(288.11)	10.29	164.70	\$ <b>(113.13)</b>
Warehouse	KSF			(253.45)	40.20	(5.95)	\$ <b>(219.20)</b>

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = hotel guest room; Bed = patient bed

Table S.5 shows the proposed storm drainage impact fees. Unlike the other impact fees calculated in this study, the storm drainage fees are calculated per-acre rather than per-unit. The land use categories for those fees also differ from the development types used for other impact fees in this study because of the data available to calculate those fees.

**Table S.5: Proposed Storm Drainage Impact Fees**

Development Type	Impact Fee per Acre	Impact Fee + Admin Fee <sup>1</sup>
Residential: <1,200 Sq. Ft.	\$ 2,583.25	\$ 2,598.75
Residential: >1,200 Sq. Ft.	\$ 1,722.17	\$ 1,732.50
<b>Commercial/Office</b>	\$ 3,444.34	\$ 3,465.00
Hotel/Lodging		
Office		
Medical Office		
Hospital Facilities		
<b>Industrial</b>	\$ 3,444.34	\$ 3,465.00
Light industrial		
Manufacturing		
Warehouse		
<b>Public/Quasi-Public</b>	\$ 1,894.39	\$ 1,905.75
K-12 Public Schools		
College/University		

<sup>1</sup> Impact fees including the 0.6% administrative fee

# Chapter 1. Introduction

## Purpose

The purpose of this study is to analyze the impacts of development on the need for several types of public facilities provided by the City of Grass Valley and to calculate impact fees based on that analysis. This report documents the approach, data and methodology used in this study to calculate impact fees.

The methods used to calculate impact fees and in-lieu fees in this report are intended to satisfy all legal requirements governing such fees, including provisions of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000-66025).

## Legal Framework for Developer Fees

This brief summary of the legal framework for development fees is intended as a general overview. It was not prepared by an attorney and should not be treated as legal advice.

**U. S. Constitution.** Like all land use regulations, development exactions, including impact fees, are subject to the 5th Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against “regulatory takings.” A regulatory taking occurs when regulations unreasonably deprive landowners of property rights protected by the Constitution.

In two landmark cases dealing with exactions, the U. S. Supreme Court has held that when a government agency requires the dedication of land or an interest in land as a condition of development approval or imposes ad hoc exactions as a condition of approval on a single development project that do not apply to development generally, a higher standard of judicial scrutiny applies. To meet that standard, the agency must demonstrate an “essential nexus” between such exactions and the interest being protected (See *Nollan v. California Coastal Commission*, 1987) and make an “individualized determination” that the exaction imposed is “roughly proportional” to the burden created by development (See *Dolan v. City of Tigard*, 1994).

Until recently, it was widely accepted that legislatively enacted impact fees that apply to all development in a jurisdiction are not subject to the higher standard of judicial scrutiny flowing from the Nollan and Dolan decisions. But after the U. S. Supreme Court decision in *Koontz v. St. Johns Water Management District* (2013), state courts have reached conflicting conclusions on that issue.

In light of that uncertainty, any agency enacting or imposing impact fees would be wise to demonstrate a nexus and ensure proportionality in the calculation of those fees.

**Defining the “Nexus.”** While courts have not been entirely consistent in defining the nexus required to justify exactions and impact fees, that term can be thought of as having the three

elements discussed below. We think proportionality is logically included as one element of that nexus, even though it was discussed separately in *Dolan v. Tigard*. The elements of the nexus discussed below mirror the three “reasonable relationship” findings required by the Mitigation Fee Act for establishment and imposition of impact fees.

**Need or Impact.** Development must create a need for the facilities to be funded by impact fees. All new development in a community creates additional demands on some or all public facilities provided by local government. If the capacity of facilities is not increased to satisfy the additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is related to the development project subject to the fees.

The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate impacts created by the development projects upon which they are imposed. In this study, the impact of development on facility needs is analyzed in terms of quantifiable relationships between various types of development and the demand for public facilities based on applicable level-of-service standards. This report contains all of the information needed to demonstrate compliance with this element of the nexus.

**Benefit.** Development must benefit from facilities funded by impact fees. With respect to the benefit relationship, the most basic requirement is that facilities funded by impact fees be available to serve the development paying the fees. A sufficient benefit relationship also requires that impact fee revenues be segregated from other funds and expended in a timely manner on the facilities for which the fees were charged. Nothing in the U.S. Constitution or California law requires that facilities paid for with impact fee revenues be available exclusively to development projects paying the fees.

Procedures for earmarking and expenditure of fee revenues are mandated by the Mitigation Fee Act, as are procedures to ensure that the fees are either expended in a timely manner or refunded. Those requirements are intended to ensure that developments benefit from the impact fees they are required to pay. Thus, over time, procedural issues as well as substantive issues can come into play with respect to the benefit element of the nexus.

**Proportionality.** Impact fees must be proportional to the impact created by a particular development project. Proportionality in impact fees depends on properly identifying development-related facility costs and calculating the fees in such a way that those costs are allocated in proportion to the facility needs created by different types and amounts of development. The section on impact fee methodology, below, describes methods used to allocate facility costs and calculate impact fees that meet the proportionality standard.

**California Constitution.** The California Constitution grants broad police power to local governments, including the authority to regulate land use and development. That police power is the source of authority for local governments in California to impose impact fees on development. Some impact fees have been challenged on grounds that they are special taxes imposed without voter approval in violation of Article XIII A. However, that objection is valid only



if the fees charged to a project exceed the cost of providing facilities needed to serve the project. In that case, the fees would also run afoul of the U. S. Constitution and the Mitigation Fee Act.

Articles XIII C and XIII D, added to the California Constitution by Proposition 218 in 1996, require voter approval for some “property-related fees,” but exempt “the imposition of fees or charges, as a condition of property development.” Thus impact fees are exempt from those requirements.

**The Mitigation Fee Act.** California’s impact fee statute originated in Assembly Bill 1600 during the 1987 session of the Legislature and took effect in January 1989. AB 1600 added several sections to the Government Code, beginning with Section 66000. Since that time, the impact fee statute has been amended from time to time, and in 1997 was officially titled the “Mitigation Fee Act.” Unless otherwise noted, code sections referenced in this report are from the Government Code.

The Mitigation Fee Act does not limit the types of capital improvements for which impact fees may be charged. It defines public facilities very broadly to include “public improvements, public services and community amenities.” Although the issue is not specifically addressed in the Mitigation Fee Act, it is clear both in case law and statute (see Government Code Section 65913.8) that impact fees may not be used to pay for maintenance or operating costs. Consequently, the fees calculated in this report are based on the cost of capital assets only.

The Mitigation Fee Act does not use the term “mitigation fee” except in its official title. Nor does it use the more common term “impact fee.” The Act simply uses the word “fee,” which is defined as “a monetary exaction, other than a tax or special assessment...that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project ....”

To avoid confusion with other types of fees, this report uses the widely-accepted terms “impact fee” and “development impact fee” which both should be understood to mean “fee” as defined in the Mitigation Fee Act.

The Mitigation Fee Act contains requirements for establishing, increasing and imposing impact fees. They are summarized below. It also contains provisions that govern the collection and expenditure of fees and requires annual reports and periodic re-evaluation of impact fee programs. Those administrative requirements are discussed in the implementation chapter of this report.

**Required Findings.** Section 66001 (a) requires that an agency establishing, increasing or imposing impact fees, must make findings to:

1. Identify the purpose of the fee
2. Identify the use of the fee; and
3. Determine that there is a reasonable relationship between the use of the fee and the development type on which it is imposed



4. Determine that there is a reasonable relationship between the need for the facility and the type of development on which the fee is imposed

In addition, Section 66001 (b) requires that in any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

Some legal experts are of the opinion that the requirements of Section 66001 (a) apply when impact fees are based on a legislatively adopted fee schedule, while the requirements of Section 66001 (b) apply when impact fees are based on an administratively imposed (ad hoc) assessment.<sup>1</sup>

The requirements outlined above are discussed in more detail below.

Identifying the Purpose of the Fees. The broad purpose of impact fees is to protect public health, safety and general welfare by providing for adequate public facilities. The specific purpose of the fees calculated in this study is to fund construction of certain capital improvements that will be needed to mitigate the impacts of planned new development on City facilities, and to maintain an acceptable level of public services as the City grows.

This report recommends that findings regarding the purpose of an impact fee should define the purpose broadly, as providing for the funding of adequate public facilities to serve additional development.

Identifying the Use of the Fees. According to Section 66001(a)(2), if a fee is used to finance public facilities, those facilities must be identified. A capital improvement plan may be used for that purpose but is not mandatory if the facilities are identified in a General Plan, a Specific Plan, or in other public documents. Section 66002 (b) requires that such capital improvement plans must be updated annually.

However, a new provision in Section 66016.5, which was added by AB 602 in 2021, requires that large jurisdictions adopt a capital improvement plan as part of an impact fee study. That requirement applies to impact fee studies adopted after January 1, 2022. “Large jurisdiction” means a county of 250,000 or more or any city within that county. The statute does not provide any detail about what must be included in the capital improvement plan or how it should relate to the impact fee study. And, that new requirement is inconsistent with the original language of Section 66001(a)(2), so it is unclear whether the annual update requirement in Section 66002(b) applies.

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<sup>1</sup> See “The Mitigation Fee Act’s Five-Year Findings Requirement: Beware Costly Pitfalls” by Glen Hansen, Senior Council, Abbott and Kindermann and Rick Jarvis, Managing Partner, Jarvis, Fay and Gibson, presented at the 2022 League of California Cities City Attorneys Spring Conference

Reasonable Relationship Requirement. As discussed above, Section 66001 requires that, for fees subject to its provisions, a "reasonable relationship" must be demonstrated between:

1. the use of the fee and the type of development on which it is imposed;
2. the need for a public facility and the type of development on which a fee is imposed; and,
3. the amount of the fee and the facility cost attributable to the development on which the fee is imposed.

Although some legal experts contend that the third of these only pertains to "ad hoc" fees that are not part of a legislatively adopted fee schedule, we believe that all three are part of a complete "nexus" or "reasonable relationship" framework as discussed earlier. These three reasonable relationship requirements address the nexus and proportionality requirements often cited in court decisions as the standard for defensible impact fees. The term "dual rational nexus" is often used to characterize the standard used by courts in evaluating the legitimacy of impact fees. The "duality" of the nexus refers to (1) an impact or need created by a development project subject to impact fees, and (2) a benefit to the project from the expenditure of the fees.

However, although proportionality is reasonably implied in the dual rational nexus formulation, it was explicitly required by the Supreme Court in the *Dolan* case, and we prefer to list it as the third element of a complete nexus.

Development Agreements and Reimbursement Agreements. The requirements of the Mitigation Fee Act do not apply to fees collected under development agreements (see Govt. Code Section 66000) or reimbursement agreements (see Govt. Code Section 66003). The same is true of fees in lieu of park land dedication imposed under the Quimby Act (see Govt. Code Section 66477).

Existing Deficiencies. In 2006, Section 66001(g) was added to the Mitigation Fee Act (by AB 2751) to clarify that impact fees "shall not include costs attributable to existing deficiencies in public facilities,..." The legislature's intent in adopting this amendment, as stated in the bill, was to codify the holdings of *Bixel v. City of Los Angeles* (1989), *Rohn v. City of Visalia* (1989), and *Shapell Industries Inc. v. Governing Board* (1991).

That amendment does not appear to be a substantive change. It is widely understood that other provisions of law make it improper for impact fees to include costs for correcting existing deficiencies.

However, Section 66001(g) also states that impact fees "may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to (1) *refurbish existing facilities to maintain the existing level of service or* (2) *achieve an adopted level of service that is consistent with the general plan.*" (Emphasis added.)

**Impact Fees for Existing Facilities.** Impact fees may be used to recover costs for existing facilities to the extent that those facilities are needed to serve additional development and have the capacity to do so. In other words, it must be possible to show that fees used to pay for existing facilities meet the need and benefit elements of the nexus.

## Recent Legislation

Several new laws enacted by the State of California in 2019 to facilitate development of affordable housing will affect the implementation of in-lieu fees and impact fees calculated in this study. Below are brief overviews of some key bills passed in 2019.

**SB 330 – The Housing Crisis Act of 2019.** Amendments to existing law contained in SB 330 prohibit the imposition of new approval requirements on a housing development project once a preliminary application has been submitted. That provision applies to increases in impact fees and in-lieu fees, except when the resolution or ordinance establishing the fee authorizes automatic, inflationary adjustments to the fee or exaction.

**AB 1483 – Housing Data: Collection and Reporting.** AB 1483 requires that a city, county or special districts must post on its website a current schedule of its fees and exactions, as well as associated nexus studies and annual reports. Updates must be posted within 30 days.

**SB 13 – Accessory Dwelling Units.** SB 13 prohibits the imposition of impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and provides that impact fees for ADUs of 750 square feet or more must be proportional to the square footage of the primary dwelling unit. The proportionality requirement means that impact fees for ADUs of 750 square feet or more must be calculated on a case-by-case basis during the approval process.

Existing law requires a water or sewer connection fee or capacity charge for an accessory dwelling unit requiring a new or separate utility connection to be based on either the accessory dwelling unit's size or the number of its plumbing fixtures. SB 13 revises the basis for calculating the connection fee or capacity charge to either the accessory dwelling unit's square feet or the number of its drainage fixture units.

**AB 602 – Amendments to the Planning and Land Use Law and the Mitigation Fee Act.** AB 602, which was passed and signed in 2021, adds section 65940.1 to the Planning and Land Use Law requiring cities, counties and special districts that have internet websites to post schedules of fees, exactions and affordability requirements, annual fee reports, and an archive of nexus studies on that website, and to update that information within 30 days after any changes.

AB 602 also adds Section 66016.5 to the Mitigation Fee Act imposing several new requirements for impact fees that go into effect on January 1, 2022, including:

- A nexus study must identify the existing level of service for each facility, identify the proposed new level of service (if any), and explain why the new level of service is appropriate.
- If a nexus study supports an increase in an existing fee the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.
- Large jurisdictions (counties over 250,000 and cities within those counties) must adopt a capital improvement plan as part of the nexus study.

- All impact fee nexus studies shall be adopted at a public hearing with at least 30 days' notice, and the local agency shall notify any member of the public that requests notice of intent to begin and impact fee nexus study of the date of the hearing.
- Nexus studies shall be updated at least every eight years, from the period beginning on January 1, 2022.
- A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units in the development. A nexus study is not required to comply with this requirement if the local agency makes certain findings specified in the law. A local agency that imposes a fee proportionately to the square footage of units in the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development.
- Authorizes any member of the public, including an applicant for a development project, to submit evidence that impact fees proposed by an agency fail to comply with the Mitigation Fee Act, and requires the legislative body of the agency to consider such evidence and adjust the proposed fee if deemed necessary.

**SB 9, the California Housing Opportunity and More Efficiency ("HOME") Act.** SB 9 facilitates the subdivision of existing residential lots and allows for ministerial approval (without discretionary review or hearings) of no more than two dwelling units, including duplexes, on parcels zoned for single-family dwellings if the property satisfies certain requirements. To qualify under SB 9 the property must be located within either an urbanized area or urban cluster, as designated by the United States Census Bureau, or for unincorporated areas, within the boundaries of an urbanized area or urban cluster.

The law allows for qualifying lot splits to be approved ministerially upon meeting certain requirements. Each parcel may not be smaller than forty (40%) percent of the original parcel size and each parcel must be at least one thousand two hundred (1,200) square feet in size unless permitted by local ordinance. The parcel must be limited to residential use.

The law does not allow demolition or alteration of certain types of dwellings, including: (a) housing that is subject to a recorded covenant, ordinance, or law that restricts rents to affordable levels; (b) housing subject to rent control; (c) housing that has been tenant-occupied in the last three years; or (d) housing located in a historic district. In addition, the proposed development may not demolish more than 25% of the exterior structural walls of an existing unit, unless expressly permitted by a local ordinance.

A local agency may impose objective zoning standards, subdivision standards, and design standards unless they would preclude either of the two units from being at least 800 square feet in floor area.

No setback may be required for an existing structure, or a structure constructed in the same location and dimensions as an existing structure. Otherwise, a local agency may require a setback of up to four feet from the side and rear lot lines. Off-street parking of up to one space per unit may be required by the local agency, unless the project is located within a half-mile walking distance of a high-quality transit corridor or a major transit stop, or if there is a car share vehicle within one block of the parcel. If a local agency makes a written finding that a project would create a specific, adverse impact upon public health and

safety or the environment without a feasible way to mitigate such impact, the agency still may deny the project.

It is impossible to predict how much SB 9 will affect the number of future residential units constructed in the City. Unlike recent laws dealing with accessory dwelling units, SB 9 does not address the imposition of impact fees on the new dwelling units it allows, and it appears at this point that such units would be subject to the same impact fees as other new residential development.

## Impact Fee Calculation Methodology

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics of, and planning requirements for, the facility type being addressed. To some extent they are interchangeable, because they all allocate facility costs in proportion to the needs created by development.

Allocating facility costs to various types and amounts of development is central to all methods of impact fee calculation. Costs are allocated by means of formulas that quantify the relationship between development and the need for facilities. In a cost allocation formula, the impact of development represented by some attribute of development such as added population or added vehicle trips that represent the impacts created by different types and amounts of development.

**Plan-Based or Improvements-Driven Method.** Plan-based impact fee calculations are based on the relationship between a specified set of improvements and a specified increment of development. The improvements are typically identified in a facility plan, while the development is identified in a land use plan that forecasts potential development by type and quantity.

Using this method, facility costs are allocated to various categories of development in proportion to the service demand created by each type of development. To calculate plan-based impact fees, it is necessary to determine what facilities will be needed to serve a particular increment of new development.

With this method, the total cost of eligible facilities is divided by total units of additional demand to calculate a cost per unit of demand (e.g. a cost per capita for parks). Then, the cost per unit of demand is multiplied by factors representing the demand per unit of development (e.g. population per unit) to arrive at a cost per unit of development.

This method is somewhat inflexible in that it is based on the relationship between a specific facility plan and a specific land use plan. If either plan changes significantly the fees will have to be recalculated.

**Capacity-Based or Consumption-Driven Method.** This method calculates a cost per unit of capacity based on the relationship between total cost and total capacity of a system. It can be applied to any type of development, provided the capacity required to serve each increment of development can be estimated and the facility has adequate capacity available to serve the development. Since the cost per unit of demand does not depend on the particular type or quantity of development to be served, this method is flexible with respect to changing development plans.

In this method, the cost of unused capacity is not allocated to development. Capacity-based fees are most commonly used for water and wastewater systems, where the cost of a system component is divided by the capacity of that component to derive a unit cost. However, a similar analysis can be applied to other types of facilities. To produce a schedule of impact fees based on standardized units of development (e.g. dwelling units or square feet of non-residential building area), the cost per unit of capacity is multiplied by the amount of capacity required to serve a typical unit of development in each of several land use categories.

**Standard-Based or Incremental Expansion Method.** Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The standard can be established as a matter of policy or it can be based on the level of service being provided to existing development in the study area.

Using the standard-based method, costs are defined on a generic unit-cost basis and then applied to development according to a standard that sets the number of service units to be provided for each unit of development.

Park in-lieu and impact fees are commonly calculated this way. The level of service standard for parks is typically stated in terms of acres of parks per thousand residents. A cost-per-acre for park land or park improvements can usually be estimated without knowing the exact size or location of a particular park. The ratio of park acreage to population and the cost per acre for parks is used to calculate a cost per capita. The cost per capita can then be converted into a cost per unit of development based on the average population per dwelling unit for various types of residential development.

### **Facilities Addressed in this Study**

Impact/in-lieu fees for the following types of facilities are addressed in this report:

- Park Land and Park Improvements
- Fire Protection Facilities
- Police Facilities
- General Government Facilities
- Storm Drainage System Improvements

Each of those facilities is addressed in a separate chapter of this report, beginning with Chapter 3. Chapter 2 contains data on existing and future development used in the impact fee analysis.

## Chapter 2. Development Data

This chapter presents data on existing and future development that will be used to calculate impact fees in subsequent chapters of this report.

The information in this chapter may be used to establish levels of service, analyze facility needs, and allocate the cost of capital facilities among various types of development.

Land use and development data in this chapter are based on information from the U.S. Census Bureau and the American Community Survey (ACS), the California Department of Finance (DOF) Demographic Research Unit, the City of Grass Valley Community Development Department and other sources as noted in this chapter.

### Study Area and Time Frame

The study area for this study is the Planning Area defined in Grass Valley's 2020 General Plan. The timeframe for this study extends from the present time to 2040. Although the future development projected in this chapter is expected to occur by 2040, the actual timing of development cannot be predicted with certainty. The impact fee calculations in this report do not depend on when that development occurs.

### Development Types

The development types for which impact fees are calculated in this study are listed below. Traditionally, impact fees for residential development are based on unit types such as single-family, multi-family and mobile home units.

However, AB 602, enacted in 2021, added Section 66016.5 to the Government Code. That section requires that, "[a] nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development." It further states that "[a] local agency that imposes a fee proportionately to the square footage of the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development."

Consequently, the residential development categories used in this study are based on unit size rather than the type of unit. The list of development categories used in this study is shown below.

Residential: < 800 Sq. Ft.	Hotel/Lodging	Manufacturing
Residential: 800 – 1,200 Sq. Ft.	Office	Warehouse
Residential: >1,200 – 2,100 Sq. Ft.	Medical Office	Public Facilities
Residential: > 2,100 Sq. Ft.	Hospital Facilities*	K-12 Public Schools
Commercial	Light Industrial	College/University

\* The Hospital Facilities category includes nursing homes and rehabilitation facilities.

**Residential.** The residential development categories used in this study are based on unit size and do not distinguish by unit type (e.g., single-family or multi-family).



**Commercial.** The Commercial category includes retail commercial and commercial services as described in the Commercial land use designation in the Land Use Element of the General Plan. Hotel and lodging uses are excluded from this category and are addressed in a separate category below.

**Hotel/Lodging.** This category encompasses hotels, motels, hostels, bed and breakfast establishments and similar lodging uses.

**Office.** The Office category includes development designed for general office uses.

**Medical Office.** The Medical Office category includes development designed for medical and dental offices, clinics, laboratories, and similar uses.

**Hospital Facilities.** This category includes hospitals, nursing homes, rehabilitation facilities and similar facilities intended primarily to provide in-patient services.

**Light Industrial.** This category includes development designed to accommodate a range of light industrial and service commercial uses, but not specifically intended for either large-scale manufacturing or warehousing.

**Manufacturing.** This category includes development designed for large-scale manufacturing operations.

**Warehouse.** This category includes development designed primarily for warehousing and storage, including self-storage facilities.

**Public Facilities.** This category includes government buildings and other public or quasi-public facilities including parks but excluding public schools and colleges which are addressed in separate categories, below. In many cases, the City may lack authority to charge impact fees to development in this category, or in the case of City facilities, it would be impractical to do so.

**K-12 Schools.** This category includes public schools from kindergarten through high school. The City has limited authority to charge impact fees to K-12 schools, except for water and sewer capacity charges. Private elementary and secondary schools would be treated as commercial uses or fees could be customized based on the impacts of a specific project as discussed in the section on other development types, below.

**College/University.** This category includes public and private colleges and universities.

**Other Development Types.** Certain types of development, such as churches and private schools, do not fit neatly into any of the categories listed above. Those developments are not legally exempt from impact fees, but no fee is calculated in this study for such uses. Fees for such developments can be calculated on an individual basis by considering factors such as service population or police and fire calls that will be generated by a proposed project and applying those factors to the cost per capita or cost per call shown in each impact fee chapter in this report.

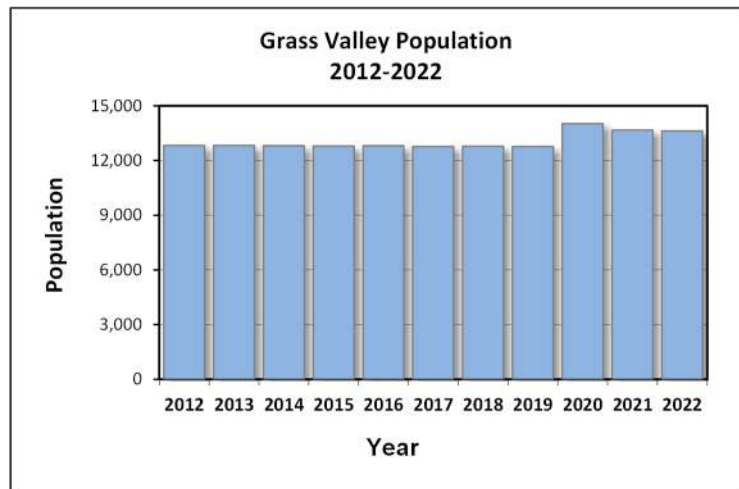


## Residential Development and Population

The chart below shows the California Department of Finance (DOF) official January 1 population estimates for the City of Grass Valley for the years from 2012 through 2022, except for the 2020 population which is based on the 2020 Census count.

This chart shows a slight decline in population from 2012 to 2019 and then a sudden jump in 2020. That appears to reflect underestimates by the Department of Finance for several years prior to 2020. After 2020, the estimated population falls back somewhat from the Census number.

The overall picture is one of slow growth over the last 10 years. On average the growth rate from 2012 to 2022 amounts to about 0.6% per year. According to the data depicted in this chart, Grass Valley has grown by 786 residents since 2012.



## Units of Development

In this study, quantities of existing and planned development are measured in terms of certain units of development. Those units are discussed below.

**Dwelling Units.** Residential development is measured in terms of dwelling units (DUs).

**Building Area.** Many types of non-residential development in this study are measured in terms of building area in thousands of square feet, denoted as KSF.

**Rooms.** Development in the Hotel/Lodging category is measured in terms of rooms, meaning the number of guest rooms or suites.

**Beds.** Development in the hospital facilities category is measured by the number of patient beds.

**Students.** For both the K-12 Public Schools and the College/University categories, development is measured in terms of the number of students.

## Demand Variables

In calculating impact fees, the relationship between facility needs and development must be quantified in cost allocation formulas. Certain measurable attributes of development such as population or police and fire department calls for service are used in those formulas to reflect the impact of different types and amounts of development on the demand for specific public services and the facilities that support those services.

Those attributes are referred to in this study as “demand variables.” Demand variables are selected either because they directly measure service demand created by various types of development, or because they are reasonably correlated with that demand.

For example, the service standard for parks in a community is typically defined as a ratio of park acreage to population. As population grows, more parks are needed to maintain the desired standard. Logically, then, population is an appropriate yardstick or demand variable for measuring the impacts of development on the need for additional parks.

Each demand variable has a specific value for each type of development. Those values may be referred to as “demand factors.” For example, each of the residential unit size categories used in this study is associated with a specific population per unit

Specific demand variables used in this study are discussed below. The values of demand factors used in this report are shown in Table 2.1 on page 2-9.

**Population.** Resident population is used as a demand variable to calculate impact fees for facilities like parks that are intended to serve residents of the City. Resident population is tied to residential development, so this variable reflects no demand from non-residential development.

**Service Population.** Population alone does not represent all of the impacts of development on the City’s administrative and general facilities such as City Hall and corporation yard facilities. A variable called service population is commonly used in this study to represent the impact of development on facilities that are impacted by both residential and non-residential development and do not have another useful demand variable.

Service population is a composite variable that includes both residents of the City and employees of businesses in Grass Valley. Resident population is included to represent the impacts of residential development and employees of business in the City are included to represent the impacts of non-residential uses, such as commercial, office and industrial development.

Because the impact of one new resident is not necessarily the same as the impact of one new employee, various components of the service population are weighted to reflect their relative impacts on demand for certain types of facilities.

Service population is intended to approximate the number of people creating a demand for service on an average day. It is difficult to estimate that number precisely for several reasons. Some residents work in the City, some residents commute to work outside the City, and some residents don’t work at paid jobs. In addition, non-residents may be present in the City for work, shopping, recreation, or any number of other reasons.

In this study, residents are assigned a weight of 1.0. Our estimate of the average number of hours per week that residents spend in the City is based in part on an analysis of Census Bureau data on how many residents work in the city, how many commute to work outside the City. We assume the average resident spends eight hours a week outside the City for activities like shopping and recreation.

Census Bureau American Community Survey (ACS) data for 2020 (the most recent available year) show that 86.6% of Grass Valley residents between ages 16 and 64 are employed. ACS data also indicate that about 35.8% of employed residents work outside the City.

Assuming that out-commuters spend 47.5 hours a week (9.5 hours per day) outside the City for work and commuting, and that all residents spend an average of eight hours a week outside the City for shopping and recreation leads us to the conclusion that out-commuters spend an average of 112.5 ( $168 - 47.5 - 8 = 112.5$ ) hours per week in the City. Assuming other residents spend 160 ( $168 - 8 = 160$ ) hours per week in the City, the weighted average for all residents is 153.1 hours per week in the City. Dividing that number by 168 hours per week gives us a weight of 0.911 for all residents (population) of the City.

Service population weights for employees associated with different types of development are based on estimates of the number of hours per week businesses of a certain type are in operation. This study assumes that retail and service commercial businesses operate 12 hours a day, 7 days a week (84 hours). For professional offices, industrial uses and public facilities, that number is estimated to be 45 hours (9 hours a day, 5 days a week). The weights assigned to employees of businesses associated with various types of non-residential development are based on the hours per week of operation divided by 168 total hours per week. The hours per week for each development as well as the weighting factor for each type of development are shown in Exhibit 2A on the next page. It should be noted that since all students in the K-12 Schools category are assumed to be residents of the City, the non-residential service population weight for that category is zero.

Those weights are intended to allow a balanced allocation of costs among non-residential development types. However, because of Grass Valley's importance as a commercial and healthcare center in the regional economy, those base weights would understate the overall impact of non-residential development on the City's daytime population, so a factor of 1.32 is applied to all non-residential service population weights except K-12 Schools, which brings the existing service population to 20,233, equal to the City's daytime population as estimated in the City's 2022 Strategic Plan Update.

Finally, for simplicity, all of the service population base weights are normalized by dividing them by residential base weight of 0.911 so that the normalized population weight equals 1.0 ( $0.911 / 0.911 = 1.0$ ) and weights for each of the non-residential components are increased proportionately. The service population weights used in this study are shown in Exhibit 2A. Service population per unit factors based on the normalized service population weights and the number of employees per unit are shown in Table 2.1.

**Exhibit 2A: Service Population Weights**

Development Type	Avg Hrs per Wk	Total Hrs per Week	Base Svc Pop Weight <sup>1</sup>	Scaling Factor <sup>2</sup>	Scaled Svc Pop Weight <sup>3</sup>	Normalized Svc Pop Wt <sup>4</sup>
Residential	153.1	168.0	0.911	1.00	0.911	1.000
Commercial	84.0	168.0	0.500	1.32	0.660	0.724
Hotel/Lodging	84.0	168.0	0.500	1.32	0.660	0.724
Office	45.0	168.0	0.268	1.32	0.354	0.388
Medical Office	36.0	168.0	0.214	1.32	0.282	0.310
Hospital Facilities	168.0	168.0	1.000	1.32	1.320	1.449
Light Industrial	45.0	168.0	0.268	1.32	0.354	0.388
Manufacturing	45.0	168.0	0.268	1.32	0.354	0.388
Warehouse	45.0	168.0	0.268	1.32	0.354	0.388
Public Facilities	45.0	168.0	0.268	1.32	0.354	0.388
K-12 Public Schools	0.0	168.0	0.000	1.00	0.000	0.000
College/University	12.0	168.0	0.071	1.32	0.094	0.103

<sup>1</sup> Base service population weight = average hours per week / total hours per week; K-12 Public School students are assumed to be residents so they are given a service population weight of zero

<sup>2</sup> Scaling factor is used to bring non-residential service population into alignment with non-residential demand for City services.

<sup>3</sup> Scaled service population weight = base service population weight X scaling factor

<sup>4</sup> Service population weight normalized to residential service population weight = scaled service population weight / residential service population weight

**Police and Fire Calls for Service.** The impact of development on the City's police and fire facilities is measured by the number of calls for service per unit per year by development type. Those calls-for-service-per-unit factors are calculated using a random sample of calls for service for a one-year period to determine the distribution of calls by development type. Then the number of calls per year for each type of development is divided by the number of existing units for that type of development to arrive at calls per unit per year. In this study, data for fire calls for service were for the period October 2, 2020, to October 2, 2021. Data for police calls for service factors were for calendar year 2019. We avoided using data for 2020 as much as possible because we have found in other studies that 2020 was not a typical year because of the COVID-19 pandemic. The police and fire calls-for-service factors for each type of development defined in this study are shown in Table 2.1.

**Note on Impact Fees for Accessory Dwelling Units (ADUs).** Recent amendments to Section 65852.2 of the Government Code provide that impact fees may not be imposed on ADUs smaller than 750 square feet. It also establishes the following requirement for impact fees imposed on ADUs of 750 square feet or more:

*"Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit."*

Although it is not spelled out in Section 65852.2, we think it is obvious that when calculating ADU impact fees in cases where the primary unit is a single-family detached unit, the starting point for the proportionality calculation is the fee that applies to the single-family unit. The law also allows for ADUs on lots or parcels where the primary unit is a multi-family unit. In that situation, it seems logical that the ADU impact fee should be proportional to the impact fee that applies to the multi-family unit, but we think ADUs within multi-family developments are likely to be rare and we don't address them further.

The formula for calculating proportional ADU impact fees would be:

$$\text{Primary unit impact fee} \times (\text{ADU square feet} / \text{Primary unit square feet})$$

One thing that becomes obvious in that formula is that, for an ADU of a particular size, a larger primary unit results in lower impact fees for the ADU. For example, if the ADU is 1,000 square feet and the primary unit is 2,000 square feet, the proportional impact fee for the ADU would be 50% of the impact fee that would apply to the primary unit. But if the primary unit is 1,200 square feet, the impact fee for the same-sized ADU would be 83.33% of the primary unit fee.

It seems likely that discrepancy is an unintended consequence of language in Section 65852.2 that was not thoroughly considered before adoption. It is also worth noting that for impact fee studies adopted after July 1, 2022, AB 602 requires that impact fees for all types of residential units must be proportionate to the square footage of a unit. Impact fees based on square footage will tend to reduce the inequity created by the proportionality language of Section 65852.2 because the fees that apply to a smaller primary unit would be less than the fees that apply to a larger primary unit. However, it may be a number of years before most cities in California adopt residential impact fees based on square footage. The City could attempt to minimize the inequities created by the ADU impact fee proportionality requirement in Section 65852.2 by adopting a policy setting a lower limit on the primary unit square footage used to calculate impact fees for ADUs.

## Demand Factors

Exhibit 2B shows how population-per-unit factors were estimated for residential unit size categories used in this study. The Census Bureau and Department of Finance collect data on population per unit by unit type (e.g., single-family or multi-family) rather than by unit size. Consequently, we must estimate the population per unit for unit size categories.

Exhibit 2B shows the population per unit factors for the unit size categories used in this study. Those factors were estimated by NBS using data on the distribution of units by number of bedrooms from the American Community Survey (ACS). The estimated population is adjusted so that the total population and average population per unit approximately equal the total population and average population per unit from known data. The population and number of units in this data set are slightly different from the 2022 numbers shown in Table 2.2, but those differences are not significant for this purpose.

**Exhibit 2B: Population per Unit by Unit Size**

Unit Size in Sq Ft <sup>1</sup>	No. of Bedrms	No. of Units <sup>2</sup>	% of Units	Pop at 2.01 per Unit <sup>3</sup>	Est Pop per Unit <sup>4</sup>	Adjusted Pop <sup>5</sup>
<800	0 or 1	1,543	23.1%	3,101	1.90	2,932
800-1,200	2	3,179	47.5%	6,390	2.00	6,358
>1,200-2,100	3	1,688	25.2%	3,393	2.10	3,545
>2,100	4+	276	4.1%	555	2.20	607
<b>Total/Average</b>		6,686	100.0%	13,439	2.01	13,442

<sup>1</sup> Estimated square-feet-per-unit ranges based on number of bedrooms

<sup>2</sup> Distribution of units by number of bedrooms from American Community Survey  
Table B25041, 2020 5-Year Estimates

<sup>3</sup> Population for all units in each square-footage range if all units were occupied  
by the overall average of 2.01 persons per unit

<sup>4</sup> Estimated population per unit by NBS

<sup>5</sup> Adjusted population = number of units X estimated population per unit

In Table 2.1 on the next page shows the demand factors used for each type of development defined in this study, including, the population-per-unit factors from Exhibit 2B. Those factors include population per unit for residential development and employees per unit for various types of non-residential development, as well as service population per unit and police and fire calls per unit per year for all types of development defined in this study.

**Table 2.1: Demand Factors**

Development Type <sup>1</sup>	Unit Type <sup>2</sup>	Pop/Students per Unit <sup>3</sup>	Empl per Unit <sup>4</sup>	Svc Pop per Unit <sup>5</sup>	Fire Calls per Unit <sup>6</sup>	Police Calls per Unit <sup>7</sup>
Residential: <800 Sq. Ft.	DU	1.90		1.90	0.220	1.200
Residential: 800-1,200 Sq. Ft.	DU	2.00		2.00	0.220	1.200
Residential: >1,200-2,100 Sq. Ft.	DU	2.10		2.10	0.530	1.900
Residential: >2,100 Sq. Ft.	DU	2.20		2.20	0.530	1.900
Commercial	KSF		1.50	1.09	0.277	4.214
Hotel/Lodging	Room		0.35	0.25	0.448	1.380
Office	KSF		2.50	0.97	0.076	0.652
Medical Office	KSF		3.00	0.93	0.494	4.193
Hospital Facilities	Bed		5.00	7.24	1.649	4.496
Light Industrial	KSF		1.10	0.43	0.033	0.358
Manufacturing	KSF		1.60	0.62	0.077	0.178
Warehouse	KSF		0.50	0.19	0.031	0.310
Public Facilities	KSF		2.50	0.97	1.250	11.686
K-12 Public Schools	Students	1.00		0.00	0.009	0.058
College/University	Students	1.00		0.10	0.001	0.009

<sup>1</sup> The square-feet-per-unit ranges shown in this table for residential development include all types of residential development including single-family, multi-family and mobile homes

<sup>2</sup> DU = dwelling unit; KSF = 1,000 gross sq ft of building area; Room = guest room or suite

<sup>3</sup> Estimated average population per unit based on analysis of data from U. S. Census Bureau American Community Survey; see discussion in text

<sup>4</sup> Employees per unit estimated by NBS using data from multiple sources including ESRI, the NCTC/ Grass Valley Travel Demand Forecasting Model and the Institute of Transportation Engineers (ITE)

<sup>5</sup> Service population per unit = population, students or employees per unit X service population weight from Table 2.0; see discussion of service population weighting in text

<sup>6</sup> Fire Department calls for service per unit per year based on analysis of a random sample of all 2019 calls for service; see discussion in text

<sup>7</sup> Police Department calls for service per unit per year based on analysis of a random sample of all 2019 calls for service; see discussion in text

## Existing and Future Development

Tables 2.2 through 2.4 on the following pages present data on existing and future development in Grass Valley. Data from those tables will be used throughout this report. Table 2.2 shows existing development as of January 2022.

It is important to note that in Tables 2.2 through 2.4, all residential development is grouped into a single category. The reason is that because of recent changes in state law, this study is required to calculate impact fees for unit-size categories rather than for unit types and we do not have data that would allow us to break out existing and future development into unit-size categories. However, impact fees throughout this report will be calculated for each category of residential development.



**Table 2.2: Existing Development January 1, 2022 - Grass Valley**

Development Type	Unit Type <sup>1</sup>	No. of Units <sup>2</sup>	Population <sup>3</sup>	Employees <sup>4</sup>	Service Pop <sup>5</sup>	Fire Calls per Year <sup>6</sup>	Police Calls per Year <sup>7</sup>
All Residential	DU	6,795	13,617		13,617	3,458	11,072
Commercial	KSF	2,469		3,704	2,691	685	10,405
Hotel/Lodging	Room	297		104	74	133	410
Office	KSF	865		2,163	839	66	564
Medical Office	KSF	269		807	250	133	1,128
Hospital Facilities	Bed	228		1,140	1,651	376	1,025
Light Industrial	KSF	1,002		1,102	431	33	359
Manufacturing	KSF	287		459	178	22	51
Warehouse	KSF	354		177	67	11	110
Public Facilities	KSF	88		220	85	110	1,028
K-12 Public Schools	Students	2,635			0	23	154
College/University	Students	3,500			350	4	32
<b>Totals</b>			<b>13,617</b>	<b>9,876</b>	<b>20,233</b>	<b>5,054</b>	<b>26,338</b>

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross sq ft of building area; Room = guest room or suite;  
Bed = patient bed

<sup>2</sup> Number of existing residential units based on the January 2022 CA Department of Finance E-5 report; existing non-residential units based on 2018 data from the NCTC/Grass Valley Travel Demand Forecasting Model

<sup>3</sup> Existing household population from 2020 Census

<sup>4</sup> Existing employees = existing units X employees per unit from Table 2.1

<sup>5</sup> Existing service population = existing units X service population per unit from Table 2.1

<sup>6</sup> Fire Department calls for service per unit per year based on analysis of a random sample of all 2019 calls for service; see discussion in text

<sup>7</sup> Police Department calls for service per unit per year based on analysis of a random sample of all 2019 calls for service; discussion in text

Table 2.3 presents a forecast of future development in the City. The numbers in this table represent the difference between existing development in Table 2.2 and buildout development in Table 2.4.



**Table 2.3: Future Development to 2040 - Grass Valley**

Development Type	Unit Type <sup>1</sup>	No. of Units <sup>2</sup>	Population <sup>3</sup>	Employees <sup>4</sup>	Service Pop <sup>5</sup>	Fire Calls per Year <sup>6</sup>	Police Calls per Year <sup>7</sup>
All Residential	DU	2,432	4,874		4,874	1,238	3,963
Commercial	KSF	401		601	437	111	1,690
Hotel/Lodging	Room	0		0	0	0	0
Office	KSF	364		910	353	28	237
Medical Office	KSF	0		0	0	0	0
Hospital Facilities	Bed	0		0	0	0	0
Light Industrial	KSF	82		90	35	3	29
Manufacturing	KSF	75		120	46	6	13
Warehouse	KSF	11		6	2	0	3
Public Facilities	KSF	14		35	14	18	164
K-12 Public Schools	Students	349			0	3	20
College/University	Students	419			42	0	4
<b>Totals</b>			<b>4,874</b>	<b>1,762</b>	<b>5,803</b>	<b>1,406</b>	<b>6,124</b>

Note: the numbers in Table 2.3 represent the difference between 2040 development in Table 2.4 and existing development in Table 2.2

Table 2.4 shows development in the City projected to 2040. Except for public facilities, 2040 units are based on projections in the NCTC/Grass Valley Travel Demand Forecast Model. Projections for future development in the Public Facilities category were adjusted by NBS based on a recent analysis of existing public facilities in Grass Valley.

**Table 2.4: Total 2040 Development - Grass Valley**

Development Type	Unit Type <sup>1</sup>	No. of Units <sup>2</sup>	Population <sup>3</sup>	Employees <sup>4</sup>	Service Pop <sup>5</sup>	Fire Calls per Year <sup>6</sup>	Police Calls per Year <sup>7</sup>
All Residential	DU	9,227	18,491		18,491	4,696	15,035
Commercial	KSF	2,870		4,305	3,128	796	12,095
Hotel/Lodging	Room	297		104	74	133	410
Office	KSF	1,229		3,073	1,192	94	801
Medical Office	KSF	269		807	250	133	1,128
Hospital Facilities	Bed	228		1,140	1,651	376	1,025
Light Industrial	KSF	1,084		1,192	466	36	388
Manufacturing	KSF	362		579	224	28	64
Warehouse	KSF	365		183	69	11	113
Public Facilities	KSF	102		255	99	128	1,192
K-12 Public Schools	Students	2,984			0	26	174
College/University	Students	3,919			392	4	36
<b>Totals</b>			<b>18,491</b>	<b>11,638</b>	<b>26,036</b>	<b>6,460</b>	<b>32,462</b>

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross sq ft of building area; Room = guest room or suite; Bed = patient bed

<sup>2</sup> 2040 units from the NCTC/Grass Valley Travel Demand Forecasting Model

<sup>3</sup> 2040 population = residential units X 2.06 average 2022 population per unit

<sup>4</sup> 2040 employees = units X employees per unit from Table 2.1

<sup>5</sup> 2040 residential service population = 2040 population; 2040 non-residential service population = units X service population per unit from Table 2.1

<sup>6</sup> 2040 fire calls for service = 2040 units X calls per unit per year from Table 2.1

<sup>7</sup> 2040 police calls for service = 2040 units X calls per unit per year from Table 2.1

## Growth Potential

The numbers in Table 2.4 represent an increase of 36% in population and 18% in employment between 2022 and 2040. Police and Fire Department calls are projected to increase 28%.

The fees calculated in subsequent chapters of this report are intended to pay for the capital facilities needed to serve the additional demand created by future development forecasted in this chapter. Most of the fees calculated in this report are based on the cost to maintain the existing level of service for various types of facilities, so that the amount of future development does not affect the impact fee calculations. For those facilities, future development is used only to project revenue from the impact fees.

To the extent the future development is used to calculate impact fees in this study, those calculations depend on the amount of future development, but not on when that development occurs.

## Chapter 3. Park Land and Park Improvements

This chapter calculates impact fees for park land acquisition, park improvements, maintenance equipment, and trails.

### Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. All of the impact fees calculated in this chapter are based on the City's existing level of service (LOS) as defined in the section titled Existing Facilities and Existing Level of Service, below. Impact fees calculated in that manner are designed to maintain the existing level of service as the City grows.

### Service Area

The impact fees calculated in this chapter are intended to apply to all new residential development in the City, including portions of the City's Sphere of Influence (SOI) that may be annexed in the future.

### Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for parks and other facilities in this chapter is population.

Population is used here because the need for parks and related facilities is almost universally defined in terms of population. The Grass Valley Parks and Recreation Master Plan follows that practice.

Impact fees calculated in this chapter for different categories of residential development will vary depending on the estimated average population per unit for each category. Table 2.1 in Chapter 2 shows the population-per-unit factors for each category of residential development defined in this study.

Because added population is associated with residential development, the impact fees calculated in this chapter apply only to residential development.

### Existing Facilities and Existing Level of Service

**Existing Parks.** In this chapter, calculation of impact fees for park land acquisition and park improvements are based on the City's existing ratio of improved park acres to population. Table 3.1 lists the City's existing parks and shows both City-owned acres and improved acres of parks. The improved acres shown in Table 3.1 also includes some acreage that is owned by the Grass Valley Unified School District and was improved by the City.

**Table 3.1: Existing Parks**

Park Name	Park Type	City-Owned Park Acres	Improved Park Acres
Condon Park	Community	81.00	18.00
Memorial Park	Community	7.40	7.40
Devere Mautino Park	Community	12.90	6.45
Minnie Park	Neighborhood	2.00	2.00
Morgan Ranch	Neighborhood	4.00	0.00
Dow Alexander Park	Pocket	0.30	0.30
Elizabeth Daniels Park	Urban	0.15	0.15
Grass Valley USD Joint Use Agreement		0.00	4.00
<b>Total</b>		<b>107.75</b>	<b>38.30</b>

Source: City of Grass Valley General Plan Recreation Element and Parks and Recreation Master Plan with additional information provided by City staff

Table 3.2 calculates the City's existing level of service in terms of developed acres of City-improved park land per capita and per 1,000 population.

**Table 3.2: Existing Level of Service - Park Acres per Capita**

Total Improved Park Acres <sup>1</sup>	Existing Population <sup>2</sup>	Existing Acres per Capita <sup>3</sup>	Existing Acres per 1,000 <sup>4</sup>
38.30	13,617	0.00281	2.81

<sup>1</sup> See Table 3.1

<sup>2</sup> See Table 2.2

<sup>3</sup> Acres per capita = existing acres / existing population

<sup>4</sup> Acres per 1,000 population = acres per capita X 1,000

**Existing Park Maintenance Equipment.** Table 3.3 lists the City's existing park maintenance equipment and the replacement cost for each item. The cost of park maintenance equipment will be incorporated into the impact fees for park improvements. Replacement cost is used here to reflect the cost of acquiring the additional equipment that will be needed to maintain additional parks needed to serve new development.

**Table 3.3: Existing Park Maintenance Equipment**

Description	Model Year <sup>1</sup>	Replacement Cost <sup>2</sup>
Post Hole Digger	1998	\$ 1,200
Aerator, John Deere 260S Aer-Way, x	1991	\$ 2,000
Generator, 8000 Watt Genarac w/ wheel kit	1991	\$ 2,000
Ford F250 4x2 P/U	2003	\$ 18,000
Ford F350 4x4 P/U	2012	\$ 40,000
Ford F350 4x4 P/U	2021	\$ 50,000
Tomco Equipment Trailer	1999	\$ 2,000
John Deere 4 x 2 Gator	2008	\$ 5,000
John Deer Tractor M301A, #108475	1974	\$ 7,500
Kubota RTV Utility Vehicle	2006	\$ 12,000
Grasshopper 932/3472 Lawnmower	2010	\$ 15,000
Grasshopper Mower	2001	\$ 12,000
Hurricane Blower	2020	\$ 12,000
Toro Reel Mower	2010	\$ 12,000
Tractor 3400 4x4, Hustler Mower	2002	\$ 17,000
J.D. Backhoe, compact Tractor & canopy	1990	\$ 18,000
<b>Total</b>		<b>\$ 225,700</b>

Source: Grass Valley City Engineer

**Existing Trails.** Table 3.4 lists the City's existing trails with their length in linear feet (LF) and their estimated replacement cost.

**Table 3.4: Existing Trails**

Trail Name	Length (LF)	Unit Repl Cost <sup>1</sup>	Total Repl Cost <sup>2</sup>
Wolf Creek	5,280	\$ 200.00	\$ 1,056,000
Litton Trail	2,640	\$ 200.00	\$ 528,000
Peabody Creek Trail	1,600	\$ 200.00	\$ 320,000
<b>Total</b>			<b>\$ 1,904,000</b>

Source: Grass Valley City Engineer

## Cost Per Capita

**Cost per Capita – Park Land.** Below, we calculate a cost per capita for park land acquisition through impact fees. However, Grass Valley has an existing Quimby Act ordinance that establishes requirements for park land dedication or fees in lieu of dedication for residential subdivisions. Consequently, the park land impact fees calculated in this chapter are intended to apply only to residential development that does not involve a subdivision and is not subject to the Quimby Act. Table 3.5 calculates the cost per capita for park land acquisition based on the

existing ratio of park acres per capita from Table 3.2 and the estimated cost per acre to park land in Grass Valley.

**Table 3.5: Cost per Capita - Park Land Acquisition**

Acres per Capita <sup>1</sup>	Cost per Acre <sup>2</sup>	Cost per Capita <sup>3</sup>
0.00281	\$50,000	\$140.50

<sup>1</sup> See Table 3.2

<sup>2</sup> Land cost per acre estimated by Grass Valley City Engineer

<sup>3</sup> Cost per capita = acres per capita X cost per acre

**Cost per Capita – Park Improvements.** Table 3.6 calculates a cost per capita for park improvements based on the existing ratio of park acres per capita from Table 3.2 and the estimated average cost per acre for park improvements. The types of improvements covered by the estimated cost per acre shown in Table 3.6 are listed below. It should be noted that not every park will have all of these types of improvements.

- Turf, landscaping and irrigation
- Baseball, softball and soccer fields
- Tennis, pickleball, basketball and bocce courts
- Playgrounds and tot lots
- Picnic pavilions
- Rest room buildings
- Parking

It is also important to note that the park improvement impact fees calculated in this chapter do not include the cost of some major recreational facilities that were funded by Measure E and/or Community Development Block Grants. Those facilities include the new swimming pool complex at Memorial Park and the skate park and the LOVE Building at Condon Park.

**Table 3.6: Cost per Capita - Park Improvements**

Acres per Capita <sup>1</sup>	Cost per Acre <sup>2</sup>	Cost per Capita <sup>3</sup>
0.00281	\$500,000	\$1,405.00

<sup>1</sup> See Table 3.2

<sup>2</sup> Cost per acre estimated by the Grass Valley City Engineer

<sup>3</sup> Cost per Capita = acres per capita X cost per acre

**Cost per Capita – Park Maintenance Equipment.** Table 3.7 calculates the cost per capita for park maintenance equipment based on the total replacement cost of existing equipment from Table 3.3 and the City's existing population.

**Table 3.7: Cost per Capita - Park Maintenance Equipment**

Existing Vehicles & Equipmt Repl Cost <sup>1</sup>	Existing Population <sup>2</sup>	Cost per Capita <sup>3</sup>
225,700	13,617	\$16.57

<sup>1</sup> See Table 3.3

<sup>2</sup> See Table 2.2

<sup>3</sup> Cost per Capita = existing facilities replacement cost / existing population

**Cost per Capita – Trails.** Table 3.8 calculates the cost per capita for trails based on the total replacement cost of existing trails from Table 3.4 and the City's existing population.

**Table 3.8: Cost per Capita - Trails**

Existing Facilities Replacement Cost <sup>1</sup>	Existing Population <sup>2</sup>	Cost per Capita <sup>3</sup>
1,904,000	13,617	\$139.83

<sup>1</sup> See Table 3.4

<sup>2</sup> See Table 2.2

<sup>3</sup> Cost per Capita = existing facilities replacement cost / existing population

## Impact Fees per Unit

**Impact Fees per Unit - Park Land Acquisition.** Table 3.9 calculates impact fees per unit by residential development type for park land acquisition. Those fees are based on the per-capita cost from Table 3.5 and population per dwelling unit factors from Table 2.1. These fees would apply only to residential development not involving a subdivision.

**Table 3.9: Impact Fees per Unit - Park Land Acquisition**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$140.50	1.90	\$ 266.95
Residential: 800-1,200 Sq. Ft.	DU	\$140.50	2.00	\$ 281.00
Residential: >1,200-2,100 Sq. Ft.	DU	\$140.50	2.10	\$ 295.05
Residential: >2,100 Sq. Ft.	DU	\$140.50	2.20	\$ 309.10

<sup>1</sup> DU = dwelling units<sup>2</sup> See Table 3.5<sup>3</sup> Population per DU; see Table 2.1<sup>4</sup> Impact fee per unit = cost per capita X population per unit

**Impact Fees per Unit - Park Improvements (Including Park Maintenance Equipment).** Table 3.10 calculates impact fees per unit by residential development type for park improvements. These fees also incorporate the cost of park maintenance equipment. They are calculated using the combined per-capita costs for park improvements and park maintenance equipment from Tables 3.6 and 3.7 and the population per unit factors from Table 2.1.

**Table 3.10: Impact Fees per Unit - Park Improvements**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$1,421.57	1.90	\$ 2,700.99
Residential: 800-1,200 Sq. Ft.	DU	\$1,421.57	2.00	\$ 2,843.15
Residential: >1,200-2,100 Sq. Ft.	DU	\$1,421.57	2.10	\$ 2,985.31
Residential: >2,100 Sq. Ft.	DU	\$1,421.57	2.20	\$ 3,127.46

<sup>1</sup> DU = dwelling units<sup>2</sup> Includes both park improvements and park maintenance vehicles and equipment; see Tables 3.6 and 3.7<sup>3</sup> Population per DU; see Table 2.1<sup>4</sup> Impact fee per unit = cost per capita X population per unit

**Impact Fees per Unit – Trails.** Table 3.11 calculates impact fees per unit by residential development type for trails. Those fees are based on the per-capita cost from Table 3.8 and population per dwelling unit factors from Table 2.1.



**Table 3.11: Impact Fees per Unit - Trails**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per DU <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$139.83	1.90	\$ 265.67
Residential: 800-1,200 Sq. Ft.	DU	\$139.83	2.00	\$ 279.65
Residential: >1,200-2,100 Sq. Ft.	DU	\$139.83	2.10	\$ 293.63
Residential: >2,100 Sq. Ft.	DU	\$139.83	2.20	\$ 307.62

<sup>1</sup> DU = dwelling units<sup>2</sup> See Table 3.8<sup>3</sup> Population per DU; see Table 2.1<sup>4</sup> Impact fee per unit = cost per capita X population per unit

## Projected Revenue

The impact fees per unit in the previous four tables are based on residential unit size in square feet. Although projections of future residential development are available based on unit type (e.g., single-family and multi-family), no projections are available based on unit size, so it is not possible to project revenue from these impact fees based on the number of units.

However, we do have projections of added population from Chapter 2, so potential revenue can be projected using added population and the cost per capita for park improvements, major recreation facilities and trails. No projection of potential revenue is provided for park land acquisition impact fees because it is unknown how much future residential development will be in subdivisions, which are subject to Quimby Act park land in-lieu fees rather than the park land impact fees calculated in this chapter.

**Projected Revenue – Park Improvements (Including Maintenance Equipment).** Table 3.12 calculates projected revenue for the park improvement impact fees, using the added population from Table 2.3 and the cost per capita from Table 3.10.

**Table 3.12: Projected Revenue - Park Improvement Impact Fees**

Added Population <sup>1</sup>	Cost per Capita <sup>2</sup>	Projected Revenue <sup>3</sup>
4,874	\$1,421.57	\$6,928,755.91

<sup>1</sup> See Table 2.3<sup>2</sup> See Table 3.10<sup>3</sup> Projected revenue = added population X cost per capita

**Projected Revenue – Trails.** Table 3.13 calculates projected revenue for the trails impact fees, using the added population from Table 2.3 and the cost per capita from Table 3.11.

**Table 3.13: Projected Revenue - Trails**

Added Population <sup>1</sup>	Cost per Capita <sup>2</sup>	Projected Revenue <sup>3</sup>
4,874	\$139.83	\$681,508.11

<sup>1</sup> See Table 2.3<sup>2</sup> See Table 3.11<sup>3</sup> Projected revenue = added population X cost per capita

## Updating the Fees

The impact fees calculated in this chapter are based the current estimated cost of park land, park improvements and trails. We recommend that the fees be reviewed annually and adjusted as needed using local cost data or an index such as the *Engineering News Record* Construction Cost Index (CCI). See the Implementation Chapter for more on indexing of fees.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- The use of the fee and the development type on which it is imposed;
- The need for the facility and the type of development on which the fee is imposed;  
and
- The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new residential development on the need for parks, recreation facilities and trails in Grass Valley.

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional parks, recreation facilities and trails to mitigate the impacts of new residential development in the City.

As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional parks, recreational facilities and trails to serve the needs of added population associated with new residential development in Grass Valley.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the need for parks, recreation facilities and trails to maintain the existing level of service as described earlier in this chapter. Without additional parks, recreation facilities and trails, the increase in population associated with new residential development would result in a reduction in the level of service provided to all residents of the City.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the impact fees for park land, park improvements, major recreation facilities and trails calculated in this chapter depend on the estimated increase in population associated with each category of residential development. The fees per unit of development calculated in this chapter for each type of residential development are based on the estimated average population per unit for that type of development in Grass Valley. Thus, the fee charged to a development project reflects the impact of that project on the need for parks, recreation facilities and trails in the City.

## Chapter 4. Fire Protection Facilities

This chapter calculates impact fees for facilities, apparatus and equipment needed to provide fire protection and emergency response services to new development in Grass Valley. Where the general term “facilities” is used elsewhere in this chapter, it is intended to include all types of capital assets needed by the Grass Valley Fire Department to carry out its mission.

The fire departments of Grass Valley and Nevada City merged in 2020, so that the Grass Valley Fire Department now also serves Nevada City under a contract between the two cities. The Department operates two fire stations in Grass Valley and one in Nevada City. The Grass Valley Fire Department also responds to emergency calls in the western portion of unincorporated Nevada County under an agreement with the Nevada County Consolidated Fire District.

The impact fees calculated in this chapter are based on the cost of City-owned fire facilities, apparatus and equipment located in Grass Valley and intended to serve the City of Grass Valley.

### Service Area

The service area for impact fees calculated in this chapter is the City of Grass Valley. Those fees are intended to apply to all future development in the City, including portions of the Sphere of Influence (SOI) annexed in the future.

### Demand Variable

A “demand variable” is a quantifiable attribute of development that is used in fee calculation formulas to represent the impact of development on a certain type of capital facilities. The demand variable used to calculate impact fees for fire facilities in this report is calls for service per year.

As part of this study, NBS analyzed a random sample of 570 of just over 5,000 calls for service received by the Grass Valley Fire Department in the City of Grass Valley from October 2, 2020, to October 2, 2021. That analysis was used to establish the number of calls for service per year originating from the various types of development defined in this study, which allowed us to determine the average number of calls per unit per year generated by each type of development. Table 2.1 in Chapter 2 shows the calls-per-unit-per-year factors derived from that analysis. Those factors are used to calculate impact fees per unit later in this chapter.

It is worth noting that calls-per-unit rates for residential development could not be established by unit size, but were categorized by type of unit (e.g., single-family, multi-family or mobile home). The fire calls-per-unit factors shown in Table 2.1 and used in this analysis apply the multi-family rates to the two smaller unit-size categories and the single-family rate to the two larger unit-size categories.

## Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development.

## Level of Service

In this case, the standard used to calculate impact fees is the existing level of service, defined as the replacement cost of existing fire protection facilities, apparatus and equipment divided by the total calls for service for the one-year 2020-2021 period to get a cost per call per year.

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. Among other things, after January 1, 2022, that section requires that if the level of service used in an impact fee study exceeds the existing level of service, the higher level of service must be justified. Using the existing level of service as the basis for the impact fees calculated in this chapter is consistent with the requirements of AB 602.

## Facilities, Apparatus and Equipment

Table 4.1 lists the estimated replacement cost of Fire Stations #1 and #2. Fire Station #2 is on a site owned by Sierra College and leased to the City. The Grass Valley Fire Department also operates Fire Station #5 in Nevada City, but that station is not shown in Table 4.1 because it primarily serves Nevada City.

**Table 4.1: Existing Fire Stations**

Facility	Constr Date	Building Sq Ft <sup>1</sup>	Bldg Repl Cost <sup>2</sup>	Site Acres <sup>3</sup>	Est Land Value <sup>4</sup>	FF&E Repl Cost <sup>5</sup>	Impact Fee Cost Basis <sup>6</sup>
Fire Station #1	1985	4,923	\$2,619,036	0.28	\$32,200	\$481,748	\$ 3,132,984
Fire Station #2	1999	4,500	2,395,424	Not City-Owned		\$231,611	\$ 2,627,035
Total							\$ 5,760,019

<sup>1</sup> Existing station square feet from the City's insured property schedule

<sup>2</sup> Building replacement cost based on recent construction costs

<sup>3</sup> Site acreage provided by the Grass Valley Fire Department

<sup>4</sup> Land value based on \$115,000 per acre

<sup>5</sup> Replacement cost of furniture, fixtures and equipment (FF&E) from the City's insured property schedule

<sup>6</sup> Impact fee cost basis = the sum of building replacement cost, estimated land value and the replacement cost of furniture, fixtures and equipment

Table 4.2 lists the City's existing firefighting apparatus and other vehicles. Costs for all vehicles and equipment reflect the estimated current dollar replacement costs as provided by City staff. Equipment costs are included in the replacement cost figures. Costs for vehicles funded by

Measure E representing more than \$2.6 million are excluded from the impact fee cost basis in Table 4.2.

**Table 4.2: Existing Fire Department Apparatus and Vehicles**

Model Year	Description	Assignment	Replacement Cost <sup>1</sup>	Impact Fee Cost Basis <sup>2</sup>
2005	GMC Yukon	Fire Prevention 2	\$ 25,000	\$ 25,000
2015	Ford F250 4WD Pickup	Fire Utility U5	\$ 57,000	\$ 0
2015	Ford F250 Pickup	Fire Utility U2	\$ 57,000	\$ 0
2016	Ford F250 4WD Pickup	Battalion Chief	\$ 77,000	\$ 0
2017	Ford F250 4WD Pickup	Fire Chief 1300	\$ 77,000	\$ 0
2017	Ford F250 4WD Pickup	Fire Utility U1	\$ 77,000	\$ 0
2019	Dodge RAM 2500	Fire Prevention 3	\$ 65,000	\$ 0
2019	Dodge RAM 5500	Squad 2	\$ 200,000	\$ 0
2009	Spartan/Smeal Ladder Engine	Truck 2	\$ 850,000	\$ 850,000
2003	KME Engine	Engine 201	\$ 265,000	\$ 0
2015	KME Engine	Engine 202	\$ 565,000	\$ 0
2017	KME Engine	Engine 1	\$ 615,000	\$ 0
2019	KME Engine	Engine 2	\$ 630,000	\$ 0
2021	Repair Unit	Repair 1330	\$ 100,000	\$ 100,000
2015	Explorer PPV	Utility	\$ 35,000	\$ 35,000
<b>Total</b>			<b>\$ 3,695,000</b>	<b>\$ 1,010,000</b>

Table 4.3 summarizes the costs from the preceding tables and adds the existing cash balance of the Fire Impact Fee Fund.

**Table 4.3: Total Impact Fee Cost Basis**

Component	Total Cost Basis <sup>1</sup>
Existing Fire Stations	\$ 5,760,019
Existing Fire Apparatus and Vehicles	\$ 1,010,000
Fire Impact Fee Fund Balance	\$ 12,224
<b>Total Cost</b>	<b>\$ 6,782,243</b>

<sup>1</sup> See Tables 4.1, and 4.2; DIF fund balance as of 6/30/22

## Cost per Call for Service

Table 4.4 calculates the cost per call for service for City fire facilities, apparatus and vehicles using the total cost basis from Table 4.3 and the existing number of calls for service per year.

**Table 4.4: Cost per Call for Service**

Total Cost Basis <sup>1</sup>	Existing Calls for Service <sup>2</sup>	Cost per Call for Service <sup>3</sup>
\$6,782,243	5,054	\$1,341.96

<sup>1</sup> Total cost basis; see Table 4.3

<sup>2</sup> Existing Fire calls for service per year ; see Table 2.2

<sup>3</sup> Cost per call for service = total facility cost / existing calls  
for service per year

## Impact Fees per Unit

Table 4.5 shows the calculation of fire facilities impact fees per unit of development, by development type. Those fees are calculated using the cost per call for service from Table 4.4 and the calls-per-unit-per-year factors from Table 2.1.

**Table 4.5 Impact Fee per Unit**

Development Type	Units <sup>1</sup>	Cost per CFS <sup>2</sup>	CFS per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$1,341.96	0.220	\$ 295.23
Residential: 800-1,200 Sq. Ft.	DU	\$1,341.96	0.350	\$ 469.68
Residential: >1,200-2,100 Sq. Ft.	DU	\$1,341.96	0.450	\$ 603.88
Residential: >2,100 Sq. Ft.	DU	\$1,341.96	0.550	\$ 738.08
Commercial	KSF	\$1,341.96	0.277	\$ 372.31
Hotel/Lodging	Room	\$1,341.96	0.448	\$ 600.94
Office	KSF	\$1,341.96	0.076	\$ 102.39
Medical Office	KSF	\$1,341.96	0.494	\$ 663.49
Hospital Facilities	Bed	\$1,341.96	1.649	\$ 2,213.05
Light Industrial	KSF	\$1,341.96	0.033	\$ 44.20
Manufacturing	KSF	\$1,341.96	0.077	\$ 102.87
Warehouse	KSF	\$1,341.96	0.031	\$ 41.70
Public Facilities	KSF	\$1,341.96	1.250	\$ 1,677.44
K-12 Public Schools	Students	\$1,341.96	0.009	\$ 11.71
College/University	Students	\$1,341.96	0.001	\$ 1.53

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite; Bed = patient bed

<sup>2</sup> Cost per call for service per year; see Table 4.4

<sup>3</sup> Calls for service per unit per year; see Table 2.1

<sup>4</sup> Impact fee per unit = cost per call for service X calls for service per unit

## Projected Revenue

In Table 4.6, potential revenue from the fire facilities impact fees can be estimated by applying the cost per call for service from Table 4.4 to the added calls for service to 2040 shown in Table 2.3 in Chapter 2. This projection assumes that future development occurs as shown in Chapter 2.

**Table 4.6 Projected Revenue**

Development Type	Units <sup>1</sup>	Cost per CFS <sup>2</sup>	Added CFS <sup>3</sup>	Projected Revenue <sup>4</sup>
All residential	DU	\$1,341.96	1,238	\$ 1,660,876
Commercial	KSF	\$1,341.96	111	\$ 149,297
Hotel/Lodging	Room	\$1,341.96	0	\$ 0
Office	KSF	\$1,341.96	28	\$ 37,271
Medical Office	KSF	\$1,341.96	0	\$ 0
Hospital Facilities	Bed	\$1,341.96	0	\$ 0
Light Industrial	KSF	\$1,341.96	3	\$ 3,624
Manufacturing	KSF	\$1,341.96	6	\$ 7,715
Warehouse	KSF	\$1,341.96	0	\$ 459
Public Facilities	KSF	\$1,341.96	18	\$ 23,484
K-12 Public Schools	Students	\$1,341.96	3	\$ 4,088
College/University	Students	\$1,341.96	0	\$ 643
<b>Total</b>				<b>\$ 1,859,884</b>

<sup>1</sup> DU=dwelling unit; KSF=1,000 gross square feet of building area

<sup>2</sup> Cost per call for service per year; see Table 4.4

<sup>3</sup> Added calls for service per year to 2040; see Table 2.3

<sup>4</sup> Projected revenue = cost per call for service per year X added calls for service to 2040

Although Table 4.5 calculates impact fees for K-12 Schools and Public Facilities, the City either may not have authority, or would be unlikely to charge impact fees, to itself or other government agencies. Consequently, no projected revenue is shown for K-12 Schools or Public Facilities in Table 4.6. Revenue from those fees would amount to only about 1.3% of the total revenue projected in Table 4.6.

## Updating the Fees

The impact fees calculated in this chapter are based current estimated replacement costs for fire facilities as shown in this chapter. We recommend that the fees be reviewed and adjusted annually using local cost data or an index such as the Engineering News Record Building Cost Index (BCI). See the Implementation Chapter for more on indexing of fees.



## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires an agency establishing, increasing or imposing impact fees to make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;
- b. The need for the facility and the type of development on which the fee is imposed;  
and
- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for fire facilities, apparatus and vehicles provided by the City of Grass Valley.

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional fire facilities, apparatus and vehicles to mitigate the impact of new development on the need for fire protection services in the City. As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional fire facilities, apparatus and vehicles and to serve the added demand for fire protection and emergency services associated with new development in Grass Valley.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the demand for fire protection and other emergency services provided by the City. Without additional facilities, apparatus and vehicles, the increase in demand associated with new development would negatively impact the ability of the Grass Valley Fire Department to provide services efficiently and effectively to all development in the City.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the fire facilities impact fees charged to a development project will depend on the increase in calls for service associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the

estimated calls for service per unit per year for that type of development in the City's service area. Thus, the fee charged to a development project reflects the impact of that project on the overall need for facilities, apparatus and vehicles used by the Grass Valley Fire Department to serve development in the City.

## Chapter 5. Police Facilities

This chapter calculates impact fees for facilities and vehicles needed to provide police services to new development in Grass Valley.

### Service Area

The service area for impact fees calculated in this chapter is the City of Grass Valley. Impact fees calculated in this chapter are intended to apply to all future development in the City, including portions of the Sphere of Influence (SOI) annexed in the future.

### Demand Variable

A “demand variable” is a quantifiable attribute of development that is used in fee calculation formulas to represent the impact of development on a certain type of capital facilities. The demand variable used to calculate impact fees for police facilities, vehicles and equipment in this report is Police Department calls for service per year.

As part of this study, NBS analyzed a random sample of 650 of almost 27,000 calls for service received by the Grass Valley Police Department from calendar year 2019. We did not use 2020 data because we have found that the Covid pandemic skewed demand for law enforcement services during that year. Because the small number of calls for service generated by industrial development may not have been represented adequately in the random sample, additional analysis was done for industrial development using all 2019 calls for service.

Analysis of the random sample was used to establish the number of calls for service per year originating from the various types of development defined in this study and allowed us to determine the average number of calls per unit per year generated by each type of development. Table 2.1 in Chapter 2 shows the calls-per-unit-per-year factors derived from that analysis. Those factors are used to calculate impact fees per unit later in this chapter.

It is important to note that calls-per-unit rates for residential development could not be established for the unit size categories used in this study. Those calls were categorized by type of unit (e.g., single-family, multi-family or mobile home). The Police calls-per-unit factors shown in Table 2.1 and used in this analysis apply the multi-family rates to the two smaller unit-size categories and the single-family rate to the two larger unit-size categories.

### Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The level of service used in this analysis is discussed in the next section.

## Level of Service

In this case, the standard used to calculate impact fees is the existing level of service, defined as the replacement cost of existing Police Department facilities, vehicles and equipment divided by the total calls for service for the one-year 2019 period to get an average cost per call.

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. Among other things, after January 1, 2022, that section requires that if the level of service used in an impact fee study exceeds the existing level of service, the higher level of service must be justified. Using the existing level of service as the basis for the impact fees calculated in this chapter is consistent with the requirements of AB 602.

## Facilities, Vehicles and Equipment

Table 5.1 lists the estimated replacement cost of the City's existing Police Department facilities. Animal control facilities are addressed separately in Chapter 6.

**Table 5.1: Existing Police Department Facilities**

Facility	Constr Date	Building Sq Ft <sup>1</sup>	Bldg Repl Cost <sup>2</sup>	Site Acres <sup>3</sup>	Est Land Value <sup>4</sup>	FF&E Repl Cost <sup>5</sup>	Impact Fee Cost Basis <sup>6</sup>
Police Station	1996	9,000	\$ 5,175,000	0.85	\$391,000	\$240,877	\$ 5,806,877
Police Range Storage (2)	1985	600	\$ 161,219			\$ 64,232	\$ 225,451
Police Range Covers (2)	1985	800	\$ 318,214			\$ 0	\$ 318,214
<b>Total</b>							<b>\$ 6,350,542</b>

<sup>1</sup> Existing buildings square feet from the City's insured property schedule

<sup>2</sup> Building replacement cost based on recent construction costs

<sup>3</sup> Site acreage provided by the Grass Valley Police Department

<sup>4</sup> Land value based on \$460,000 per acre

<sup>5</sup> Replacement cost of furniture, fixtures and equipment (FF&E) from the City's insured property schedule

<sup>6</sup> Impact fee cost basis = the sum of building replacement cost, estimated land value and the replacement cost of furniture, fixtures and equipment

Table 5.2 lists the City's existing Police vehicles and equipment including community and facility cameras. Costs for vehicles and equipment reflect the estimated current dollar replacement costs as provided by City staff. The police department maintains facility security cameras (interior and exterior) of all City buildings as well as community camera platforms. The purpose of facility cameras is to provide security for city facilities and to provide forensic evidence of crimes. The community cameras are primarily designed for crime prevention, detection, and/or resource deployment. Community cameras are primarily focused on areas of high traffic such as the downtown core, parks, and retail locations. The Police Department's experience is that community cameras have proven highly useful in crime detection and investigations.

**Table 5.2: Existing Police Department Vehicles and Equipment**

Description	Unit Count	Unit Cost <sup>1</sup>	Total Cost <sup>2</sup>
Marked Patrol Vehicles	8	\$ 63,235	\$ 505,880
K9 Patrol Vehicles	3	\$ 69,235	\$ 207,705
Unmarked Investigations/Admin Vehicles	9	\$ 58,235	\$ 524,115
Special Duty Vehicles	4	\$ 58,235	\$ 232,940
Sworn Officer Personal Equipment <sup>3</sup>	34	\$ 16,489	\$ 560,626
Community and Facility Cameras	185	Lump Sum	\$ 457,500
<b>Total</b>			<b>\$2,488,766</b>

<sup>1</sup> Patrol vehicles are 2021-2022 Chevy Tahoes with an estimated base cost of \$44,000 plus additional equipment cost

<sup>2</sup> Total cost = unit count X unit cost

<sup>3</sup> Includes uniforms, badge, radio, body camera, firearm and other equipment required for each sworn officer

Table 5.3 summarizes the costs from the preceding tables and adds the current cash balance in the City's Police Impact Fee Fund.

**Table 5.3: Total Impact Fee Cost Basis**

Component	Total Cost Basis <sup>1</sup>
Existing Buildings	\$ 6,350,542
Existing Vehicles and Equipment	\$ 2,488,766
Police Impact Fee Fund Balance	\$ 35,084
<b>Total Cost</b>	<b>\$ 8,874,392</b>

<sup>1</sup> See Tables 5.1, and 5.2; DIF fund balance as of 6/30/22

## Cost per Call for Service

Table 5.4 calculates the cost per call for service for Police Department facilities, vehicles and equipment using the total cost basis from Table 5.3 and the existing number of calls for service per year.

**Table 5.4: Cost per Call for Service**

Total Cost Basis <sup>1</sup>	Existing Calls for Service <sup>2</sup>	Cost per Call for Service <sup>3</sup>
\$8,874,392	26,338	\$336.94

<sup>1</sup> Total cost basis; see Table 5.3

<sup>2</sup> Existing Police calls for service per year ; see Table 2.2

<sup>3</sup> Cost per call for service = total cost basis / existing calls  
for service per year

## Impact Fees per Unit

Table 5.5 shows the calculation of impact fees for Police Department facilities per unit of development, by development type. Those fees are calculated using the average cost per call for service from Table 5.4 and the calls-per-unit-per-year factors from Table 2.1.

**Table 5.5 Impact Fee per Unit**

Development Type	Units <sup>1</sup>	Cost per CFS <sup>2</sup>	CFS per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$336.94	1.200	\$ 404.33
Residential: 800-1,200 Sq. Ft.	DU	\$336.94	1.500	\$ 505.41
Residential: >1,200-2,100 Sq. Ft.	DU	\$336.94	1.800	\$ 606.49
Residential: >2,100 Sq. Ft.	DU	\$336.94	2.000	\$ 673.88
Commercial	KSF	\$336.94	4.214	\$ 1,419.94
Hotel/Lodging	Room	\$336.94	1.380	\$ 465.13
Office	KSF	\$336.94	0.652	\$ 219.69
Medical Office	KSF	\$336.94	4.193	\$ 1,412.88
Hospital Facilities	Bed	\$336.94	4.496	\$ 1,514.74
Light Industrial	KSF	\$336.94	0.358	\$ 120.72
Manufacturing	KSF	\$336.94	0.178	\$ 59.87
Warehouse	KSF	\$336.94	0.310	\$ 104.45
Public Facilities	KSF	\$336.94	11.686	\$ 3,937.46
K-12 Public Schools	Students	\$336.94	0.058	\$ 19.69
College/University	Students	\$336.94	0.009	\$ 3.08

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite; Bed = patient bed

<sup>2</sup> Cost per call for service per year; see Table 5.4

<sup>3</sup> Calls for service per unit per year; see Table 2.1

<sup>4</sup> Impact fee per unit = cost per call for service X calls for service per unit

## Projected Revenue

In Table 5.6, potential revenue from the police facilities impact fees can be estimated by applying the cost per call for service from Table 5.4 to the added calls for service to 2040 shown in Table 2.3 in Chapter 2. This projection assumes that future development occurs as shown in Chapter 2.

**Table 5.6 Projected Revenue**

Development Type	Units <sup>1</sup>	Cost per CFS <sup>2</sup>	Added CFS <sup>3</sup>	Projected Revenue <sup>4</sup>
All residential	DU	\$336.94	3,963	\$ 1,335,211
Commercial	KSF	\$336.94	111	\$ 37,486
Hotel/Lodging	Room	\$336.94	0	\$ 0
Office	KSF	\$336.94	28	\$ 9,358
Medical Office	KSF	\$336.94	0	\$ 0
Hospital Facilities	Bed	\$336.94	0	\$ 0
Light Industrial	KSF	\$336.94	3	\$ 910
Manufacturing	KSF	\$336.94	6	\$ 1,937
Warehouse	KSF	\$336.94	0	\$ 115
College/University	Students	\$336.94	0	\$ 161
<b>Total</b>				<b>\$ 1,385,178</b>

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area;

Room = guest room or suite; Bed = patient bed

<sup>2</sup> Cost per call for service per year; see Table 5.4

<sup>3</sup> Added calls for service per year to 2040; see Table 2.3

<sup>4</sup> Projected revenue = cost per call for service per year X added calls for service to 2040

Although Table 5.5 calculates impact fees for K-12 Schools and Public Facilities, the City either may not have authority, or would be unlikely to charge impact fees to itself or other government agencies. Consequently, no projected revenue is shown for K-12 Schools or Public Facilities in Table 5.6. Revenue from those fees would amount to only about 0.5% of the total revenue projected in Table 5.6.

## Updating the Fees

The impact fees calculated in this chapter are based the current estimated replacement costs for Police Department facilities, vehicles and equipment as shown in this chapter. We recommend that the fees be reviewed and adjusted annually using local cost data or an index such as the Engineering News Record Building Cost Index (BCI). See the Implementation Chapter for more on indexing of fees.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires an agency establishing, increasing or imposing impact fees to make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;
- b. The need for the facility and the type of development on which the fee is imposed;  
and
- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for Police Department facilities, vehicles and equipment provided by the City of Grass Valley.

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional Police Department facilities, vehicles and equipment to mitigate the impact of new development on the need for police services in the City. As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional Police Department facilities and vehicles needed to serve the added demand for police services associated with new development in Grass Valley.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the demand for services provided by the Grass Valley Police Department. Without additional facilities, vehicles and equipment the increase in demand associated with new development would negatively impact the ability of the Grass Valley Police Department to provide services efficiently and effectively and to maintain the existing level of service for all development in the City.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the police facilities impact fees charged to a development project will depend on the increase in calls for service associated with that project. The fees per unit of development calculated in this chapter for each type of development are



based on the estimated calls for service per unit per year for that type of development. Thus, the fee charged to a development project reflects the impact of that project on the need for facilities, vehicles and to serve additional development in the City.

## Chapter 6. General Government Facilities

This chapter calculates impact fees for facilities and vehicles needed to provide general government services to new development in Grass Valley. The impact fees calculated in this chapter are based on the cost of the City's existing general government facilities and vehicles. This chapter also calculates a separate impact fee for the City's animal control facilities and vehicles. Where the term "facilities" is used alone in this chapter, it is intended to include facilities, vehicles and related capital assets.

### Service Area

The service area for impact fees calculated in this chapter is the City of Grass Valley. Impact fees calculated in this chapter are intended to apply to all future development in the City, including portions of the Sphere of Influence (SOI) annexed in the future.

### Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in fee calculation formulas to represent the impact of development on a certain type of capital facilities. The demand variable used to calculate impact fees for general government facilities and vehicles in this report is service population, which is a weighted composite variable made up of population and employees of business in the City. See Chapter 2 for a detailed discussion of service population. The demand variable used to calculate impact fees for animal control facilities is population.

Different demand variables are used for the two types of facilities addressed in this chapter because the need for general government facilities is impacted by both residential and non-residential development, while the need for animal control facilities is impacted almost entirely by residential development.

### Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The level of service used in this analysis is discussed in the next section.

### Level of Service

In this case, the standard used to calculate impact fees is the existing level of service, defined as the replacement cost of existing general government facilities and vehicles divided by the existing service population, or in the case of animal control, by the existing population of the City.

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. Among other things, after January 1, 2022, that section requires that if the level of service used in an impact fee study

exceeds the existing level of service, the higher level of service must be justified. Using the existing level of service as the basis for the impact fees calculated in this chapter is consistent with the requirements of AB 602.

## Facilities, Vehicles and Equipment

Table 6.1 lists the estimated replacement cost of the City's existing general government and animal control facilities.

**Table 6.1: Existing General Government and Animal Control Facilities**

Facility	Constr Date	Building Sq Ft <sup>1</sup>	Bldg Repl Cost <sup>2</sup>	Site Acres <sup>3</sup>	Est Land Value <sup>4</sup>	FF&E Repl Cost <sup>5</sup>	Impact Fee Cost Basis <sup>6</sup>
City Hall	1980	17,310	\$3,728,000	1.01	\$464,600	\$2,161,704	\$ 6,354,304
Corporation Yard							
Shop/Office	1970	2,800	335,065			\$ 481,748	\$ 816,813
Equipment Storage Bldg	1975	2,040	126,837			\$ 242,138	\$ 368,975
Equipment Storage Bldg	1970	3,400	133,377			\$ 240,877	\$ 374,254
Equipment Storage Bldg	1980	2,100	67,332			\$ 160,581	\$ 227,913
Paint Shop/Storage	1975	800	206,257			\$ 160,581	\$ 366,838
Storage Building	1990	500	35,566			\$ 32,116	\$ 67,682
<b>Subtotal</b>							<b>\$ 8,576,779</b>
Animal Control Building	1975	2,345	\$ 302,157			\$ 533,712	\$ 835,869
<b>Total</b>							<b>\$ 9,412,648</b>

<sup>1</sup> Existing buildings square feet from the City's insured property schedule

<sup>2</sup> Building replacement cost from the City's insured property schedule

<sup>3</sup> Site acreage estimated by NBS

<sup>4</sup> City Hall land value based on \$460,000 per acre

<sup>5</sup> Replacement cost of furniture, fixtures and equipment (FF&E) based on personal property figure from the City's insured property schedule

Table 6.2 lists the City's existing general government and animal control vehicles. Costs for vehicles reflect the estimated current dollar replacement costs as provided by City staff.

**Table 6.2: Existing General Government and Animal Control Vehicles**

Department	Model Year	Make	Model	Description	Replacement Cost <sup>1</sup>
Fleet	2020	Ram	5500	4X4, Crane, Compressor, Welder	\$ 85,000
Pool	2009	Ford	Escape	Hybrid, 4X4	\$ 38,536
Pool	2009	Ford	Escape	Hybrid, 4X4	\$ 38,536
Pool	2020	Toyota	Rav4	Hybrid, 4X4	\$ 38,536
Streets	2021	Ford	F-250	XL 4X4 Gas	\$ 46,355
Streets	2021	Ford	F-250	XL 4X4 Gas	\$ 46,355
Streets	2003	Ford	F-250	XL 4X4 Gas	\$ 42,220
Streets	2011	Bobcat	S650	Skid Steer	\$ 65,000
Streets	2012	Ford	F-350	XL, 4X4, Gas	\$ 46,355
Streets	2012	Ford	F-550	XL, 4X4, Diesel, Dump, Plow	\$ 46,355
Streets	2017	Ford	F-350	XL, 4X4, Plow	\$ 46,355
Streets	2017	Ford	F-250	XL, 4X4, Plow	\$ 46,355
Streets	2017	Ford	F-250	XL, 4X4, Plow	\$ 46,355
Streets	2018	Freightliner		Street Sweeper	\$ 220,000
Streets	2020	John Deere	410L	4X4,	\$ 145,000
Facilities	2021	Ram	2500	4X4, Liftgate	\$ 39,500
Streets	2021	International	CV515	4X4, Dump, Plow	\$ 65,000
Streets	2021	International	CV515	4X4, Dump, Plow	\$ 65,000
<b>Subtotal General Government</b>					<b>\$ 1,166,813</b>
Animal Control	2002	Ford	Ranger	4X4 Gas	\$ 25,980
Animal Control	2016	Chevy	2500	4X4, Animal Control Body	\$ 37,500
<b>Subtotal Animal Control</b>					<b>\$ 63,480</b>
<b>Total</b>					<b>\$ 1,230,293</b>

<sup>1</sup> Replacement cost provided by the City of Grass Valley City Engineer

Table 6.3 summarizes the costs from the preceding tables and adds the current cash balance in the City's Admin/General Facilities Impact Fee Fund.

**Table 6.3: Impact Fee Cost Basis**

Component	Impact Fee Cost Basis <sup>1</sup>
Existing General Government Buildings	\$ 8,576,779
Existing General Government Vehicles	\$ 1,166,813
Admin/General Facilities Impact Fee Fund Balance <sup>2</sup>	\$ 79,005
<b>Subtotal General Government</b>	<b>\$ 9,822,597</b>
Existing Animal Control Facilities	\$ 835,869
Existing Animal Control Vehicles.	\$ 63,480
<b>Subtotal Animal Control</b>	<b>\$ 899,349</b>

<sup>1</sup> See Tables 6.1, and 6.2<sup>2</sup> Impact fee fund balance as of 6/30/22

## Cost per Capita

**General Government.** Table 6.4 calculates the cost per capita for general government facilities and vehicles using the general government facilities cost basis from Table 6.3 and the City's existing service population from Table 2.2.

**Table 6.4: Cost per Capita - General Government Facilities**

General Gov't Cost Basis <sup>1</sup>	Existing Service Population <sup>2</sup>	Cost per Capita <sup>3</sup>
\$9,822,597	20,233	\$485.47

<sup>1</sup> General government cost basis; see Table 6.3<sup>2</sup> Existing service population ; see Table 2.2<sup>3</sup> Cost per capita of service population = total cost basis / existing service population

**Animal Control.** Table 6.5 calculates the cost per capita for animal control facilities and vehicles using the animal control facilities cost basis from Table 6.3 and the City's existing population from Table 2.2.

**Table 6.5: Cost per Capita - Animal Control Facilities**

Animal Control Cost Basis <sup>1</sup>	Existing Population <sup>2</sup>	Cost per Capita <sup>3</sup>
\$899,349	13,617	\$66.05

<sup>1</sup> Animal control cost basis; see Table 6.3<sup>2</sup> Existing population ; see Table 2.2<sup>3</sup> Cost per capita = cost basis / existing population

## Impact Fees per Unit

**General Government.** Table 6.6 shows the calculation of impact fees for per unit of development, by development type, for general government facilities and vehicles. Those fees are calculated using the cost per capita of service population from Table 6.4 and the service population per unit from Table 2.1.

**Table 6.6 Impact Fees per Unit - General Government Facilities**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Svc Pop per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$485.47	1.900	\$ 922.40
Residential: 800-1,200 Sq. Ft.	DU	\$485.47	2.000	\$ 970.95
Residential: >1,200-2,100 Sq. Ft.	DU	\$485.47	2.100	\$ 1,019.50
Residential: >2,100 Sq. Ft.	DU	\$485.47	2.200	\$ 1,068.04
Commercial	KSF	\$485.47	1.090	\$ 529.17
Hotel/Lodging	Room	\$485.47	0.250	\$ 121.37
Office	KSF	\$485.47	0.970	\$ 470.91
Medical Office	KSF	\$485.47	0.930	\$ 451.49
Hospital Facilities	Bed	\$485.47	7.240	\$ 3,514.83
Light Industrial	KSF	\$485.47	0.430	\$ 208.75
Manufacturing	KSF	\$485.47	0.620	\$ 300.99
Warehouse	KSF	\$485.47	0.190	\$ 92.24
Public Facilities	KSF	\$485.47	0.970	\$ 470.91
K-12 Public Schools	Students	\$485.47	0.000	\$ 0.00
College/University	Students	\$485.47	0.100	\$ 48.55

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite; Bed = patient bed

<sup>2</sup> Cost per capita of service population; see Table 6.4

<sup>3</sup> Service population per unit; see Table 2.1

<sup>4</sup> Impact fee per unit = cost per capita X service population per unit

**Animal Control.** Table 6.7 shows the calculation of impact fees for per unit of development, by development type, for animal control facilities and vehicles. Those fees are calculated using the cost per capita from Table 6.5 and the population per unit from Table 2.1. Those impact fees apply only to residential development.

**Table 6.7 Impact Fee per Unit - Animal Control Facilities**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Population per Unit <sup>3</sup>	Impact Fee per Unit <sup>4</sup>
Residential: <800 Sq. Ft.	DU	\$66.05	1.900	\$ 125.49
Residential: 800-1,200 Sq. Ft.	DU	\$66.05	2.000	\$ 132.09
Residential: >1,200-2,100 Sq. Ft.	DU	\$66.05	2.100	\$ 138.70
Residential: >2,100 Sq. Ft.	DU	\$66.05	2.200	\$ 145.30

<sup>1</sup> DU = dwelling unit<sup>2</sup> Cost per capita; see Table 6.5<sup>3</sup> Population per unit; see Table 2.1<sup>4</sup> Impact fee per unit = cost per capita X population per unit

## Projected Revenue

**General Government.** In Table 6.8, potential revenue from the general government facilities impact fees can be estimated by applying the cost per capita of service population from Table 6.4 to the added service population to 2040 shown in Table 2.3. This projection assumes that future development occurs as shown in Chapter 2.

**Table 6.8 Projected Revenue - General Government Facilities**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Added Svc Pop <sup>3</sup>	Projected Revenue <sup>4</sup>
All residential	DU	\$485.47	4,874	\$ 2,366,201
Commercial	KSF	\$485.47	437	\$ 212,152
Hotel/Lodging	Room	\$485.47	0	\$ 0
Office	KSF	\$485.47	353	\$ 171,372
Medical Office	KSF	\$485.47	0	\$ 0
Hospital Facilities	Bed	\$485.47	0	\$ 0
Light Industrial	KSF	\$485.47	35	\$ 16,992
Manufacturing	KSF	\$485.47	46	\$ 22,332
Warehouse	KSF	\$485.47	2	\$ 971
College/University	Students	\$485.47	42	\$ 20,341
<b>Total</b>				<b>\$ 2,810,361</b>

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross square feet of building area;  
Room = guest room or suite; Bed = patient bed<sup>2</sup> Cost per capita of service population; see Table 6.4<sup>3</sup> Added service population; see Table 2.3<sup>4</sup> Projected revenue = cost per capita X added service population

Although Table 6.6 calculates impact fees for K-12 Schools and Public Facilities, the City either may not have authority or would be unlikely to charge impact fees to itself or other government agencies. Consequently, no projected revenue is shown for K-12 Schools or Public Facilities in Table 6.8. Revenue from those fees would amount to only about 0.3% of the total revenue projected in Table 6.8.

**Animal Control.** In Table 6.9, potential revenue from the animal control facilities impact fees can be estimated by applying the cost per capita from Table 6.5 to the added population to 2040 shown in Table 2.3. This projection assumes that future development occurs as shown in Chapter 2.

**Table 6.9 Projected Revenue - Animal Control Facilities and Vehicles**

Development Type	Units <sup>1</sup>	Cost per Capita <sup>2</sup>	Added Population <sup>3</sup>	Projected Revenue <sup>4</sup>
All residential	DU	\$66.05	4,874	\$ 321,908

<sup>1</sup> DU = dwelling unit

<sup>2</sup> Cost per capita; see Table 6.5

<sup>3</sup> Added population; see Table 2.3

<sup>4</sup> Projected revenue = cost per capita X added population

## Updating the Fees

The impact fees calculated in this chapter are based the current estimated replacement costs for general government and animal control facilities and vehicles as shown in this chapter. We recommend that the fees be reviewed and adjusted annually using local cost data or an index such as the Engineering News Record Building Cost Index (BCI). See the Implementation Chapter for more on indexing of fees.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires an agency establishing, increasing or imposing impact fees to make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;
  - b. The need for the facility and the type of development on which the fee is imposed;
- and



- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for general government and animal control facilities and vehicles provided by the City of Grass Valley.

**Use of the Fee.** Impact fees calculated in this chapter will be used to provide additional general government and animal control facilities and vehicles to mitigate the impact of new development in the City. As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to provide additional general government and animal control facilities and vehicles to serve the added demand created by new development in Grass Valley.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** New development increases the demand for general government and animal control services provided by the City of Grass Valley. Without additional facilities and, the increase in demand associated with new development would negatively impact the ability of the City to maintain the existing level of service as the City grows.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the general government and animal control facilities impact fees charged to a development project will depend on the increase in service population or resident population respectively. The fees per unit of development calculated in this chapter for each type of development are based on the estimated increase in service population or resident population associated with that type of development in the City’s service area. Thus, the fee charged to a development project reflects the impact of that project on the need for facilities and vehicles needed to maintain the existing level of service as the City grows.

## Chapter 7. Storm Drainage Improvements

This chapter calculates impact fees for improvements to Grass Valley's storm drainage system. The impact fees calculated in this chapter are based on the City's March 1986 Storm Drainage Master Plan and Criteria (Master Plan), prepared by Cramer Engineering, with updates to planned improvements and improvement costs as of 2022, provided by the City Engineer.

### Service Area

The service area for impact fees calculated in this chapter is the area covered by the drainage master plan.

### Methodology

The method used to calculate impact fees in this chapter is the plan-based method discussed in Chapter 1. That method calculates impact fees by allocating the cost of specific facilities to the development served by those facilities. The City has a system of existing storm drainage facilities, and the planned improvements provided by the City Engineer are needed to correct some existing deficiencies and to accommodate future development. Therefore, the cost of planned drainage system improvements will be allocated to both existing and future development so that impact fees paid by future development are not used to pay for correcting deficiencies in the City's existing stormwater drainage system.

### Level of Service

The level of service for storm drainage facilities used as a basis for the impact fees calculated in this chapter is explained in the Master Plan. Because the master planned level of service has been in effect since 1986, it represents the existing level of service.

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. Among other things, after January 1, 2022, that section requires that if the level of service used in an impact fee study exceeds the existing level of service, the higher level of service must be justified. Using the existing level of service as the basis for the impact fees calculated in this chapter is consistent with the requirements of AB 602.

### Demand Variable

A demand variable is some measurable attribute of development that is used in impact fee calculation formulas to represent the impacts created by different types of development. The demand variable used in this chapter to calculate drainage impact fees is acres of impervious surface area (ISA). Impervious surface area refers to the portion of a development site occupied by hard surfaces, such as roofs and paving that prevent absorption of stormwater by the soil and thereby increase runoff into drainage facilities.

## Drainage System Improvements

The City Engineer and Grass Valley's Capital Improvement Plan identify the following planned improvement projects that are necessary to accommodate future development. Some of these improvements also benefit existing users, so the cost of these improvements is allocated to both existing and future development in calculating impact fees.

**Table 7.1: Drainage System Improvements**

Facility Number	Facility Location	Improvement Cost <sup>1</sup>
SD-L-6	E. Main Street	\$ 719,113
SD-L-8	Centerville Flume	\$ 830,665
SD-L-9	Master Plan Updates	\$ 300,000
SD-L-10	Freeman Lane	\$ 0
SD-L-11	Slide Ravine Drain	\$ 886,345
SD-L-13	Park Avenue to Ocean Avenue	\$ 981,578
SD-L-23	Washington-Bennett Drain	\$ 0
SD-R-1	Colfax Avenue Drain	\$ 4,461,488
SD-R-2	Woodpecker Ravine	\$ 1,207,523
SD-R-3	Matson Creek Phase 1	\$ 2,264,054
SD-R-4	Wolf Creek Improvements	\$ 0
SD-R-5	S. Auburn Street Drainage	\$ 1,390,761
SD-R-6	Matson Creek Phase 2	\$ 2,147,851
SD-R-7	Matson Creek Lateral	\$ 244,611
	Drainage Master Plan Update	\$ 100,000
<b>Total</b>		<b>\$ 15,533,989</b>

<sup>1</sup> Estimated 2022 costs provided by the Grass Valley Public Works Department;  
see Appendix A for project details and cost breakdown

## Acres of Impervious Surface Area by Development Type

Table 7.2 identifies the number of acres projected for each development type at buildout as well as the ISA factor for each type of development. Those two factors are used to calculate total buildout ISA acres by development type.

**Table 7.2: Impervious Surface Area - All Development at Buildout**

Development Type	Buildout Net Dev Acres <sup>1</sup>	ISA Factor <sup>2</sup>	Buildout ISA Acres <sup>3</sup>	% ISA
Residential: <1,200 Sq. Ft.	2,734.4	0.60	1,640.6	45.5%
Residential: >1,200 Sq. Ft.	319.7	0.40	127.9	3.5%
<b>Commercial</b>	1,290.5	0.80	1,032.4	28.6%
<i>Hotel/Lodging</i>				
<i>Office</i>				
<i>Medical Office</i>				
<i>Hospital Facilities</i>				
<b>Manufacturing/Industrial</b>	625.0	0.80	500.0	13.9%
<i>Light industrial</i>				
<i>Manufacturing</i>				
<i>Warehouse</i>				
<b>Public/Quasi-Public</b>	680.2	0.44	299.3	8.3%
<i>K-12 Public Schools</i>				
<i>College/University</i>				
<b>Parks &amp; Open Space</b>	259.9	0.03	7.8	0.2%
<b>Total Impervious Surface Area</b>	<b>5,909.7</b>		<b>3,608.0</b>	<b>100.0%</b>

<sup>1</sup> Net developed acres at buildout; Source: City of Grass Valley General Plan; excludes 10% of gross acreage to account for public infrastructure such as road right-of-way

<sup>2</sup> Factors estimated using the "User's Guide for the CA Impervious Surface Coefficients," Ecotoxicology Program, Integrated Risk Assessment Branch, California Office of Environmental Health Hazard Assessment

<sup>3</sup> Buildout ISA acres = buildout net developed acres x ISA factor

## Cost per Acre of Impervious Surface Area

Based on data from Tables 7.1 and 7.2, Table 7.3 calculates the average cost of drainage system improvements per acre of impervious surface area.

**Table 7.3: Cost per Acre of ISA**

Total Improvement Cost <sup>1</sup>	Buildout ISA Acres <sup>2</sup>	Cost per Acre of ISA <sup>3</sup>
\$15,533,989	3,608.0	\$4,305.42

<sup>1</sup> See Table 7.1

<sup>2</sup> See Table 7.2

<sup>3</sup> Cost Acre of impervious surface area (ISA) = total improvement cost / buildout ISA acres

## Impact Fees Per Unit

Table 7.4 calculates the impact fee per developed acre by development type by multiplying the cost per acre from Table 7.3 by the ISA Factor for each development type in Table 7.2. The drainage impact fees in Table 7.4 are calculated for fairly broad categories of development. The development types that fall under each broad category are shown in italics.

**Table 7.4: Impact Fee per Developed Acre by Development Type**

Development Type	Cost per Acre of ISA <sup>1</sup>	ISA Factor <sup>2</sup>	Impact Fee per Net Dev Acre <sup>3</sup>
Residential: <1,200 Sq. Ft.	\$ 4,305.42	0.60	\$ 2,583.25
Residential: >1,200 Sq. Ft.	\$ 4,305.42	0.40	\$ 1,722.17
<b>Commercial/Office</b>	\$ 4,305.42	0.80	\$ 3,444.34
<i>Hotel/Lodging</i>			
<i>Office</i>			
<i>Medical Office</i>			
<i>Hospital Facilities</i>			
<b>Industrial</b>	\$ 4,305.42	0.80	\$ 3,444.34
<i>Light industrial</i>			
<i>Manufacturing</i>			
<i>Warehouse</i>			
<b>Public/Quasi-Public</b>	\$ 4,305.42	0.44	\$ 1,894.39
<i>K-12 Public Schools</i>			
<i>College/University</i>			

<sup>1</sup> See Table 7.3

<sup>2</sup> See Table 7.2

<sup>3</sup> Impact fee per net developed acre = cost per acre of impervious surface area (ISA) X ISA factor

## Projected Revenue

This chapter does not project revenue from storm drainage impact fees because a current estimate of the remaining undeveloped acres for each development type is not available.

## Updating the Fees

The impact fees calculated in this chapter are based on cost estimates updated to 2022. We recommend that these fees be reviewed periodically and adjusted if necessary to reflect changes in costs. An index such as the *Engineering News Record* Construction Cost Index can be used for that purpose.

## Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

- a. The use of the fee and the development type on which it is imposed;
- b. The need for the facility and the type of development on which the fee is imposed;  
and
- c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

**Purpose of the Fee:** The purpose of the impact fees calculated in this chapter is to pay for new development’s proportionate share of the cost of providing drainage system improvements to serve new development in Grass Valley.

**Use of the Fee.** Impact fees calculated in this chapter will be used to pay for future drainage system improvements needed to serve future development in Grass Valley. As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

**Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed.** The impact fees calculated in this chapter will be used to pay for the cost of drainage system improvements needed to serve new development in Grass Valley.

**Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed.** All development generates storm water runoff in proportion to the amount of impervious surface area added by development. The impact fees calculated in this chapter will pay for drainage system improvements needed to serve new development in Grass Valley as projected in Chapter 2 of this report.

**Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project.** The amount of the storm drainage impact fees charged to a development project is related to the amount of impervious cover associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the engineer’s estimates of the amount of storm water runoff per acre associated with that type of development.

## Chapter 8. Administrative Fee

This chapter provides a cost-of-service analysis to substantiate an administrative fee that is added to each impact fee (see Executive Summary). This charge recovers the cost of accounting, reporting and other administrative activities required by the Mitigation Fee Act, as well as the cost of periodic updates to the impact fee study.

The following table establishes an Administration Fee for the impact fee program.

<b>Administrative Costs of the Impact Fee Program</b>			
Projected Impact Fee Revenue (2023 - 2040)	\$ 29,521,585	[1]	
Average Annual Revenue	\$ 1,640,088	[2]	
Average Annual Cost of Impact Fee Update Studies	\$ 10,000	[3]	
Administrative Cost as % of Impact Fee Revenue	<b>0.61%</b>	[4]	

Notes:

[1] Projected impact fee revenue collected from 2023 through 2040

[2] Average annual revenue = total projected revenue / 18 years

[3] Estimated annual cost of impact fee update study every five years

[4] Administrative cost as % of impact fee revenue = average annual revenue /  
average annual cost of impact fee study updates

The table above includes the allocated costs of program administration as established by estimated annual costs required, and the annualized costs of completing a comprehensive impact fee analysis every five years. The projected and annualized revenue assumptions were developed throughout the various chapters included in the body of this report. Two percent of the impact fee amount is a widely implemented administrative fee in California for impact fee programs. Comparatively, the fee calculated above for the City of Grass Valley's program is well within the range of similar fees charged for other California local government agencies.

## Chapter 9. Implementation

This chapter of the report contains recommendations for adoption and administration of impact fees, and for the interpretation and application of the development impact fees and in-lieu fees calculated in this study. It was not prepared by an attorney and is not intended as legal advice.

Statutory requirements for the adoption and administration of fees imposed as a condition of development approval (impact fees) are found in the Mitigation Fee Act (Government Code Sections 66000 *et seq.*).

### Adoption

The form in which development impact fees are enacted should be determined by the City attorney. The specific requirements are different for impact fees under the Mitigation Fee Act, and for park land dedication and in-lieu fees under the Quimby Act. The latter requirements must be adopted by ordinance and are subject to the same noticing and public hearing procedures as any ordinance.

Procedures for adoption of fees subject to the Mitigation Fee Act, including notice and public-hearing requirements, are specified in Government Code Sections 66016 and 66018. It should be noted that Section 66018 refers to Government Code Section 6062a, which requires that the public hearing notice be published at least twice during the 10-day notice period. **However, Section 66016.5 added by AB 602 in 2021 requires that impact fee nexus studies be adopted at a public hearing with at least 30-days' notice.**

Government Code Section 66017 provides that fees subject to the Mitigation Fee Act do not become effective until 60 days after final action by the governing body.

Actions establishing or increasing fees subject to the Mitigation Act require certain findings, as set forth in Government Code Section 66001 and discussed in Chapter 1 of this report.

Examples of findings that could be used for impact fees calculated in this study are shown below. The specific language of such findings should be provided by the City Attorney. A more complete discussion of the nexus for each fee can be found in individual chapters of this report.

**Sample Finding: Purpose of the Fee.** The City Council finds that the purpose of the impact fees hereby enacted is to protect the public health, safety and welfare by requiring new development to contribute to the cost of public facilities needed to mitigate the impacts of new development.

**Sample Finding: Use of the Fee.** The City Council finds that revenue from the impact fees hereby enacted will be used to provide public facilities needed to mitigate the impacts of



new development in the City and identified in the 2022 City of Grass Valley Development Impact Fee Study by NBS.<sup>2</sup>

**Sample Finding: Reasonable Relationship:** Based on analysis presented in the 2022 City of Grass Valley Development Impact Fee Study by NBS, the City Council finds that there is a reasonable relationship between:

- a. The use of the fees and the types of development projects on which they are imposed; and,
- b. The need for facilities and the types of development projects on which the fees are imposed.

## Administration

The California Mitigation Fee Act (Government Code Sections 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. References to code sections in the following paragraphs pertain to the California Government Code.

**Notices and Statute of Limitations.** Section 66006 (f) provides that a local agency, at the time it imposes a fee for public improvements on a specific development project, "... shall identify the public improvement that the fee will be used to finance." The required notification could refer to the improvements identified in this study or to a capital improvement plan.

Section 66020 (d) (1) requires that the agency, at the time it imposes an impact fee, provide a written statement of the amount of the fee and written notice of a 90-day period during which the imposition of the fee can be protested. Failure to protest imposition of the fee during that period may deprive the fee payer of the right to subsequent legal challenge.

Section 66022 (a) provides a separate procedure for challenging the establishment of an impact fee. Such challenges must be filed within 120 days of enactment.

**Collection of Fees.** Section 66007(a) provides that a local agency shall not require payment of fees by developers of residential projects prior to the date of final inspection, or issuance of a certificate of occupancy, whichever occurs first.

However, "utility service fees" (not defined, but likely referring to water and sewer connections) may be collected upon application for utility service. In a residential development project of more than one dwelling unit, Section 66007 (a) allows the agency to choose to collect fees either for

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<sup>2</sup> According to Gov't Code Section 66001 (a) (2), the use of the fee may be specified in a capital improvement plan, the General Plan, or other public documents that identify the public facilities for which the fee is charged. The findings recommended here identify this impact fee study as the source of that information. Also note that Section 66016.5 (a)(6) requires that large jurisdictions adopt a capital improvement plan as part of an impact fee nexus study. However, that requirement applies only in counties of 250,000 or more, so it does not apply to Grass Valley.

individual units or for phases upon final inspection, or for the entire project upon final inspection of the first dwelling unit completed.

Section 66007 (b) provides two exceptions when the local agency may require the payment of fees from developers of residential projects at an earlier time: (1) when the local agency determines that the fees “will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy” or (2) the fees are “to reimburse the local agency for expenditures previously made.”

Statutory restrictions on the time at which fees may be collected do not apply to non-residential development.

Notwithstanding the foregoing restrictions, some cities collect impact fees for all facilities at the time building or grading permits are issued, and builders may find it convenient to pay the fees at that time.

In cases where the fees are not collected upon issuance of building permits, Sections 66007 (c) (1) and (2) provide that the City may require the property owner to execute a contract to pay the fee, and to record that contract as a lien against the property until the fees are paid.

**Earmarking and Expenditure of Fee Revenue.** Section 66006 (a) mandates that fees be deposited “with other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected.” Section 66006 (a) also requires that interest earned on the fee revenues be placed in the capital account and used for the same purpose.

The language of the law is not clear as to whether depositing fees “with other fees for the improvement” refers to a specific capital improvement or a class of improvements (e.g., street improvements).

We are not aware of any municipality that has interpreted that language to mean that funds must be segregated by individual projects. And, as a practical matter, that approach would be unworkable because it would mean that no pay-as-you-go project could be constructed until all benefiting development had paid the fees. Common practice is to maintain separate funds or accounts for impact fee revenues by facility category (i.e., streets, park improvements), but not for individual projects.

**Impact Fee Exemptions, Reductions, and Waivers.** In the event that a development project is found to have no impact on facilities for which impact fees are charged, such project must be exempted from the fees.

If a project has characteristics that will make its impacts on a particular public facility or infrastructure system significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly to meet the

requirement that there must be a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed. The fee reduction is required if the fee is not proportional to the impact of the development on relevant public facilities.

In some cases, an agency may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project as a way of promoting goals such as affordable housing or economic development. Such a waiver or reduction is within the discretion of the governing body but may not result in increased costs to other development projects. So, the effect of such policies is that the lost revenue must be made up from sources other than impact fees.

**Credit for Improvements Provided by Developers.** If the City requires a developer, as a condition of project approval, to dedicate land or construct facilities or improvements for which impact fees are charged, the City should ensure that the impact fees are adjusted so that the overall contribution by the developer does not exceed the impact created by the development.

In the event that a developer voluntarily offers to dedicate land, or construct facilities or improvements in lieu of paying impact fees, the City may accept or reject such offers, and may negotiate the terms under which such an offer would be accepted. Excess contributions by a developer may be offset by reimbursement agreements.

**Credit for Existing Development.** If a project involves replacement, redevelopment or intensification of previously existing development, impact fees should be applied only to the portion of the project that represents a net increase in demand for relevant City facilities, applying the measure of demand used in this study to calculate that impact fee.

**Annual Report.** Section 66006 (b) (1) requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each separate account established to receive impact fee revenues:

1. A brief description of the type of fee in the account or fund;
2. The amount of the fee;
3. The beginning and ending balance of the account or fund;
4. The amount of the fees collected and interest earned;
5. Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fees;
6. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected to complete financing of an incomplete public improvement;
7. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvement on which the transfer or loan will be expended;

8. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).

The annual report must be reviewed by the City Council at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public, per Section 66006 (b) (2).

**Five-Year Findings and Refunds under the Mitigation Fee Act.** Prior to 1996, The Mitigation Fee Act required that a local agency collecting impact fees was required to expend or commit impact fee revenue within five years or make findings to justify a continued need for the money. Otherwise, those funds had to be refunded. SB 1693, adopted in 1996 as an amendment to the Mitigation Fee Act, changed that requirement in material ways.

Now, Section 66001 (d) requires that, for the fifth fiscal year following the first deposit of any impact fee revenue into an account or fund as required by Section 66006 (b), and every five years thereafter, the local agency shall make all of the following findings for any fee revenue that remains unexpended, whether committed or uncommitted:

1. Identify the purpose to which the fee will be put;
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which impact fees are to be used;
4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited into the appropriate account or fund.

Those findings are to be made in conjunction with the annual reports discussed above. If such findings are not made as required by Section 66001, the local agency could be required to refund the moneys in the account or fund, per Section 66001 (d).

Once the agency determines that sufficient funds have been collected to complete financing on incomplete improvements for which impact fee revenue is to be used, it must, within 180 days of that determination, identify an approximate date by which construction of the public improvement will be commenced (Section 66001 (e)). If the agency fails to comply with that requirement, it must refund impact fee revenue in the account according to procedures specified in Section 66001 (d).

For a useful discussion of the foregoing requirements, see “The Mitigation Fee Act’s Five-Year Findings Requirement: Beware Costly Pitfalls” by Glen Hansen, Senior Counsel, Abbott and Kindermann, and Rick Jarvis, Managing Partner, Jarvis, Fay and Gibson, presented at the 2022 League of California Cities City Attorneys Spring Conference.

**Indexing of In-Lieu/Impact Fees.** In-lieu fees and impact fees calculated in this report are based on current costs and should be adjusted periodically to account for changes in the cost of facilities

or other capital assets that will be funded by those fees. That adjustment is intended to account for escalation in costs for land, construction, vehicles and other relevant capital assets. The *Engineering News Record* Building Cost Index (BCI) and Construction Cost Index (CCI) are useful for indexing construction costs. Where land costs are covered by an impact fee or in-lieu fee, land costs should be adjusted based on changes in local land prices.

## **Requirements Imposed by AB 602**

In 2021, the California Legislature passed AB 602 and the Governor signed it into law. AB 602 creates some new requirements for impact fees that will go into effect in 2022. The new law amends Government Code Section 65940.1 and adds Section 66016.5 to impose the following requirements:

- 1) A city, county or special district that has an internet website shall post on its website:
  - a) A current written schedule of fees, exactions and affordability requirements applicable to a proposed housing development project, and shall present that information in a manner that identifies the fees, exactions and affordability requirements that apply to each parcel and the fees that apply to each new water and sewer utility connection
  - b) All zoning ordinances and development standards and specifying the zoning, design and development standards that apply to each parcel
  - c) A list of the information that will be required from any applicant for a development project, as specified in Government Code Section 69540
  - d) The current and five previous annual fee reports required by Government Code Section 66006 and Subsection 66013 (d).
  - e) An archive of impact fee nexus studies, cost of service studies or equivalent conducted on or after January 1, 2018.
- 2) The above information shall be updated within 30 days of any changes
- 3) A City or County shall request from a development proponent, upon issuance of a certificate of occupancy or final inspection, the total amount of fees and exactions associated with the project for which the certificate it issued. That information must be posted on the website and updated at least twice a year.
- 4) Before adoption of an impact fee, an impact fee nexus study shall be adopted.
- 5) When applicable, the nexus study shall identify the existing level of service for each public facility, identify the proposed new level of service and explain why the new level of service is appropriate
- 6) If a nexus study supports the increase of an existing fee, the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.

- 7) A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of the proposed units of the development. A local agency that imposes a fee proportionately to the square footage if the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development. A nexus study is not required to comply with this requirement if the agency makes certain findings outlined in the statute.
- 8) Large jurisdictions as defined in Section 53559.1 (d) of the Health and Safety Code (counties of 250,000 or more and cities in those counties) shall adopt a capital improvement plan as part of a nexus study.
- 9) All studies shall be adopted at a public hearing with at least 30-days' notice, and the local agency shall notify any member of the public that requests notice of intent to begin an impact fee nexus study of the date of the hearing.
- 10) Studies shall be updated at least every eight years, beginning on January 1, 2022.

### **Training and Public Information**

Effective administration of an impact fee program requires considerable preparation and training. It is important that those responsible for collecting the fees, and for explaining them to the public, understand both the details of the fee program and its supporting rationale.

It is also useful to pay close attention to handouts that provide information to the public regarding impact fees. Impact fees should be clearly distinguished from other fees, such as user fees for application processing, and the purpose and use of particular impact fees should be made clear.

Finally, anyone responsible for accounting, capital budgeting, or project management for projects involving impact fees must be fully aware of the restrictions placed on the expenditure of impact fee revenues. Fees must be expended for the purposes identified in the impact fee nexus study in which they were calculated, and the City must be able to show that funds have been properly expended.

### **Recovery of Administrative Costs**

To recover the cost of periodic impact fee update studies and ongoing staff costs for capital budgeting, annual reports, five-year updates and other requirements of the Mitigation Fee Act, an administrative charge may be added to the impact fees calculated in this report. Chapter 8 of this report calculates the percentage that the impact fees should be increased to cover the cost of administering the City's impact fee program. Table S.2 in the Executive Summary shows the impact fees calculated in this report with the administrative charge added.

## **APPENDIX A**

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### ***Storm Drain Improvement Project Cost Detail***

Preliminary Cost Estimate

**Centerville Flume - Phase 4  
Local Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Slide Ravine from 180' south of Doris Drive to a point 235'+/- north of Doris Drive

**Proposed Improvement (Scope):**

Replace the existing inadequate natural channel with a new 42" pipe  
(Approximately 415 LF of new pipe). COGV Storm Drainage Master Plan  
(1986) PN#14 (Nodes 14 to 37)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$381,915
<b>ROCK EXCAVATION</b>	<b>50%</b>	\$190,958
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$572,873
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$57,287
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	\$114,575
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	\$85,931
<b>PROJECT CONSTRUCTION COSTS</b>		\$572,873
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$830,665</b>

**ESTIMATE PREPARED**

February 2022

**BASE YEAR**

2022



Preliminary Cost Estimate

**Colfax Avenue  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Colfax Avenue from 300' east of Clark Street to Hwy 49 Frontage

**Proposed Improvement (Scope):**

Replace the existing inadequate 74" pipe with a new 96" pipe or equivalent arch pipe (Approximately 880 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#2 (Nodes 44 to 64)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$2,949,744
<b>ROCK EXCAVATION</b>	<b>10%</b>	\$294,974
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$3,244,718
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$324,472
<b>ENGINEERING DESIGN COSTS</b>	<b>15%</b>	\$486,708
<b>CONSTRUCTION MANAGEMENT</b>	<b>12.5%</b>	\$405,590
<b>PROJECT CONSTRUCTION COSTS</b>		\$3,244,718
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$4,461,488</b>

**ESTIMATE PREPARED**

February 2022

**BASE YEAR**

2022

Preliminary Cost Estimate

**East Main Street  
Local Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

East Main Street from the IdahoMaryland Intersection to Scandling Ave.

**Proposed Improvement (Scope):**

Replace the existing undersized storm drain in E. Main Street with a new 30" pipe (Approximately 440 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#15 (Nodes70-69)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$330,627
<b>ROCK EXCAVATION</b>	<b>50%</b>	\$165,313
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$495,940
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$49,594
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	\$99,188
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	\$74,391
<b>PROJECT CONSTRUCTION COSTS</b>		\$495,940
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$719,113</b>

**ESTIMATE PREPARED**

February 2022

**BASE YEAR**

2022

Preliminary Cost Estimate

**Freeman Lane  
Local Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Freeman Lane from Wolf Creek to a point 1000' towards Talorville Road.

**Proposed Improvement (Scope):**

Desing and construct drainage improvemetns along Freeman Lane to correct deficiencies.

SUMMARY OF BASE PROJECT COST ESTIMATE

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$489,000</u>
<b>ROCK EXCAVATION</b>	<b>50%</b>	<u>\$244,500</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$733,500</u>
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	<u>\$73,350</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	<u>\$146,700</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	<u>\$110,025</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$733,500</u>
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b><u>\$1,063,575</u></b>

ESTIMATE PREPARED

February 2022

BASE YEAR

2022

Preliminary Cost Estimate

**Matson Creek Lateral  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Across Parking Lot at 154 Hughes Road

**Proposed Improvement (Scope):**

Replace the existing inadequate system with a new 36" pipe or equivalent arch pipe (Approximately 220 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#17 (Nodes 31 to 33)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$153,361
<b>ROCK EXCAVATION</b>	<b>10%</b>	\$15,336
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$168,697
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$16,870
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	\$33,739
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	\$25,305
<b>PROJECT CONSTRUCTION COSTS</b>		\$168,697
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$244,611</b>

**ESTIMATE PREPARED**

February 2022

**BASE YEAR**

2022

Preliminary Cost Estimate

**Matson Creek Phase 1  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Matson Creek from just north of Harris Street to Wolf Creek

**Proposed Improvement (Scope):**

Replace the existing undersized box culvert with a new 66" pipe or equivalent arch pipe (Approximately 650 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#3 (Nodes 66 to 68 & under E. Main St.)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$1,042,350</u>
<b>ROCK EXCAVATION</b>	<b>10%</b>	<u>\$104,235</u>
<b>RIGHT OF WAY</b>		<u>\$500,000</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$1,646,585</u>
 <b>ENVIRONMENTAL MITIGATION</b>	 <b>10%</b>	 <u>\$164,658</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>15%</b>	<u>\$246,988</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>12.5%</b>	<u>\$205,823</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$1,646,585</u>
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b><u>\$2,264,054</u></b>

**ESTIMATE PREPARED**February 2022**BASE YEAR**2022

Preliminary Cost Estimate

**Matson Creek Phase 2  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Matson Creek from just W. Berryhill Drive to Harris Street

**Proposed Improvement (Scope):**

Replace the existing undersized box culvert and open channel with a new  
66" pipe or equivalent arch pipe (Approximately 935 LF of new pipe).  
COGV Storm Drainage Master Plan (1986) PN#13 (Nodes 43 to 66)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$1,420,067</u>
<b>ROCK EXCAVATION</b>	<b>10%</b>	<u>\$142,007</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$1,562,073</u>
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	<u>\$156,207</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>15%</b>	<u>\$234,311</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>12.5%</b>	<u>\$195,259</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$1,562,073</u>
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b><u>\$2,147,851</u></b>

**ESTIMATE PREPARED**February 2022**BASE YEAR**2022

Preliminary Cost Estimate

**Park Avenue to Ocean Avenue  
Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Park Avenue to Ocean Avenue

**Proposed Improvement (Scope):**

Replace existing 8" storm drain with 15" and 18" pipe, from a DI located in Park Avenue, 375' west of S. Auburn Street to a DI located on Marshall Street, 200' north of Empire Street. Replace existing 15" SD with an 18" SD and extend 18" SD from Marshall Street to Ocean Avenue.

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$451,300</u>
<b>ROCK EXCAVATION</b>	<b>50%</b>	<u>\$225,650</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$676,950</u>
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	<u>\$67,695</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	<u>\$135,390</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	<u>\$101,543</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$676,950</u>
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b><u>\$981,578</u></b>

**ESTIMATE PREPARED**February 2022**BASE YEAR**2022

Preliminary Cost Estimate

**South Auburn Phase 2  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along South Auburn from Berryman Street to Hwy 49 Frontage

**Proposed Improvement (Scope):**

Replace the existing undersized and inadequate system with a new pipe or equivalent arch pipe (Approximately 1250 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#11 (Nodes 3 to 12)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$919,512
<b>ROCK EXCAVATION</b>	<b>10%</b>	\$91,951
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$1,011,463
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$101,146
<b>ENGINEERING DESIGN COSTS</b>	<b>15%</b>	\$151,719
<b>CONSTRUCTION MANAGEMENT</b>	<b>12.5%</b>	\$126,433
<b>PROJECT CONSTRUCTION COSTS</b>		\$1,011,463
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$1,390,761</b>

**ESTIMATE PREPARED**

February 2022

**BASE YEAR**

2022



Preliminary Cost Estimate

**Slide Ravine  
Local Drainage Improvements**

**PROJECT DESCRIPTION:****Limits:**

Along Slide Ravine from upstream end of Centerville Flume Phase 4 to Carol Drive

**Proposed Improvement (Scope):**

Replace the existing inadequate natural channel with a new 42" pipe  
(Approximately 500 LF of new pipe). COGV Storm Drainage Master Plan  
(1986) (Nodes 14 to the 500' north)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$407,515</u>
<b>ROCK EXCAVATION</b>	<b>50%</b>	<u>\$203,758</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$611,273</u>
 <b>ENVIRONMENTAL MITIGATION</b>	 <b>10%</b>	 <u>\$61,127</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	<u>\$122,255</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	<u>\$91,691</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$611,273</u>
<b><u>TOTAL <u>BASE</u> PROJECT COSTS</u></b>		<b><u>\$886,345</u></b>

**ESTIMATE PREPARED**February 2022**BASE YEAR**2022

Preliminary Cost Estimate

**Woodpecker Ravine  
Regional Drainage Improvements**

**PROJECT DESCRIPTION:**

**Limits:** From a point in Colfax Avenue (200' feet west of Henderson Street) to a point in Memorial Lane (470ft south of Colfax Avenue)

**Proposed Improvement (Scope):** Replace the existing undersized pipe with a new 60" pipe or equivalent arch pipe (Approximately 650 LF of new pipe). COGV Storm Drainage Master Plan (1986) PN#6 (Nodes40 to 44)

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		\$798,363
<b>ROCK EXCAVATION</b>	<b>10%</b>	\$79,836
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		\$878,199
<b>ENVIRONMENTAL MITIGATION</b>	<b>10%</b>	\$87,820
<b>ENGINEERING DESIGN COSTS</b>	<b>15%</b>	\$131,730
<b>CONSTRUCTION MANAGEMENT</b>	<b>12.5%</b>	\$109,775
<b>PROJECT CONSTRUCTION COSTS</b>		\$878,199
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b>\$1,207,523</b>

ESTIMATE PREPARED

February 2022

BASE YEAR

2022

Preliminary Cost Estimate

**Washington-Bennett  
Local Drainage Improvements**

**PROJECT DESCRIPTION:**

**Limits:** Along Bennett Street from Wolf Creek to East Main Street and along Richardson Street between East Main Street and Washington Street

**Proposed Improvement (Scope):** Replace the existing inadequate drainage system (Constructed as part of Richardson Street Extension Project) with a new 18" pipe. COGV Storm Drainage Master Plan (1986) (PN#24, Nodes 1 to 7) Construction Cost based on actual cost.

**SUMMARY OF BASE PROJECT COST ESTIMATE**

<b>TOTAL DRAINAGE IMPROVEMENT ITEMS</b>		<u>\$78,672</u>
<b>ROCK EXCAVATION</b>	<b>50%</b>	<u>\$0</u>
<b>TOTAL PROJECT CONSTRUCTION COSTS</b>		<u>\$78,672</u>
<b>ENVIRONMENTAL MITIGATION</b>	<b>2%</b>	<u>\$1,573</u>
<b>ENGINEERING DESIGN COSTS</b>	<b>20%</b>	<u>\$15,734</u>
<b>CONSTRUCTION MANAGEMENT</b>	<b>15.0%</b>	<u>\$11,801</u>
<b>PROJECT CONSTRUCTION COSTS</b>		<u>\$78,672</u>
<b>TOTAL <u>BASE</u> PROJECT COSTS</b>		<b><u>\$107,780</u></b>

ESTIMATE PREPARED

February 2022

BASE YEAR

2022

## ***APPENDIX B***

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### ***Fee Comparison***

City of Grass Valley  
Development Impact Fee Study 2022  
Fee Comparison

## APPENDIX B

CITY OF GRASS VALLEY			COMPARISON AGENCIES				
Development Impact Fee Type	Current Fee <sup>2</sup>	Proposed Fee <sup>3</sup>	CITY OF AUBURN <sup>4</sup>	CITY OF LINCOLN <sup>5</sup>	TOWN OF TRUCKEE <sup>6</sup>	CITY OF ROCKLIN <sup>7</sup>	NEVADA COUNTY <sup>8</sup>
<b>Residential - Single Family or &gt;1,200 s.f.</b>							
Parks	\$2945.92 per d.u.	\$2,985.31 - \$3,127.46 per d.u.	\$3,500 per d.u.	Community Services Fee \$7,607.72 per EDU	\$1.99 per s.f.	Community Park Fee: \$711 per	\$2,495 - \$2,428
Fire	\$870.19 per d.u.	\$603.88 - \$738.08 per d.u.	\$362.66 per d.u.		\$1.20 per s.f.	Public Facilities Fee: \$4,187 per d.u.	\$0.42 per s.f.
Police	\$346.82 per d.u.	\$606.49 - \$673.88 per d.u.	n/a		n/a		n/a
General Gov't. / Public Buildings	\$478.57 per d.u.	\$1,158.19 - \$1,213.34 per d.u.	n/a		\$1.55 per s.f.		n/a
Storm Drainage	\$822.51 per d.u.	\$ 1,722.17 per Acre	\$1,507 per ESU	\$1059.96 - \$1795.3 per EDU	n/a	n/a	n/a
<b>Residential - Multi-Family or &lt;1,200 s.f.</b>							
Parks	\$2423.49 per d.u.	\$2,700.99 - \$2,843.15 per d.u.	\$3,500 per d.u.	Community Services Fee \$7,607.72 per EDU	\$2.85 per s.f.	Community Park Fee: \$569 per	\$1,721 - \$2,428
Fire	\$715.87 per d.u.	\$295.23 - \$469.68 per d.u.	\$383.09 per d.u.		\$1.20 per s.f.	Public Facilities Fee: \$2,130 per d.u.	\$0.42 per s.f.
Police	\$289.13 per d.u.	\$404.44 - \$505.41 per d.u.	n/a		n/a		n/a
General Gov't. / Public Buildings	\$393.87 per d.u.	\$1,047.89 - \$1,103.04 per d.u.	n/a		\$1.55 per s.f.		n/a
Storm Drainage	\$241.45 per d.u.	\$ 2,583.25 per Acre	\$1,507 per ESU	\$1059.96 - \$1795.3 per EDU	n/a	n/a	n/a

City of Grass Valley  
Development Impact Fee Study 2022  
Fee Comparison

**APPENDIX B**

CITY OF GRASS VALLEY			COMPARISON AGENCIES				
Development Impact Fee Type	Current Fee <sup>2</sup>	Proposed Fee <sup>3</sup>	CITY OF AUBURN <sup>4</sup>	CITY OF LINCOLN <sup>5</sup>	TOWN OF TRUCKEE <sup>6</sup>	CITY OF ROCKLIN <sup>7</sup>	NEVADA COUNTY <sup>8</sup>
<b>Commercial</b>							
Parks	n/a	n/a	n/a	\$994.82 per KSF	n/a	n/a	n/a
Fire	\$463.38 - \$772.29 per range of gross leasable area	\$ 372.31 per KSF	\$620 per KSF Retail; \$1,620 per KSF Restaurant/Bar/Lou nge	\$370.82 per KSF	\$1.27 per s.f.	Public Facilities Fee: \$1.12 per s.f.	\$0.84 per s.f.
Police	\$382.82 - \$635.05 per range of gross leasable area	\$ 1,419.94 per KSF	n/a	\$ 731.15	n/a		n/a
General Gov't. / Public Buildings	\$154.33 - \$256.96 per range of gross leasable area	\$ 529.17 per KSF	n/a	\$ 231.11	\$1.57 per s.f.		n/a
Storm Drainage	\$116.40 per KSF of impervious surface	\$ 3,444.34 per Acre	\$1,507 per ESU	\$518.95 - \$879.26 per KSF	n/a	n/a	n/a

City of Grass Valley  
Development Impact Fee Study 2022  
Fee Comparison

**APPENDIX B**

CITY OF GRASS VALLEY			COMPARISON AGENCIES				
Development Impact Fee Type	Current Fee <sup>2</sup>	Proposed Fee <sup>3</sup>	CITY OF AUBURN <sup>4</sup>	CITY OF LINCOLN <sup>5</sup>	TOWN OF TRUCKEE <sup>6</sup>	CITY OF ROCKLIN <sup>7</sup>	NEVADA COUNTY <sup>8</sup>
<b>Hotel/Lodging</b>							
Parks	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Fire	\$164.75 per Room	\$ 600.94 per Room	\$530 per KSF	n/a	\$1.27 per s.f.	n/a	\$0.84 per s.f.
Police	\$126.88 per Room	\$ 465.13 per Room	n/a	n/a	n/a	n/a	n/a
General Gov't. / Public Buildings	\$54.93 per Room	\$ 121.37 per Room	n/a	n/a	\$1.57 per s.f.	n/a	n/a
Storm Drainage	n/a	\$ 3,444.34 per Acre	\$1,507 per ESU	n/a	n/a	n/a	n/a
<b>Office</b>							
Parks	n/a	n/a	n/a	\$994.82 per KSF	n/a	n/a	n/a
Fire	\$854.95 - \$1037.95 per range of gross leasable area	\$ 102.39 per KSF	\$290 per KSF	\$370.82 per KSF	\$1.85 per s.f.	Public Facilities Fee: \$1.49 per s.f.	\$0.79 per s.f.
Police	\$174.50 - \$297.36 per range of gross leasable area	\$ 219.69 per KSF	n/a	\$731.15 per KSF	n/a		n/a
General Gov't. / Public Buildings	\$288.54 - \$345.66 per range of gross leasable area	\$ 470.91 per KSF	n/a	\$231.11 per KSF	\$1.57 per s.f.		n/a
Storm Drainage	n/a	\$ 3,444.34 per Acre	\$1,507 per ESU	\$518.95 - \$879.26 per KSF	n/a	n/a	n/a

City of Grass Valley  
Development Impact Fee Study 2022  
Fee Comparison

## APPENDIX B

CITY OF GRASS VALLEY			COMPARISON AGENCIES				
Development Impact Fee Type	Current Fee <sup>2</sup>	Proposed Fee <sup>3</sup>	CITY OF AUBURN <sup>4</sup>	CITY OF LINCOLN <sup>5</sup>	TOWN OF TRUCKEE <sup>6</sup>	CITY OF ROCKLIN <sup>7</sup>	NEVADA COUNTY <sup>8</sup>
<b>Medical Office</b>							
Parks	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Fire	\$939.51 per KSF	\$ 663.49 per KSF	\$ 1,050	n/a	\$1.85 per s.f.	n/a	\$0.79 per s.f.
Police	\$472.71 per KSF	\$ 1,412.88 per KSF	n/a	n/a	n/a	n/a	n/a
General Gov't. / Public Buildings	\$312.51 per KSF	\$ 451.49 per KSF	n/a	n/a	\$1.57 per s.f.	n/a	n/a
Storm Drainage	n/a	\$ 3,444.34 per Acre	\$1,507 per ESU	n/a	n/a	n/a	n/a
<b>Hospital Facilities</b>							
Parks	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Fire	\$782.82 per KSF	\$ 2,213.05 per KSF	\$1,050 per KSF	n/a	\$1.82 per s.f.	n/a	n/a
Police	\$229.87 per KSF	\$ 1,514.74 per KSF	n/a	n/a	n/a	n/a	n/a
General Gov't. / Public Buildings	\$260.82 per KSF	\$ 3,514.83 per KSF	n/a	n/a	n/a	n/a	n/a
Storm Drainage	n/a	\$ 3,444.34 per Acre	\$1,507 per ESU	n/a	n/a	n/a	n/a
<b>Light Industrial</b>							
Parks	n/a	n/a	n/a	\$1521.13 per KSF	n/a	n/a	n/a
Fire	\$534.73 per KSF	\$ 44.20 per KSF	\$110 per KSF	\$370.82 per KSF	\$0.91 per s.f.	Public Facilities Fee: \$0.74 per s.f.	\$0.44 per s.f.
Police	\$91.36 per KSF	\$ 120.72 per KSF	n/a	\$731.15 per KSF	n/a		n/a
General Gov't. / Public Buildings	\$18.55 per KSF	\$ 208.75 per KSF	n/a	\$352.96 per KSF	\$0.96 per s.f.		n/a
Storm Drainage	\$112.79 per KSF	\$ 3,444.34 per Acre	\$1,507 per ESU	\$622.95 - \$1054.70 per KSF	n/a	n/a	n/a



City of Grass Valley  
Development Impact Fee Study 2022  
Fee Comparison

**APPENDIX B**

CITY OF GRASS VALLEY			COMPARISON AGENCIES				
Development Impact Fee Type	Current Fee <sup>2</sup>	Proposed Fee <sup>3</sup>	CITY OF AUBURN <sup>4</sup>	CITY OF LINCOLN <sup>5</sup>	TOWN OF TRUCKEE <sup>6</sup>	CITY OF ROCKLIN <sup>7</sup>	NEVADA COUNTY <sup>8</sup>
<b>Manufacturing</b>							
Parks	n/a	n/a	n/a	\$1521.13 per KSF	n/a	n/a	n/a
Fire	\$391.61 per KSF	\$ 102.87 per KSF	\$110 per KSF	\$370.82 per KSF	n/a	n/a	\$0.44 per s.f.
Police	\$49.95 per KSF	\$ 59.87 per KSF	n/a	\$731.15 per KSF	n/a	n/a	n/a
General Gov't. / Public Buildings	\$138.13 per KSF	\$ 300.99 per KSF	n/a	\$352.96 per KSF	n/a	n/a	n/a
Storm Drainage	\$112.79 per KSF	\$ 3,444.34 per Acre	\$1,507 per ESU	\$622.95 - \$1054.70 per KSF	n/a	n/a	n/a
<b>Warehouse</b>							
Parks	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Fire	\$295.40 per KSF	\$ 41.70 per KSF	n/a	n/a	\$0.91 per s.f.	n/a	\$0.44 per s.f.
Police	\$64.89 per KSF	\$ 104.45 per KSF	n/a	n/a	n/a	n/a	n/a
General Gov't. / Public Buildings	\$98.75 per KSF	\$ 92.24 per KSF	n/a	n/a	\$0.96 per s.f.	n/a	n/a
Storm Drainage	n/a	\$ 3,444.34 per Acre	\$1,507 per ESU	n/a	n/a	n/a	n/a

Notes:

<sup>1</sup> DU = dwelling unit; KSF = 1,000 gross sq ft of building area

<sup>2</sup> Residential - >1,200 s.f. assumes Single Family rate; <1,200 s.f. assumes Multi Family rate;

<sup>3</sup> Proposed fees are maximum fees established by the NBS Impact Fee Study

<sup>4</sup> Auburn fees effective 2022

<sup>5</sup> Lincoln fees effective October 1, 2019

<sup>6</sup> Truckee fees as of February 2022;

<sup>7</sup> Rocklin Fee Schedule eff. 7/1/22; Public Facilities fees include public safety, and general government facilities

<sup>8</sup> County of Nevada Park and Recreation Facilities Mitigation Fees FY 23; Nevada County Consolidated Fire District Fees as of August 2022,



**GRASS VALLEY**  
A PLACE TO LIVE AND THRIVE

## Water & Wastewater Capacity Fee Study

**Draft Report**

**May 2023**

### OFFICE LOCATIONS:

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## Section 1. Executive Summary

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### A. Background and Purpose

The City of Grass Valley retained NBS to conduct a water and wastewater capacity fee study in conjunction with the recent water and wastewater rate study for two primary reasons: (1) to ensure that the fees are updated to comply with legal requirements and industry standards, and (2) to ensure that these fees reflect the cost of capital infrastructure needed to serve new connections, or any person requesting additional capacity in the City’s water and/or wastewater utility (referred to throughout as “future customers”).

The fees updated in this study are commonly referred to as “connection fees,” “capital facility fees,” “system development charges,” or in this case, “capacity fees.” The terms are often used interchangeably, and California Government Code Section 66013 defines these types of fees (referred to as a “capacity charge”) as a one-time “charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities.”

It authorizes public agencies to impose capacity fees on customers connecting to or upsizing their connection to the water and/or wastewater systems. The fee is intended to ensure that they pay their fair share of existing utility asset costs plus the costs of new facilities needed to serve them. In its simplest form, capacity fees are the result of dividing the cost (or value) of the current system assets plus planned capital improvements, by the expected number of future customers. As a result, future customers connecting to the City’s water and/or wastewater utilities would enter as equal participants along with current customers regarding their financial commitment and obligations to the utilities.

Whereas water and sewer rate increases imposed on existing customers require a protest ballot under Proposition 218, capacity fees do not because they are considered an appropriate funding mechanism for facilities that benefit new development. These fees may be imposed by a majority vote of the governing legislative body, which in this case is the Grass Valley City Council. This report provides the documentation and findings necessary for the adoption of the proposed capacity fees.

### B. Overview of Capacity Fee Program Methodology

Various methodologies have been and are currently used to calculate water and wastewater capacity fees. The following lists the most common methodologies from the American Water Works Association’s *Principles of Water Rates, Fees and Charges*<sup>1</sup>, also referred to as Manual M1:

- The value of existing (historical) system assets, often called a “system buy-in” methodology.

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<sup>1</sup> *Principles of Water Rates, Fees, and Charges, Manual of Water Supply Practices, Manual M1, American Water Works Association (AWWA), Seventh Edition, 2017.*

- The value of planned future improvements, also called the “incremental” or “system development” methodology.
- A combination of these two approaches.

This analysis uses the “Combination Approach,”<sup>2</sup> which requires new customers to pay both their fair share of existing system assets as well as their share of the planned future capital improvements needed to provide them with capacity in the City’s water and wastewater systems.

In its simplest form, capacity fees are calculated by dividing the costs allocated to future development by the anticipated number of units for new development as defined below:

- Costs of planned future facilities and improvements required to serve new development are those that can reasonably be allocated to future development.
- The number of new units (i.e., growth) are those units projected to occur within the timeframe covered by the capacity fee analysis.

Capacity fees are one-time fees intended to reflect the cost of existing infrastructure and planned improvements available to new services, which place new utility customers or existing customers requesting an increase in service capacity on equal basis from a financial perspective with existing customers. Once new customers are added to the system, they then incur the obligation to pay the same service charges or water and wastewater rates that existing rate customers pay.

This capacity fee study and the recommended fees assume a given level of development activity over the course of the study period based on data available from the City’s 2016 Water System Master Plan. The development that occurs may result in both different impacts and fee revenues than those that are calculated in this study. For that reason, regular updates are recommended to adjust the fees to match the needs created by the rate of actual development.

In developing the proposed fees, NBS worked cooperatively with City staff. The fees presented in this study reflect input provided by City staff regarding financial matters, available capacity in the water and wastewater systems, existing asset values, and planned capital improvements.

Sections 2 and 3 discuss in more detail the development of the water and wastewater capacity fees and presents the updated fees recommended for new and upsized connections.

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<sup>2</sup> Method of calculating capacity fees (also known as System Development Fees, Connection Fees, Capital Facility Fees) are set forth in the American Water Works Association’s *Principles of Water Rates, Fees and Charges* Seventh Edition (2017) pages 311 to 347.

## Section 2. Water Capacity Fee Study

### A. Existing Connections and Projected Future Growth

The City currently has approximately 2,453 equivalent 3/4-inch water meters connected to the water system. For the purpose of this study, 5/8-inch meters are treated the same as 3/4-inch meters; which is a common industry practice when setting rates and fees for smaller meter sizes. **Figure 1** shows the current number of equivalent meters connected to the system by customer class.

**Figure 1. Current Water Customers**

Demographic Statistics	Existing Units
Residential	1,510
Multi Family Residential	376
Commercial Institutional	372
Manufacturing Industrial	13
Open Space/Public	51
Office Professional	131
<b>TOTAL</b>	<b>2,453</b>

1. Existing unit estimates from the 2016 Water System Master Plan.  
Source file: rpt\_wmp\_grass\_valley\_FINAL\_PRINT\_20160520.pdf

**Figure 2** shows the existing and projected service numbers for the water utility. The anticipated future connections are based on the City's projected water demand from the 2016 Water Master Plan. Using the projected water demand as a proxy to calculate the anticipated addition of water service accounts, new customers will be allocated about 13% of existing assets, planned assets, cash and debt in the capacity fee calculation, as shown in Figure 2.

**Figure 2. Existing and Projected Service Numbers – Water Utility**

Demographic Statistics	Existing	Buildout Total <sup>1</sup>	% Allocation Factors		Cumulative Change	
			Existing Customers	New Customers	Projected Demand	% Increase
Projected Annual Water Demand	387 MG	445 MG	87.0%	13.0%	58 MG	15.0%
Water Service Accounts	2,453	2,821	87.0%	13.0%	368	15.0%

1. Projected water demand estimates from the 2016 Water System Master Plan. Source file: rpt\_wmp\_grass\_valley\_FINAL\_PRINT\_20160520.pdf

### B. Existing and Planned Assets

The capital assets addressed in this study include existing assets and planned capital improvements (i.e. the system buy-in and incremental assets). An important aspect of this study is how the value of existing utility assets is determined. For example, the purchase price does not account for wear and tear, and current book value (i.e., purchase price less accumulated depreciation) typically underestimates the "true value" of facilities as it does not account for cost increases over time. Therefore, this study uses the replacement-cost-new-less-depreciation (RCNLD) approach summarized in **Figure 3** to estimate existing asset values that reflects estimated cost inflation and depreciation.

**Figure 3. Summary of Existing Asset Values – Water Utility**

Asset Category <sup>1</sup>	System Buy-In Cost Basis	Allocation Basis (%) <sup>2</sup>		Distribution of Cost Basis (\$)	
		Existing Customers	Future Customers	Existing Customers	Future Customers
WATER TREATMENT PLANT	\$ 9,752,134	87.0%	13.0%	\$ 8,481,070	\$ 1,271,065
TANKS	502,719	87.0%	13.0%	437,196	65,523
MAINS & HYDRANTS	7,570,596	87.0%	13.0%	6,583,866	986,729
WATER MACHINERY & EQUIPMENT	120,778	87.0%	13.0%	105,036	15,742
<b>Total Capital Facilities &amp; Equipment</b>	<b>\$ 17,946,227</b>	<b>87.0%</b>	<b>13.0%</b>	<b>\$15,607,168</b>	<b>\$ 2,339,059</b>

1. Source file for Grass Valley current water assets as of July 2021: *Fixed Assets & Deprc. FY 2020-21\_JT.xlsx*

2. Based on proportionate allocation between existing and future users. See Table 2 in Exhibit 1 for demographic expectations.

The RCNLD is calculated by escalating the book value of existing assets to current-day values using inflation factors from the Handy-Whitman Index of Public Utility Construction Costs for Water Utility Construction. Figure 3 summarizes the System Buy-In Cost Basis by Asset Category for the water utility. For this analysis, assets that have exceeded their useful life (as defined in the City's asset records) were considered to have no remaining value. This approach was used for all assets, except land, which does not depreciate.

The system cost basis was allocated to current customers based on the 87% allocation factor previously shown in Figure 2. Figure 3 shows the allocation of the \$17.9 million system buy-in costs to current and future customers. Future customers are allocated approximately \$2.33 million of the existing water utility assets, or about 13%.

The cost estimates for planned future improvements used to calculate the system development component of the capacity fees are allocated using the same allocations factors developed in Figure 2, as these projects benefit both current and future customers. **Figure 4** includes a list of future capital improvement projects; where future customers are allocated about \$2.2 million of the planned capital costs.

The City may have additional capital projects that are needed to serve future developments, and the costs of such projects may be recovered through a development agreement. This will be evaluated on a case by case basis as part of the development review process.



**Figure 4. Planned Assets Allocated to Current & Future Customers – Water Utility**

Capital Project Description <sup>1</sup>	Future Cost Estimate (thru 2042) <sup>1</sup>	Funding Source <sup>1</sup>	% Allocation <sup>2</sup>		Distribution of Cost Basis (\$)	
			Existing Customers	Future Customers	Existing Customers	Future Customers
Replace 4" on E. Main Street. Install 6" pipeline, and hydrants	\$ 260,000	Future	0.0%	100.0%	\$ -	\$ 260,000
Replace 2" steel line	\$ 80,000	Current/Future	87.0%	13.0%	\$ 69,573	\$ 10,427
Replace water main with 8" water main, extend 2" water line and connect 2 parcels	\$ 140,000	Future	0.0%	100.0%	\$ -	\$ 140,000
Upgrade to 2", no hydrant	\$ 80,000	Future	0.0%	100.0%	\$ -	\$ 80,000
Construct 4 new services with meters	\$ 30,000	Current/Future	87.0%	13.0%	\$ 26,090	\$ 3,910
Eliminate dead end system on Kendall St.	\$ 210,000	Current/Future	87.0%	13.0%	\$ 182,629	\$ 27,371
Replace 4" line and tie to 6" line	\$ 130,000	Current/Future	87.0%	13.0%	\$ 113,056	\$ 16,944
Replace 2" steel like with 8" line	\$ 230,000	Future	0.0%	100.0%	\$ -	\$ 230,000
Replace 2" and tie in to 12"	\$ 230,000	Current/Future	87.0%	13.0%	\$ 200,022	\$ 29,978
Replace with 6" pipe Maryland Dr.	\$ 250,000	Current/Future	87.0%	13.0%	\$ 217,416	\$ 32,584
Upgrade to 6" North Church St.	\$ 250,000	Current/Future	87.0%	13.0%	\$ 217,416	\$ 32,584
Upgrade to 6" on Temby St.	\$ 160,000	Current/Future	87.0%	13.0%	\$ 139,146	\$ 20,854
Reround line from Wood St to N. Auburn	\$ 90,000	Current/Future	87.0%	13.0%	\$ 78,270	\$ 11,730
Install new pipelines to increase Fire flow	\$ 1,100,000	Current/Future	87.0%	13.0%	\$ 956,629	\$ 143,371
Install new 6" pipeline at Cornwall	\$ 100,000	Current/Future	87.0%	13.0%	\$ 86,966	\$ 13,034
Upgrade to 8" at Stacy Ln.	\$ 300,000	Current/Future	87.0%	13.0%	\$ 260,899	\$ 39,101
Install new booster pump and check valves	\$ 260,000	Current/Future	87.0%	13.0%	\$ 226,112	\$ 33,888
Rehab Empire Tank coating systems	\$ -	Current/Future	87.0%	13.0%	\$ -	\$ -
Remove and waste existing booster pumps	\$ 10,000	Current/Future	87.0%	13.0%	\$ 8,697	\$ 1,303
Piping upgrades for new pumps	\$ 40,000	Current/Future	87.0%	13.0%	\$ 34,787	\$ 5,213
Install flow control valve on new pump discharge	\$ 20,000	Current/Future	87.0%	13.0%	\$ 17,393	\$ 2,607
Install new booster pumps	\$ 260,000	Current/Future	87.0%	13.0%	\$ 226,112	\$ 33,888
Upsize downstream main	\$ 270,000	Current/Future	87.0%	13.0%	\$ 234,809	\$ 35,191
Install new booster pump for Empire Ct.	\$ 260,000	Current/Future	87.0%	13.0%	\$ 226,112	\$ 33,888
Booster pump check valves	\$ 110,000	Current/Future	87.0%	13.0%	\$ 95,663	\$ 14,337
Install streaming current monitor in influent channel	\$ 60,000	Current/Future	87.0%	13.0%	\$ 52,180	\$ 7,820
Install flow control valve on raw water influent line	\$ 140,000	Current/Future	87.0%	13.0%	\$ 121,753	\$ 18,247
Replace Flocculator Paddles	\$ 550,000	Current/Future	87.0%	13.0%	\$ 478,315	\$ 71,685
Replace catwalks between flocculation and sedimentation basins	\$ 480,000	Current/Future	87.0%	13.0%	\$ 417,438	\$ 62,562
Repair cracks in sedimentation basin	\$ 200,000	Current/Future	87.0%	13.0%	\$ 173,933	\$ 26,067
Replace filter media and repair filter basin walls	\$ 230,000	Current/Future	87.0%	13.0%	\$ 200,022	\$ 29,978
Replace filter underdrain and overflow troughs (requires inspection of existing facilities)	\$ 350,000	Current/Future	87.0%	13.0%	\$ 304,382	\$ 45,618
Upgrade plant water system - pumps hydropneumatics, etc. ( requires inspection of existing facilities)	\$ 590,000	Current/Future	87.0%	13.0%	\$ 513,101	\$ 76,899
Replace sodium hypochlorite tank	\$ 100,000	Current/Future	87.0%	13.0%	\$ 86,966	\$ 13,034
Install sunshade structure over chemical storage tanks	\$ 200,000	Current/Future	87.0%	13.0%	\$ 173,933	\$ 26,067
Stormwater sump improvements at treated water storage tanks	\$ 200,000	Current/Future	87.0%	13.0%	\$ 173,933	\$ 26,067
Water recycle pumps in storage basin	\$ 280,000	Current/Future	87.0%	13.0%	\$ 243,506	\$ 36,494
Ongoing generator maintenance program	\$ 40,000	Current/Future	87.0%	13.0%	\$ 34,787	\$ 5,213
Install paperless recorders to replace chart recorders	\$ 130,000	Current/Future	87.0%	13.0%	\$ 113,056	\$ 16,944
Upgrade plant SCADA system	\$ 240,000	Current/Future	87.0%	13.0%	\$ 208,719	\$ 31,281
Future Projects <sup>3</sup>	\$ 2,465,833	Current/Future	87.0%	13.0%	\$ 2,144,444	\$ 321,390
<b>Total</b>	<b>\$ 11,125,833</b>		<b>81.4%</b>	<b>18.6%</b>	<b>\$ 9,058,264</b>	<b>\$ 2,067,569</b>

1. Estimated capital improvement project costs found in source files: rpt\_wmp\_grass\_valley\_FINAL\_PRINT\_20160520.pdf, Appendix

2. Costs allocated to current and future determined in City CIP file.

3. Future projects estimated at \$750,000 annually starting in FY 32, and future customers are estimated to be responsible for 25% of total costs through FY 2042.

## C. Adjustments to the Cost Basis

Before the capacity fees are developed, an adjustment is applied to the cost basis to account for existing cash reserves and outstanding debt. Existing cash reserves are treated as an asset because they were funded by current customers and are available to pay for capital and/or operating costs of the water utility that future customers will benefit from, once connected. The cash reserves are, in a sense, no different than any other water utility asset. The existing cash reserves allocated to current and future customers are summarized in **Figure 5** using the same percent allocation factors from Figure 2. Future customers are credited about \$442,000 of cash reserves.

**Figure 5. Cash Reserves Allocated to Future Customers – Water Utility**

Cash Reserves	Beginning Cash <sup>1</sup>	% Allocation		\$ - Allocation	
		Existing Customers	Future Customers	Existing Customers	Future Customers
<b>Un-restricted Reserves</b>					
Water Operating Reserve Fund	\$ 2,054,755	87.0%	13.0%	\$ 1,786,944	\$ 267,811
Working Capital Reserve Fund	\$ 325,000	87.0%	13.0%	\$ 282,640	\$ 42,360
System Reinvestment Reserve Fund	\$ 360,663	87.0%	13.0%	\$ 313,655	\$ 47,008
Emergency Reserve Fund	\$ 300,000	87.0%	13.0%	\$ 260,899	\$ 39,101
<b>Restricted Reserves</b>					
Debt Service Reserve Fund <sup>2</sup>	\$ 350,761	87.0%	13.0%	\$ 305,044	\$ 45,717
Connection Fee Reserve Fund <sup>3</sup>	\$ -	87.0%	13.0%	\$ -	\$ -
<b>Total Beginning Cash</b>	<b>\$ 3,391,179</b>	<b>87.0%</b>	<b>13.0%</b>	<b>\$ 2,949,183</b>	<b>\$ 441,996</b>

1. Beginning cash balance for the Water Fund is found in trial balance. Source File: *Trial Balance - Water\_Sewer as of 092021.pdf*

Cash Balances for individual funds from City staff: Email from Dec. 9, 2021

2. Beginning cash balance for two debt reserves from City staff: *Email from Dec. 9, 2021*

3. Connection fees are used for applicable items each year as they are collected.

Connection Fee revenue from current budget: *Water\_Sewer Budget Report FY2021-22.pdf*

Since new connections pay their share of existing asset values, including the debt payments on those same assets would double count the asset values included in the capacity fees. Therefore, future customers are credited approximately \$408,000 is credited towards future customers as shown in **Figure 6**.

**Figure 6: Debt Service Allocated to Future Customers – Water Utility**

Bond Issue	Outstanding Principal	% Allocation		\$ - Allocation	
		Existing Customers	Future Customers	Existing Customers	Future Customers
2020 Pension Bonds - Capital One	\$ 842,306	87.0%	13.0%	\$ 732,522	\$ 109,784
Municipal Finance Corporation - Solar Equipment Lease	\$ 368,336	87.0%	13.0%	\$ 320,328	\$ 48,008
Bank of America Leasing - Automated Meter Reading	\$ 834,880	87.0%	13.0%	\$ 726,065	\$ 108,816
State of California Safe Drinking Water Loan	\$ 1,090,791	87.0%	13.0%	\$ 948,620	\$ 142,170
<b>Grand Total</b>	<b>\$ 3,136,313</b>	<b>87.0%</b>	<b>13.0%</b>	<b>\$ 2,727,535</b>	<b>\$ 408,778</b>

1. Grass Valley debt schedules for water funds in source file: *Water & Sewer Debt Schedules - June 30, 2020.xlsx*

## D. Calculated Capacity Fees – Water Utility

The sum of the existing and future planned asset values (i.e., the system buy-in and system development costs), along with the adjustment for cash reserves, defines the total cost basis allocated to future customers. **Figure 7** summarizes this calculation.

**Figure 7. Summary of Cost Basis Allocated to Future Customers – Water Utility**

System Asset Values Allocated to Future Development	
<i>Costs Included in Existing System Buy-In:</i>	
Existing Assets <sup>1</sup>	\$ 2,339,059
Planned, Future Capital Projects <sup>2</sup>	2,067,569
Total: Existing & Future System Costs	\$ 4,406,628
<i>Adjustments to Cost Basis:</i>	
Cash Reserves <sup>3</sup>	\$ 441,996
Outstanding Long-Term Debt (Principal) <sup>3</sup>	(408,778)
Total: Adjustments to Cost Basis	\$ 33,218
<b>Total Cost Basis for New Development</b>	<b>\$ 4,439,847</b>

The total adjusted cost basis is then divided by the number of future customers, measured in 3/4-inch meter equivalents, expected to connect to the water utility (that is, the 368 meter equivalents) in order to determine the base capacity charge for a 3/4-inch water meter. This calculation is shown in **Figure 8**.

**Figure 8. Summary of New Base Capacity Fees – Water Utility**

Summary of Capacity Fee Calculation	Adjusted System Cost Basis	Build-Out Total (Units)	Base Capacity Fee
Proposed Capacity Fee	\$ 4,439,847	368	\$12,077

Based on the combined system buy-in and incremental capacity fee methodology, and the assumptions used in this analysis, NBS has calculated the new water capacity fees by meter size, as shown in **Figure 9**. The updated fees represent the maximum that the City can charge for new connections.

Larger meters have the potential to use more of the system's capacity, compared to smaller meters. The potential capacity demanded by each meter is proportional to the maximum hydraulic flow through each meter size as established by AWWA's hydraulic capacity ratios. The hydraulic capacity ratios (also known as flow factors, or meter equivalencies) used in this study are shown in the second column of Figure 9. The maximum flow rate, in gallons per minute (gpm) for each size meter is used to determine the number of equivalent 1-inch meter units currently connected to the water system.

For example, a 2-inch meter has a greater capacity, or potential peak demand than a 3/4-inch meter. The "equivalency to a 3/4-inch meter" is calculated by dividing the maximum capacity or flow of larger meters by the capacity of the base (3/4-inch) meter size. The meter capacity factors shown in Figure 9 are the ratio of potential flow through each meter size compared to the flow through a 3/4-inch meter. For instance, column three in Figure 9 shows that the equivalency of a 2-inch meter is 3.20 times greater compared to a 3/4-inch meter.

The actual number of meters by size is multiplied by the corresponding meter equivalency to calculate the total number of equivalent meters. The number of equivalent meters is used as a proxy for the potential demand that each customer can place on the water system. A significant portion of a water system's peak capacity, and in turn the utility's fixed capital costs, is related to meeting system capacity requirements. Therefore, the capacity fee for a new connection will be proportional to the service's meter equivalence.

**Figure 9. Updated Water Capacity Fees**

Meter Size	Standard Meters <sup>1</sup>		Capacity Fee by Meter Size
	Meter Capacity (gpm)	Equivalency to 3/4-inch meter	
Current Fee			\$11,681
	<u>Displacement Meters</u>		
5/8 inch	30	1.00	\$12,077
3/4 inch	30	1.00	\$12,077
1 inch	50	1.67	\$20,128
1.5 inch	100	3.33	\$40,256
2 inch	160	5.33	\$64,410
	<u>Compound Class I Meters</u>		
3 inch	320	10.67	\$128,820
4 inch	500	16.67	\$201,281
6 inch	1,000	33.33	\$402,561
8 inch	1,600	53.33	\$644,098

1. Meter flow rates are from AWWA M-1 Table B-1.

## E. Water Capacity Fee Findings Statements

The new water capacity fees calculated in this report are based on regulatory requirements and generally accepted industry standards, and further detailed in *Appendix A*. This study concludes the following findings:

- The purpose of the City's water capacity fee is to ensure that new and upsized connections reimburse and/or mitigate a reasonable portion of the City's planned capital investment projects. These investments benefit and/or are necessary to accommodate the increased demand for water service.
- The City uses capacity fee proceeds to fund capital investments in the water system, which include the future design and construction of planned facilities.
- Capacity fees for new water customers vary depending on the size of the water meter serving the connection. Meter size is generally proportionate to the demands that a parcel places on the water utility system, specifically the peaking requirements related to the meter size.
- The City has made investments in water infrastructure and plans to invest further in expanded and upgraded facilities. These investments make possible the availability and continued reliable provision of utility service of high-quality water sufficient to meet the demands of growth within the City's service area.
- Without capital investment in existing facilities, the water system capacity available to serve the needs of future connections would be uncertain. Without planned investments in future facilities, water service would not be sustainable at the level of service received by current users. The total value of planned water system assets that are attributable to serving future connections is identified in *Appendix A*.
- Upon payment of a capacity fee, a new customer incurs the obligation to pay the same ongoing service rates as existing customers, regardless of the date of connection to the system or the

actual start of service. These fees ensure that, over time, ongoing service rates are not disproportionately burdened by the accommodation of system growth.

## Section 3. Wastewater Capacity Fee Study

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The same methodology used to calculate the City's capacity fees for the water utility was used for the wastewater utility (i.e., a combination of the system buy-in and incremental cost methods). This combination approach requires new customers to pay both their fair share of existing system assets as well as their share of the planned future capital improvements needed to provide them with capacity in the City's wastewater system. As a result, new customers connecting to the City's wastewater system would enter as equal participants to the existing customers regarding their financial commitment and obligations to the utility.

The wastewater capacity fees also used the replacement-cost-new-less-depreciation (RCNLD) value of existing system assets to calculate the system buy-in component of the capacity fee. Inflation values from the Handy Whitman Index of Public Utility Construction Costs for Water Utility Construction were used to estimate the replacement value of the existing system assets. NBS believes this is an accurate inflation index and can be used for wastewater utilities.

A detailed summary of the wastewater utility's capacity fee calculations is included in *Appendix B*.

### A. Existing Connections and Projected Future Growth

Different types of customers have the potential to use more of the wastewater system's capacity depending on the flow and the strength of wastewater effluent. The potential capacity demanded is therefore proportional to the type of customer (i.e., single-family residential, multi-family residential, Class-A, Class-B, Class-C, or Class-D commercial, etc.).

The number of equivalent dwelling units (EDUs) is used as a variable for the potential demand that each customer can place on the wastewater system. A significant portion of a wastewater system's capacity and, in turn, the utility's fixed capital costs, are related to meeting system capacity requirements. Therefore, the capacity fee for a new service will be proportional to the number of EDUs assigned to each connecting customer.

The result of the analysis on projected future growth summarized in **Figure 10** shows that there are currently 4,425 connections to the City's wastewater system, there are 7,602 EDUs.

**Figure 10. Current Equivalent Dwelling Units**

Meter Size	Existing Number of Accounts <sup>1</sup>	Existing Equivalent Units (EDUs) <sup>1</sup>
Single Family/Duplex	3,406	3,542
Multi Family	207	2,465
Mobile Home	2	2
Commercial Base		
Class A Usage	562	1,015
Class B Usage	14	223
Class C Usage	59	98
Class D Usage	33	35
GV FLAT	37	59
NID FLAT	51	109
Compound Meter	5	5
NO-CHARGE NID METERS	49	49
<b>Total</b>	<b>4,425</b>	<b>7,602</b>

1. Number of meters and EDUs from November 2021.

The wastewater capacity fee analysis assumes the EDU growth is proportional to the growth of vacant parcels per the 2016 Wastewater Master Plan. The result, as shown in **Figure 11**, is the expected 1,726 new EDUs which is approximately a 18.5% allocation of costs to these future customers.

**Figure 11. Existing and Projected Service Numbers – Wastewater Utility**

Demographic Statistics	Existing Total	Long Term Estimated Growth <sup>1</sup>	% Allocation Factors		Cumulative Change	
			Existing Customers	New Customers	Population increase	% Increase
Vacant Parcel growth	14,910	18,296	81.5%	18.5%	3,386	22.7%
Estimated EDU growth	7,602	9,329	81.5%	18.5%	1,726	22.7%

1. Vacant parcel growth estimate for long term estimated in 2016 Wastewater Master Plan.

Estimated EDU growth calculated from the percent allocated to new customers from population growth estimates.

Source file: wastewater\_master\_plan.pdf, page 3.10

## B. Existing and Planned Future Assets

The wastewater utility's capital assets include existing assets and planned capital improvements (i.e., the system buy-in and incremental assets). As with the water capacity fee, the estimated replacement costs (RCNLD value) were developed as the cost basis for the new wastewater capacity fees.

After adjustments to account for assets that were considered to have no remaining value, the resulting RCNLD value of existing assets are summarized in **Figure 12** as the System Buy-In Cost Basis. The RCNLD costs were allocated to existing users based on the 81.5% allocation factor shown in Figure 11 and 18.5% allocation factor for future users). The resulting allocation of existing system assets to existing and future users is shown in Figure 12 where future users are allocated about \$11.9 million of existing wastewater assets.

**Figure 12. Summary of Existing Asset Values – Wastewater Utility**

Asset Category <sup>1</sup>	System Buy-In Cost Basis <sup>1</sup>	Allocation Basis (%) <sup>2</sup>		Distribution of Cost Basis (\$)	
		Existing Customers	Future Customers	Existing Customers	Future Customers
Sewer Fund					
Sewer Treatment Plant & Buildings	\$ 386,879	81.5%	18.5%	\$ 315,280	\$ 71,599
Sewer Treatment Plant Improvements	\$ 49,223,284	81.5%	18.5%	40,113,641	9,109,644
Sewer Mains	\$ 13,856,926	81.5%	18.5%	11,292,455	2,564,470
Sewer Machinery & Equipment	\$ 864,673	81.5%	18.5%	704,650	160,023
Total Capital Facilities & Equipment	\$ 64,331,762	81.5%	18.5%	\$ 52,426,026	\$ 11,905,736

1. Source file for Grass Valley current sewer assets as of July 2022: *Fixed Assets & Deprc. FY 2020-21.xlsx*

2. Based on proportionate allocation between existing and future users. See Table 2 in Exhibit 1 for demographic expectations.

The estimated cost of planned future improvements is used to calculate the system development component of the capacity fee through FY 2041/42. The City's current plan is updated annually with the City Budget, so an assumption of \$1.5 million in annual CIP is used in future years. Based on the 18.5% allocation factor for a few of the projects, future customers were allocated about \$3.2 million of these future capital project costs, as shown in **Figure 13**.

**Figure 13. Planned Assets Allocated to Current & Future Customers - Wastewater Utility**

Capital Project Description <sup>1</sup>	Future Cost Estimate (thru FY41/42) <sup>1</sup>	% Allocation			Distribution of Cost Basis (\$)		
		Exclude from Analysis	Existing Customers	Future Customers	Exclude from Analysis	Existing Customers	Future Customers
NPDES 2008-13	\$ 60,000	100.0%	0.0%	0.0%	\$ 60,000	\$ -	\$ -
Annual Sewer Maintenance	200,000	100.0%	0.0%	0.0%	200,000	-	-
Annual WWTP Project	1,300,000	100.0%	0.0%	0.0%	1,300,000	-	-
Slate Creek Life Station	450,000	0.0%	81.5%	18.5%	-	366,720	83,280
2018 WWTP Improvements	50,000	0.0%	81.5%	18.5%	-	40,747	9,253
Sewer Rate Study	100,000	100.0%	0.0%	0.0%	100,000	-	-
Pipeline Improvements	2,780,000	0.0%	81.5%	18.5%	-	2,265,512	514,488
Lift Station Improvements	70,000	0.0%	81.5%	18.5%	-	57,045	12,955
WWTP Improvements	6,800,000	0.0%	81.5%	18.5%	-	5,541,539	1,258,461
Future Projects <sup>2</sup>	7,125,000	0.0%	81.5%	18.5%	-	5,806,392	1,318,608
<b>Total</b>	<b>\$ 18,935,000</b>	<b>6.7%</b>	<b>57.1%</b>	<b>13.0%</b>	<b>\$ 1,660,000</b>	<b>\$ 14,077,954</b>	<b>\$ 3,197,046</b>

1. FY2021/22 capital improvement project costs from budget found in source file: *Water\_Sewer Budget Report FY 2021-22.pdf*.

Some assets are excluded because they do not contribute to system growth.

2. Future projects estimated at \$1.5 million annually, and future customers are estimated to be responsible for 25% of total through FY 2042.

### C. Adjustments to the Cost Basis

Two adjustments were made to the cost basis to account for existing wastewater cash reserves and outstanding debt. Existing cash reserves are treated as an asset since they are no different than other wastewater assets. The existing cash reserves allocated to future customers is about \$985,000, as summarized in **Figure 14**.



**Figure 14. Cash Reserves Allocated to Future Customers – Wastewater Utility**

Cash Reserves	Beginning Cash <sup>1</sup>	% Allocation		\$ - Allocation	
		Existing Customers	Future Customers	Existing Customers	Future Customers
<b>Un-restricted Reserves</b>					
Sewer Operating Reserve	\$ 1,808,699	81.5%	18.5%	\$ 1,473,967	\$ 334,732
Working Capital Reserve	\$ 850,000	81.5%	18.5%	\$ 692,692	\$ 157,308
System Reinvestment Reserve	\$ 1,735,887	81.5%	18.5%	\$ 1,414,630	\$ 321,257
Emergency Reserve	\$ 750,000	81.5%	18.5%	\$ 611,199	\$ 138,801
Glenbrook Sewer Reserve		81.5%	18.5%	\$ -	\$ -
<b>Restricted Reserves</b>					
Debt Service Reserve <sup>2</sup>	\$ 178,874	81.5%	18.5%	\$ 145,770	\$ 33,104
Wastewater Connection Fee Reserve	\$ -	81.5%	18.5%	\$ -	\$ -
<b>Total Beginning Cash</b>	<b>\$ 5,323,460</b>	<b>81.5%</b>	<b>18.5%</b>	<b>\$ 4,338,259</b>	<b>\$ 985,201</b>

1. Beginning cash balance for the Sewer Fund is found in trial balance. Source File: *Trial Balance - Water\_Sewer as of 092021.pdf*

Cash Balances for individual funds from City staff: Email from Dec. 9, 2021

2. Beginning cash balance for two debt reserves from City staff: *Email from Dec. 9, 2021*

3. Connection fees are used for applicable items each year as they are collected.

Connection Fee revenue from current budget: *Water\_Sewer Budget Report FY2021-22.pdf*

The credit to the cost basis related to outstanding bonds was included because some existing assets were at least partially funded with revenue bonds that will be paid in future years by the existing customers. Since new connections pay their share of existing asset values, including the remaining outstanding debt principal on those same assets would double count the asset values included in the capacity fees. For this reason, a credit is given for the value of future principal debt payments to avoid this double charging of new customers. **Figure 15** shows that the credit provided to future users is about \$1.5 million, or about 18.5% of the total outstanding principal costs.

**Figure 15. Debt Service Allocated to Future Customers – Wastewater Utility**

Bond Issue	Outstanding Principal <sup>1</sup>	% Allocation		\$ - Allocation	
		Existing Customers	Future Customers	Existing Customers	Future Customers
Enterprise Vehicle Leases	\$ 16,318	81.5%	18.5%	\$ 13,298	\$ 3,020
Wastewater Revenue Refunding Bond	\$ 2,555,000	81.5%	18.5%	\$ 2,082,152	\$ 472,848
SRF - Sewer Plant Expansion	\$ 1,058,677	81.5%	18.5%	\$ 862,750	\$ 195,927
BofA Leasing - Automated Meter Reading Equipment	\$ 230,820	81.5%	18.5%	\$ 188,103	\$ 42,717
Municipal Finance Corporation - Solar Equipment Lease	\$ 2,285,660	81.5%	18.5%	\$ 1,862,658	\$ 423,002
2020 Pension Bonds, Capital One - Sewer 13.4%	\$ 2,257,632	81.5%	18.5%	\$ 1,839,817	\$ 417,815
<b>Grand Total</b>	<b>\$ 8,404,108</b>	<b>81.5%</b>	<b>18.5%</b>	<b>\$ 6,848,778</b>	<b>\$ 1,555,330</b>

1. Sewer debt found in source files: *Water & Sewer Debt Schedules - June 30, 2020.xlsx*

## D. Calculated Capacity Fees – Wastewater Utility

The sum of the existing and planned asset values (that is, the system buy-in and system development costs), along with the adjustments for existing cash reserves and outstanding principal payments, defines the total cost basis allocated to future customers. **Figure 16** summarizes how this cost basis is developed.

**Figure 16. Summary of Cost Basis Allocated to Future Customers – Wastewater Utility**

System Asset Values Allocated to Future Development	Replacement Cost
<i>Costs Included in Existing System Buy-In:</i>	
Existing Assets	\$ 11,905,736
Planned, Future Capital Projects	3,197,046
Total: Existing & Future System Costs	\$ 15,102,782
<i>Adjustments to Cost Basis:</i>	
Cash Reserves	\$ 1,555,330
Outstanding Long-Term Debt (Principal)	(985,201)
Total: Adjustments to Cost Basis	\$ 570,129
<b>Total System Cost Basis for New Development</b>	<b>\$ 15,672,910</b>

The total adjusted cost basis is then divided by the number of future customers, measured in EDUs, expected to connect to the system (1,726 EDUs shown in Figure 11). The calculation for the base wastewater capacity fee is shown in **Figure 17**.

**Figure 17. Summary of New Base Capacity Fee – Wastewater Utility**

Summary of Capacity Fee Calculation	System Cost Basis	Estimated EDU Increase	Base Capacity Fee per EDU
Current Capacity Fee			\$12,370
Proposed Sewer Capacity Fee	\$ 15,672,910	1,726	\$9,078

## E. Wastewater Capacity Fee Findings Statements

The new wastewater capacity fees calculated in this study are based on regulatory requirements and generally accepted industry standards, and are further detailed in *Appendix B*. This study concludes the following findings:

- The purpose of the City's wastewater capacity fee is to ensure that new connections reimburse and/or mitigate a reasonable portion of the City's planned capital investments. These investments benefit and/or are necessary to accommodate increased demand for wastewater service.
- The City uses capacity fee proceeds to fund capital investments in the wastewater system, which include the future design and construction of planned facilities.
- All parcels seeking permission to connect to the City's wastewater system are subject to the wastewater capacity fee, payment of which is a condition of connection approval.
- Capacity fees for new wastewater customers vary depending on the estimated number of EDUs the connection will serve, which is generally proportionate to the demands a parcel places on the wastewater utility system.

- The City has made investments in wastewater infrastructure and plans to invest further in expanded and upgraded facilities. These investments make possible the availability and continued reliable provision of utility service sufficient to meet demands of growth within the City's service area.
- Without capital investment in existing facilities, the wastewater system capacity available to serve the needs of future connections would be uncertain. Without planned investments in future facilities, wastewater service would not be sustainable at the level of service enjoyed by current users.
- Upon payment of a capacity fee, a new customer incurs the obligation to pay the same ongoing service rates as existing customers regardless of the date of connection to the systems or the actual start of service.

## Section 4. Recommendations and Next Steps

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### A. Consultant Recommendations and Next Steps

NBS recommends the City take the following actions:

- **Approve and Accept this Study Report:** NBS recommends the City Council formally approve and adopt this Study and its recommendations and proceed with the steps outlined below to implement the new capacity fees. This will provide documentation of the study and the basis for adopting the new capacity fees.
- **Implement New Water and Wastewater Capacity Fees:** Based on the analysis presented in this report, the City Council should implement the new water capacity fee and new wastewater capacity fee as described in this study.
- **Periodically Review Capacity Fees:** Any time an Agency adopts new fees, they should be periodically reviewed to incorporate new capacity plans, significant repair and replacement projects, or new planning data (i.e. customer growth estimates). This will help ensure the fees generate sufficient revenue to cover the cost of capital projects, support the fiscal health of the City, and future customers bear their fair share of infrastructure costs. NBS also recommends applying an inflation factor to the capacity fees on an annual basis. Annually, the City should review the Engineering News Record's Construction Cost Indices and calculate the percentage change in construction costs and apply that change to the capacity fees to ensure they keep pace with cost inflation.

### B. Principal Assumptions and Considerations

In preparing this study and the recommendations included herein, NBS has relied on a number of principal assumptions and considerations with regard to financial matters, number of customer accounts, asset records, planned capital improvements, and other conditions and events that may occur in the future. This information and assumptions were provided by sources we believe to be reliable, although NBS has not independently verified this data.

While we believe NBS' use of such information and assumptions is reasonable for the purpose of this Study and its recommendations, some assumptions will invariably not materialize as stated herein or may vary significantly due to unanticipated events and circumstances. Therefore, the actual results can be expected to vary from those projected to the extent that actual future conditions differ from those assumed by us or provided to us by others.

## Appendix A. Water Capacity Fee Study Summary Tables

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# Appendix B. Wastewater Capacity Fee Study Summary Tables

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