



GRASS VALLEY

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

Tuesday, March 12, 2024 at 6:00 PM

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

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 6:00 p.m. on the 2nd and 4th Tuesday of each month. Your interest is encouraged and appreciated.

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

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

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

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

REPORT OUT OF CLOSED SESSION

INTRODUCTIONS AND PRESENTATIONS

1. Smoke-Free Healthy Housing, presented by the Tobacco-Free Nevada County Coalition

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 5pm will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. Speaker cards are assigned for public comments that are on any items not on the agenda, and within the jurisdiction or interest of the City. Speaker Cards can be pulled until the opening of public comment at which time sign ups will no longer be allowed. These cards can be found at the City Clerks desk. 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). Thirty minutes of public comment will be heard under this item in order of the speaker card assigned and the remaining general public comments will be heard at the end of the meeting. We will begin with number one.*

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

2. Approval of the Regular Meeting Minutes of February 27, 2024.

Recommendation: Council approve minutes as submitted.

3. Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

CEQA: Not a project

Recommendation: Adopt a resolution 2024-10 of the City Council of the City of Grass Valley approving the second amended a restated Joint Powers Agreement of Pioneer Community Energy.

4. Review of 2023 General Plan Annual Progress Report

CEQA: Not a project

Recommendation: Receive and File. No formal action required.

5. Review of 2023 Annual Housing Element Progress Report

CEQA: Not a Project

Recommendation: Receive and File. No formal action required.

6. 4th of July Fireworks Show (Approval of Pyro Spectaculars North Agreement)

CEQA: Not a Project

Recommendation: The Council 1) approve the 2024 4th of July Fireworks Show; 2) approve the City Manager to execute an Agreement with Pyro Spectaculars North, Inc. for the amount of \$22,600 for the 4th of July Fireworks Show subject to legal review; and 3) approve the Finance Director to make any necessary budget adjustments and transfers.

7. Adoption of updated job descriptions for all peace officer classes

CEQA: Not a Project

Recommendation: Approve the attached updated job descriptions for all peace officer job classes in the City

8. Transportation Impact Fees - Fee Program Revisions

CEQA: Not a project

Recommendation: That Council authorize revised, lower fees for the Single Family Residential land use category for the Grass Valley Transportation Impact Fee (GVTIF) and Regional Transportation Mitigation Fee (RTMF) programs

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

9. Public Review for the Sphere of Influence (SOI) Plan Update

Recommendation: Receive and File. No formal action required.

10. Opposition to Pacific Bell Telephone Company d/b/a AT&T California amended application for targeted relief from its Carrier of Last Resort obligation and certain associated tariff obligations.

CEQA: Not a Project.

Recommendation: That Council approve the letter and authorize the Mayor to sign and submit it to the California Public Utilities Commission.

BRIEF REPORTS BY COUNCIL MEMBERS

CONTINUATION OF PUBLIC COMMENT

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, March 12, 2024 at 6:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, March 7, 2024.

Taylor Day, City Clerk



GRASS VALLEY

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

MINUTES

CALL TO ORDER

Meeting Called to order at 6:04pm.

PLEDGE OF ALLEGIANCE

Mayor Arbuckle led the Pledge of Allegiance.

ROLL CALL

PRESENT

Councilmember Haven Caravelli

Councilmember Tom Ivy

Vice Mayor Hilary Hodge

Mayor Jan Arbuckle

ABSENT

Councilmember Bob Branstrom

AGENDA APPROVAL -

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

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

REPORT OUT OF CLOSED SESSION

Public comment attached.

No report.

INTRODUCTIONS AND PRESENTATIONS

1. Thank you from A.I.M. & Associates
2. Parking 101 Presentation

3. The Community Foundation of Nevada County Presentation

PUBLIC COMMENT -

Virtual public comment attached.

Speakers 1 thru 13 with noted change that speaker 3 was for an agenda item.

CONSENT ITEMS -

Public comment by Matthew Coulter.

Motion made to approve consent by Councilmember Ivy, Seconded by Councilmember Caravelli.

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

4. Approval of the Regular Meeting Minutes of February 13, 2024.

Recommendation: Council approve minutes as submitted.

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. Reallocation of Proposition 64 Public Health and Safety Grant funds related to vehicle purchase

CEQA: Not a project

Recommendation: Approve the reallocation of grant funds; direct staff to move forward with the purchase of vehicle in accordance with City purchasing guidelines and Board of State and Community Corrections (BSCC) requirements.

7. Out of State Training for Specialized Digital Forensics Capability

CEQA: Not a project

Recommendation: Approve the attendance of Police Department Detective to travel to Utah for specialized training in this use of digital forensic-extraction software

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

8. Appeal of the Planning Commission's approval of a Development Review Permit and Variance application for the Sierra Guest Home Expansion for a Supportive Housing use

CEQA: Categorical exemption Class 5

Recommendation: Based upon the evidence in the public record, and the Planning Commission's 4:1 approval, staff recommends that the City Council take the following actions: A) Deny the appeal and uphold the Planning Commission's approval of the Development Review and Variance Request for the Sierra Guest Home Expansion;

B) Determine the project Categorically Exempt as the appropriate level of environmental review in accordance with section 15305, categorical exemption Class 5. the California Environmental Quality Act (CEQA) and Guidelines; and C) Adopt Findings of Fact for approval of the Development Review Permit and Variance as presented in the Staff Report; and, D) Approve the Development Review Permit and Variance (23PLN-28) in accordance with the Conditions of Approval, as presented in this Staff Report.

Amy Wolfson, City Planner, gave presentation to the to the council. Council Caravelli disclosed that she had a conversation with the applicant in regards to the project and about the Planning Commissions decisions.

Wayne Cooley, appellant, gave overview to the council of the appeal of the Planning Commissions decision. After Robert Wallace on behalf of Hospitality House, applicant, gave overview of the project to the council.

Public Comment: Katie Adams, unnamed, Steven Desena, Petra, Matthew Coulter

Council too a break at 8:11 pm and the meeting called back to order at 8:19 pm.

ADMINISTRATIVE

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Ivy had nothing to report. Councilmember Caravelli attended an ERC meeting, a play in Nevada City, a Measure B Nevada County Contractor Association table talk, another ERC meeting, a meeting with Katy the new City pop-up events coordinator, a GVDA and Chamber meeting, and the In-Concert Sierra raising roof event. Vice Mayor Hodge attended the Wild and Scenic film festival, a CIRCLE event, a local Library book club meeting and wants to remind everyone that they can sign up to receive the City Agenda on the City's website. Mayor Arbuckle also attended the Raising the Roof event for In-Concert Sierra, an Animal shelter tour in Sutter, a League of California Cities board meeting, and she will be missing first meeting in March.

CONTINUATION OF PUBLIC COMMENT

Speakers number 14 to 17 of public speaker list.

ADJOURN

Meeting adjourned at 8:33 pm.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Adopted on: _____

From: [WIRELESS CALLER - Voicemail box 8880](#)

To: [Public Comments](#)

Subject: Voicemail from [REDACTED] Feb 27 2024 4:58 PM

Date: Tuesday, February 27, 2024 5:00:25 PM

Attachments: [1709081883-00005380.mp3](#)

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



You received a new voicemail message

 New voicemail message

Time: Tuesday, February 27 2024 4:58 PM

From: [REDACTED]

Duration: 54 seconds

Voicemail box: 8880

Yes, this is Matthew Coulter, calling with the public comment for the closed session, meeting at five o'clock before the City Council meeting with these real estate dealings, think the public needs to be apprised of what the city is actually doing with these real estate, purchases and sales. There's been multiple ones here in town that

Transcript: haven't really and out the way that they were intended to and Hollywood promoted by the city manager to be used. And this is a problem as well as the conclusion of other closed session items, such as my lawsuit against me, that I think it's finished, but we'd never got a final report on. That would be great to hear about that. Love to hear that final report. Thanks a lot.

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CITY OF GRASS VALLEY CITY COUNCIL MEETING

Item # 2.

GENERAL PUBLIC COMMENT SIGN IN SHEET

WELCOME to the City of Grass Valley City Council meeting! Public Comments provide an opportunity for the public to address the City Council on any subject which is not on the agenda but in the jurisdiction of the council. If you wish to speak, please indicate in the appropriate box when you sign in and take the number corresponding to your name. Each individual can have up to 3 minutes of public comment. At the beginning of the meeting, there will be an allotted 30 minutes of general public comments and the remainder of comments will be heard at the end of the agenda. Speakers will be called in order of the numbers given.

When you are recognized by the mayor:

1. Please stand before the podium and give your name and address. (optional)
2. Please limit your comments to three minutes per speaker.
3. If previous speakers have made the same point, you may simply indicate your support or disagreement, unless you have new information.

Thank you for your participation.

#'s	Print Name or N/A	Address (optional)	Self/Business (optional)
1	Tim McCall	424 S. Auburn St	
2	Shirley Osgood		Felt <i>on agenda</i>
3	Riki Colby	139 Glenwood Ave ^{Grass Valley}	Self
4	Yasmin Badshamiah	BDT GV	
5	Shiri Villarreal	Penn Valley 95946	
6	Angel Villarreal	Penn Valley 95946	
7	Salem Peterson	329 Miners Trail	Self
8	Tammy Gregerson	178 Lucas Ln. GV	
9	Melanie Davis	Grass Valley	Self
10	Liz Newman	16936 Brewer Grass Valley	Self
11	Bob Walker	169 Lucas Ln Grass Valley	Self
12	Charlie	Grass Valley GV	Self
13	Aaron Bushnell		
14	Lynette	GV	Self

#'s	Print Name or N/A	Address (optional)	Self/Business (optional)
15	Tara Manho	Howard Ln. GV	
16	Jeffrey Gottesman		
17	Tom	GV	
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Taylor Day

From: H. B. Winkler [REDACTED]
Sent: Tuesday, February 27, 2024 5:00 PM
To: Public Comments
Subject: Public comments : Ceasefire

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

Grass Valley City Council Meeting
Public Comments on the situation in Israel
February 27, 2023
H. Benjamin Winkler

Good Evening to our City Council members and members of the public.

I am Ben Winkler, a citizen of Grass Valley. My wife can trace her roots here to her grandfather, who was born and raised in Chicago Park. My grandparents traced their roots to the tribe of Levi in ancient and modern-day Israel.

Why is that relevant? Apparently, you members of the City Council have been besieged by appeals to extend Grass Valley's city limits to Israel.

The speakers at our last city council meetings asked that our city council demand that the murderers, rapists, torturers, and kidnappers of my fellow Jews in Israel get off scot-free. They call this amnesty a "permanent ceasefire."

This is moral deprivation.

I am grateful that you did not give in to their demands.

All of us, I think, have seen the heart-wrenching images of the death and destruction in Gaza. Who do you blame? Hamas, which set rocket launchers and stored weapons in hospitals, schools, mosques and other parts of the civilian infrastructure? Or Israel, which, in pursuing the destruction of Hamas and freeing hostages, warn Gaza civilians ahead of time via leaflets, text messages, etc. where and when to flee?

Who is to blame? Who is committing war crimes?

I would also like to clarify something from the December 12, 2023, City Council meeting:

Two of the anti-Israel activists decided to re-define the meaning of “Anti-Semitism.” To them, “Anti-Semitism” meant not just opposition to Jews, but to Arabs, Syrians – anyone who has a semitic ethnic background.

Is this what Anti-Semitism means?

No.

The word “Anti-Semitism” was coined in the 1870s by German secularists, used continuously to apply to opposition to Jews as a race, but not to any other Semites.

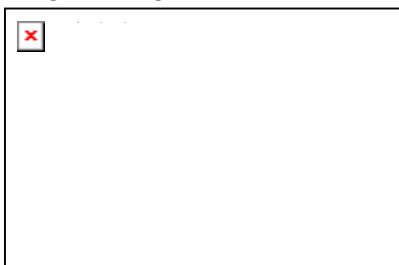
Activists intentionally mis-defined “Anti-Semitism” to water down its use so “we are all victims of Anti-Semitism.”

Do you know that 240,000 Israelis are homeless? These survivors of the October 7 terror attacks cannot return to their communities until Hamas and their allies are eliminated, and buffer zones are established.

The Hamas Covenant states: “Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it”

Yahya Sinwar, leader of Hamas in the Gaza Strip stated, “The leaders of the occupation [Israel] should know, Oct. 7 was just a rehearsal.”

H.Ben Winkler



ihbwink.com

Taylor Day

From: Jon Hioki [REDACTED]
Sent: Tuesday, February 27, 2024 4:52 PM
To: Public Comments
Subject: Public comment on a Ceasefire resolution

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

Members of the Grass Valley City Council,

This is a public comment regarding the city of Grass Valley bringing forth a resolution for a permanent ceasefire in Gaza.

I am a resident of Grass Valley (with the coveted 3-digit address) and I am adding my voice of support for a ceasefire resolution. This has been brought forward by Grass Valley residents for the past five months. Even bringing something forward to a vote would at least be something, a step forward even if it is voted down.

It feels impossible to have any real impact or sway on global politics, but making an impact on a local level can feel impossible when it feels like the channels aren't listening, or are simply not interested. It should at least mean something to you all that the residents of the city you work for feel this passionate about what has been happening to people on the other side of the world.

So with that, I ask you again, to bring forward a resolution in support of a ceasefire.

Thank you,
Jon Hioki

Taylor Day

From: THE FINER POINT - Voicemail box 8880 <noreply@voicemail.goto.com>
Sent: Tuesday, February 27, 2024 4:43 PM
To: Public Comments
Subject: Voicemail from [REDACTED] on Feb 27 2024 4:40 PM
Attachments: 1709080810-00005360.mp3

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You received a new voicemail message



New voicemail message

Time: Tuesday, February 27 2024 4:40 PM

From: [REDACTED]

Duration: 1 minute 16 seconds

Voicemail box: 8880

Transcript:

Hi, my name is Jason Miller. I'm a local resident. I've been trying to reach place in Grass Valley, and local business owner, and a practice, and you, and I just wanted to be, I just wanted to give you guys my support for the work you're doing and keeping the politics, local, working on stuff for the city and for the community, I commend you in that steadfast stance against very, very loud and under informed, very emotional and under informed, and organized few that are constantly trying to draw the city governments attention 4000 miles away. The conflict in the Middle East is extremely complicated. And the Jewish person over the course of my life, I've been on both sides of it. Free Palestine five, you know, part israel side. I can tell you that after a lifetime of studying and it's extremely complicated, planting a flag here will only divide the local community. And again, I commend you for your steadfast

stance in focusing on local politics, which is what off here in America and here in
Grass Valley, that's what we want. That's what we appreciate from you, and I just
wanted to call you for that. Thank you.

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Taylor Day

From: Paul Elias [REDACTED]
Sent: Tuesday, February 27, 2024 4:16 PM
To: Public Comments
Subject: Public Comment 2/27 Against Expanding Sierra Guest House

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

My name is Paul Elias, 12125 Crystal Springs Road just outside the City limits off Old Tunnel/Town Talk Road.

I met with district 3 Supervisor Swarhout last week at her county office saying I would speak out at any public hearing to expand homeless services and/or housing in the Glenbrook Basin, the location of adding occupancy to Sierra Guest House. So here goes. . .

Enough!!! We have Hospitality House, The navigation center, Brunswick Commons and possible expansion of Sierra Guest House, they're not managing the magnet they are for the homeless and encampments.

My neighborhood is impacted constantly with homeless camps that become abandoned with debris, shitting in the woods, litter out behind Flyers gas station by West America bank and pan handling, plus meth use which I have good evidence of from constantly cleaning up homeless camps along Old Tunnel and Town Talk, along Brunswick, by Sierra Cinema's. If you enter hwy 49er/20 going east from behind Walgreens and see the mess of a homeless camps there that neither GV or Hospitality House or other providers has attempted to remove the unsightly mess. I tried but only got so far. Come on mgmt at the navigation center or Hospitality House, you see it too and ignore??

So until the City, County and the service providers to the homeless can manage what exists, don't add more to the Basin.

I'm not against helping the homeless but you'd get my favorable support if I saw a program in place, (in fact Superior Swarhout said that's a possibility and believe Truckee has it, chex with her), of using the homeless themselves from H. Home and Brunswick Commons to do the cleanup. Not rocket science to take the H. House van, hitch a trailer to it and remove the debris, and not now and then at major cleanup events like held last fall off Dorsey Drive.

Don't expand more services in my neighborhood, which is already a magnet for homeless campsites until something is done to "manage" what's there, an ugly, and hazardous mess.

Paul Elias
 [REDACTED]

Ps. I ran into a fellow who had been homeless and now is sheltered at the Brunswick Commons. He told me proudly I have one of the finest views in the County for free. LOL. Put him work I say for that great view.

Sent from my iPhone

Taylor Day

From: Laila Murfin [REDACTED]
Sent: Monday, February 26, 2024 8:32 PM
To: Public Comments
Subject: Public comment submission

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

Dear members of the Grass Valley City Council,

My name is Laila Murfin, LPCC, and as a therapist I am a Grass Valley small business owner (located just down the way on East Main), and I am mother to a three year old. I am sorry I am unable to join this week in person as I have on several other occasions.

Thank you for your service to Grass Valley and our community. I am writing to respectfully urge you to put a ceasefire resolution in support of Palestine immediately on your agenda. This is a local matter and we call on Nevada County and the city of Grass Valley to stand on the right side of history.

I know that this is an unusual issue for the council to take a stance on, but we find ourselves in unprecedented times. There is continuously mounting, undeniable evidence that the actions taken by the Israeli government constitute genocide against the Palestinian people. This is supported by the definition of genocide put forth by the UN, the findings of the International Court of Justice, and numerous international aide organizations like Amnesty International, Doctors Without Borders, and many more.

The United States has become increasingly isolated on the world stage—the majority of countries on the United Nations Security Council support the call for a ceasefire, and three times now, the US has vetoed that call. Most recently, on February 20th, the US was the sole opponent of said resolution. Furthermore, the United States' own Leahy Law, prohibits " the U.S. Government from using funds for assistance to units of foreign security forces where there is credible information implicating that unit in the commission of gross violations of human rights (GVHR)."

Billions of taxpayer dollars have been used to give weapons to the Israeli government. This means that our tax dollars are illegally going to support a genocidal military campaign.

Making matters worse, the federal government has voted to cut funding to the United Nations Relief and Works Agency (UNRWA), one of the main sources of aid for Palestinian civilians suffering from displacement and constant bombardment by Israeli military attacks. The ever-worsening humanitarian crisis in Gaza is being co-signed by our government.

Anti-Muslim, anti-Palestinian, and anti-Semitic acts have been on the rise across America since October 7th. The ongoing violence abroad has made Americans less safe regardless of their ethnic or religious identities.

Our government is participating in this genocidal campaign and therefore, by proxy, all Americans are complicit; this is an issue that affects every single one of us.

Please join the over 70 cities and counties nationwide that have adopted resolutions calling for a ceasefire.

The resolution items are as follows:

- An immediate and sustained ceasefire in occupied Palestine
 - An end of U.S. Military aid to Israel
 - That all humanitarian aid be let into Gaza,
- and a declaration that:
- Our community stands united against genocide!
 - Condemnation of Islamophobia, antisemitism, and all acts of hate in our County.

Here is a link to the resolution that was adopted by the city council in Cotati, CA, a community of about 7,500 people:

Item # 2.

[Resolution](#)

Thank you for your consideration on this important matter.

Sincerely,

Laila Murfin, LPCC

Taylor Day

From: Fred Smith [REDACTED]
Sent: Monday, February 26, 2024 12:38 PM
To: COGV General Voicemail
Subject: Please share with all city council members.

You don't often get email from anns_1951@yahoo.com. [Learn why this is important](#)

I am a resident of Grass Valley. I am very concerned about the horrific events taking place in Isreal and Palestine. Please put the Ceasefire resolution on the agenda. Ann Johnson

[Sent from Yahoo Mail on Android](#)

Taylor Day

From: shirley osgood [REDACTED]
Sent: Monday, February 26, 2024 10:18 AM
To: COGV General Voicemail
Subject: Fw: Please forward to City Council members. Thank you!

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

From: shirley osgood [REDACTED]
Sent: Monday, February 26, 2024 6:11 PM
To: info@citycouncilofgrassvalley.com <info@citycouncilofgrassvalley.com>
Subject: Please forward to City Council members. Thank you!

Dear City Council Members:

Aaron Bushnell's final message on Facebook was as follows:

"Many of us like to ask ourselves, 'What would I do if I was alive during slavery? Or the Jim Crow South? What would I do if my country was committing genocide? ' The answer is, you're doing it. Right now."

His sacrifice serves as a powerful testament to the impact of individual actions in the face of injustice. I'm not asking City Council members to set yourselves on fire. I'm simply asking you to support the Ceasefire Resolution.

Sincerely,

Shirley Osgood

Taylor Day

From: Jalana Smith [REDACTED]
Sent: Monday, February 26, 2024 7:43 AM
To: Public Comments
Subject: Public comment for 3/27/24

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

Dear members of the Grass Valley Board of Supervisors,

My name is Jalana Smith and I am a Grass Valley Resident.

Thank you for your service to our community. I am writing to respectfully urge you to put a ceasefire resolution in support of Palestine immediately on your agenda. This is a local matter and we call on Nevada County to stand on the right side of history.

I know that this is an unusual issue for the board to take a stance on, but we find ourselves in unprecedented times. There is continuously mounting, undeniable evidence that the actions taken by the Israeli government constitute genocide against the Palestinian people. This is supported by the definition of genocide put forth by the UN, the findings of the International Court of Justice, and numerous international aid organizations like Amnesty International, Doctors Without Borders, and many more.

The United States has become increasingly isolated on the world stage—the majority of countries on the United Nations Security Council support the call for a ceasefire, and three times now, the US has vetoed that call. Most recently, on February 20th, the US was the sole opponent of said resolution. Furthermore, the United States' own Leahy Law, prohibits "the U.S. Government from using funds for assistance to units of foreign security forces where there is credible information implicating that unit in the commission of gross violations of human rights (GVHR)." Billions of taxpayer dollars have been used to give weapons to the Israeli government. This means that our tax dollars are illegally going to support a genocidal military campaign.

Making matters worse, the federal government has voted to cut funding to the United Nations Relief and Works Agency (UNRWA), one of the main sources of aid for Palestinian civilians suffering from displacement and constant bombardment by Israeli military attacks. The ever-worsening humanitarian crisis in Gaza is being co-signed by our government.

Anti-Muslim, anti-Palestinian, and anti-Semitic acts have been on the rise across America since October 7th. The ongoing violence abroad has made Americans less safe regardless of their ethnic or religious identities.

Our government is participating in this genocidal campaign and therefore, by proxy, all Americans are complicit; this is an issue that affects every single one of us.

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 - An end of U.S. Military aid to Israel
 - That all humanitarian aid be let into Gaza,
- and a declaration that:
- Our community stands united against genocide!
 - Condemnation of Islamophobia, antisemitism, and all acts of hate in our County.

Here is a link to the resolution that was adopted by the city council in Cotati, CA, a community of about 7,500 people: [Cotati Resolution](#)

Thank you for your consideration on this important matter.

Sincerely,
 Jalana Smith

[Sent from Yahoo Mail on Android](#)

Taylor Day

From: Tim McCall [REDACTED]
Sent: Friday, February 23, 2024 5:04 PM
To: Public Comments
Subject: Measure B
Attachments: 2023-2-23 ltr City Council Measure B.docx

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

Please find attached my letter dated February 23, 2024 to the City Council expressing concerns that voters have been misled regarding Measure B. This letter has also been mailed. Please ensure that the City Council receives a copy.
Thank you,
Tim McCall

February 23, 2024

City Council
City of Grass Valley
125 East Main Street
Grass Valley, CA 95945

RE: Measure B

Dear City Council,

I refer you to the Nevada County Voter Information Guide, March 5, 2024 Presidential Primary Election (Voter Guide), Section 4: Local Measures on the Ballot, pages (BT11/REP) 42 through 51. These pages present Measure B for the City of Grass Valley.

The Nevada County Registrar of Voters informed me that the material referenced above was provided by the City of Grass Valley and included in the Voter Guide verbatim.

The “FULL TEXT OF TAX MEASURE, ORDINANCE NO. 826” found in the Voter Guide is the whole of Measure B. In short, upon a majority YES vote, the City is authorized to impose an additional 0.375% sales and use tax, and expenditures of this revenue shall be considered in conjunction with the City’s annual budget.

This tax revenue will flow into the City’s general fund, not a special fund. Therefore, the ordinance cannot, and does not, refer to the purpose for such tax revenues, or expenditures for which the tax revenues will be, or may be, used.

Your attention is directed to page 48 of the Voter Guide containing the “IMPARTIAL ANALYSIS, MEASURE B – CITY OF GRASS VALLEY”. This analysis of Ordinance No. 826 was prepared by the City Attorney, Mr. Colantuono. His analysis contains the following verbiage: “.....reducing the risk of catastrophic wildfire and extreme weather by funding additional firefighters, vegetation management, and emergency evacuation planning.” Despite the fact that the ordinance does not contain a description of purpose or expenditures relating to the tax revenue, Mr. Colantuono included a description of same in his analysis.

Inserting terms of purpose and expenditures for the tax revenue into his “Impartial Analysis” that are not contained in Ordinance No. 826 was highly inappropriate. By doing so, Mr. Colantuono has mislead voters.

The City incorporated into the “BALLOT QUESTION” verbiage identical to that found in the “Impartial Analysis” regarding purpose and expenditures for tax revenue. Again, this action was highly inappropriate and by doing so, the City has further mislead voters.

I now find the same phraseology identifying purpose and expenditures for the tax revenue on my Official Ballot under Measure B.

The City of Grass Valley's legal counsel and staff have taken every opportunity, through use of the official Nevada County Voter Information Guide and the Official Ballot to intentionally expose voters to concepts not contained in, and contrary to, Ordinance No. 826.

In light of these actions, and regardless of the outcome of the vote on Measure B, the City Council must not adopt tax Ordinance No. 826. Instead, the Council should offer voters a special tax ordinance requiring a two-thirds vote. The tax revenue generated by such a measure may then be properly promoted and advertised to the voters as being committed to reducing the risk of wildfire.

In addition, Council members Branstrom, Hodge, Caravelli, and Ivy, and Mayor Arbuckle singled on to an "Argument in Favor of Measure B", also contained in the Voter Guide, which states: "Measure B will fund **FIREFIGHTER, WILDFIRE RISK REDUCTION** and **VEGETATION MANAGEMENT** for Grass Valley." The term "will" as used in this sentence implies a guarantee. As current council members, it is not possible to guarantee the disposition of tax revenues over a seven-year period. You also managed to mislead the voters.

Your constituent,

Tim McCall
424 South Auburn Street
Grass Valley, CA 95945

CC: Nevada County Registrar of Voters
950 Miadu Avenue
Nevada City, CA 95959

California Secretary of State
Elections
1500 11th Street
Sacramento, CA 95814



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

Title: Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

CEQA: Not a project

Recommendation: Adopt a resolution 2024-10 of the City Council of the City of Grass Valley approving the second amended a restated Joint Powers Agreement of Pioneer Community Energy.

Prepared by: Taylor Day, Deputy City Manager I

Council Meeting Date: 03/12/2024

Date Prepared: 03/06/2024

Agenda: Consent

Background Information: Pioneer Community Energy (“Pioneer”) is a Joint Powers Authority formed between the Counties of Placer and El Dorado, the Town of Loomis, and the Cities of Auburn, Colfax, Grass Valley, Lincoln, Nevada City, Placerville, and Rocklin. Pioneer is a Community Choice Aggregation Program (“CCA”) authorized under Assembly Bill 117 (2002). The CCA provides local control over the electricity supply with a primary goal of providing stable and competitive electricity rates to the residents and businesses within its member jurisdictions. Pioneer purchases the electricity supply and PG&E transmits and delivers the power through PG&E’s infrastructure (poles and wires). PG&E continues to own, operate, and maintain its distribution infrastructure. PG&E also continues to provide meter readings and billing services for Pioneer’s customers.

On December 19, 2023, the City of Grass Valley received notice from Pioneer of a proposed vote to adopt a Second Amended and Restated Joint Powers Agreement (JPA). The majority of the proposed amendments to the JPA would clarify language and correct clerical errors. The primary substantive change would be to amend Section 19, Amendments, to streamline the adoption of amendments to the JPA that do not directly impact the member agencies or change the nature of Pioneer or its powers.

Currently, notice of a proposed amendment must be sent to each member agency 30 days in advance of the Pioneer Governing Board’s consideration of the amendment. A two-thirds majority of the Board is required to approve an amendment. Further, the amendment must be approved by separate resolution of each of the member agencies, and finally, notice must be provided to members after the amendment is final.

The proposed change would specify that only amendments to Section 4, Powers, and the addition of new member agencies would require member agency approval by resolution. Other amendments could be approved by the Pioneer Governing Board with a two-thirds vote, with notice provided to the member agencies 30 days prior to and after the action. This is intended to allow amendments that are more internal in nature (affecting board membership, agency governance, etc.) to proceed with solely a two-thirds vote by the Pioneer Governing Board. That said, under the proposed process, the City of Grass Valley would still be given notice and an opportunity to object to any proposed amendment.

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

Fiscal Impact: No fiscal impact

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments:

1. Resolution Approving the Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy
2. November 16, 2023 -Staff Report by Pioneer Community Energy on Proceeding with Adopting of Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

RESOLUTION NO. 2024-10**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY APPROVING THE SECOND AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT FOR PIONEER COMMUNITY ENERGY**

WHEREAS, the Sierra Valley Energy Authority was established on September 9, 2015, between the County of Placer and the City of Colfax; and

WHEREAS, the Sierra Valley Energy Authority was originally created for the purpose of providing a financing conduit and program expansion platform for the mPOWER Program; and

WHEREAS, counties and cities have the power under California law to aggregate electric load, to purchase and supply electricity for themselves and customers within their jurisdictions, by providing a Community Choice Aggregation (“CCA”) Program, pursuant to California Public Utilities Code Sections 331.1 and 366.2; and

WHEREAS, the Amended and Restated JPA allowed for the establishment of a Community Choice Aggregation Program within the jurisdictions of the Voting Members and authorized the Cities of Auburn, Lincoln, Rocklin, and the Town of Loomis to become Voting Members; and,

WHEREAS, the Amended and Restated JPA became effective on February 22, 2017; and

WHEREAS, on July 17, 2017, the Governing Board of the Sierra Valley Energy Authority took action to rename and brand Sierra Valley Energy Authority as Pioneer Community Energy (“Pioneer”); and

WHEREAS, on December 17, 2020, the Governing Board of Pioneer Community Energy approved Amendment No. 1 to the Amended and Restated JPA, which authorized the County of El Dorado and the City of Placerville to become Voting Members; and

WHEREAS, the Governing Board of Pioneer Community Energy has previously approved four amendments to the Amended and Restated JPA; and

WHEREAS, on October 25, 2022, the City Council approved Resolution No. 2022-77, requesting membership in Pioneer, approving the Amended and Restated JPA, and approving Amendment No. 5 thereto; and

WHEREAS, on November 17, 2022, the Governing Board of Pioneer Community Energy approved Amendment No. 5 to the Amended and Restated JPA, which authorized the Cities of Grass Valley and Nevada City to become Voting Members; and

WHEREAS, pursuant to Section 19 of the Amended and Restated JPA, the governing body of each Voting Member must individually approve amendments to the Amended and Restated JPA and thereafter the Governing Board of Pioneer ratifies the amendment; and

WHEREAS, individual approval of amendments by each Voting Member results in logistical complications and delays, which can be remedied by eliminating this requirement for certain

amendments and allowing the Governing Board of Pioneer to approve such amendments to the JPA with a two thirds vote after providing notice to Voting Members; and

WHEREAS, to these ends, the City Council of Grass Valley desires to approve the execution of the Second Amended and Restated Joint Exercise of Powers Agreement for Pioneer Community Energy to incorporate the changes made by the previous amendments to the Amended and Restated JPA, clarify language, correct clerical errors, and streamline adoption of amendments to the JPA that do not directly impact the member agencies or change the nature of Pioneer or its powers.

NOW, THEREFORE, the City Council of Grass Valley hereby resolves as follows:

Section 1. The recitals above are true and correct and are incorporated by this reference and constitute findings in this matter.

Section 2. The City Council of Grass Valley hereby approves the Second Amended and Restated Joint Exercise of Powers Agreement for Pioneer Community Energy, in the form attached hereto as Exhibit "A," and authorizes and directs the Mayor to execute the Second Amended and Restated Joint Exercise of Powers Agreement for Pioneer Community Energy in the name and on behalf of the City.

Section 3. This Resolution shall take effect immediately upon its adoption.

Exhibit A: Second Amended and Restated Joint Exercise of Powers Agreement

PASSED AND ADOPTED by the City Council of Grass Valley at a regular meeting of said Council, on this 12th of March 2024, by the following vote:

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

Jan Arbuckle, Mayor

Attest:

City Clerk

Michael Colantuono, City Attorney

Staff Report – Item 4

To: The Governing Board

From: Inder Khalsa, General Counsel
Donald Eckert, Executive Director

Item 4: **Authorize staff to notice member agencies and proceed with adopting the Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy with any changes requested by the Governing Board.**

Date: 11/16/2023

RECOMMENDATION

Authorize staff to notice member agencies and proceed with adopting the Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy with any changes requested by the Governing Board.

BACKGROUND

In 2015, the Placer County and the City of Colfax entered into a Joint Powers Agreement (JPA) for the purpose of establishing the Sierra Valley Energy Authority to operate a PACE program. In 2017, the JPA was amended and restated to rename the agency Pioneer Community Energy, create a community choice aggregation program, and add the cities of Auburn, Lincoln, Rocklin, and the Town of Loomis as member agencies. Since then, that First Amended and Restated JPA has been amended five times to make minor text changes and add new members.

At the October 19, 2023, meeting, the General Counsel provided a presentation to the Governing Board regarding the desirability of adopting a Second Amended and Restated JPA. The Governing Board directed General Counsel to prepare a draft Second Amended and Restated JPA for Board consideration and discussion. The Board provided direction that amendments to the JPA for
The General Counsel is now seeking input and direction from the Board with respect to the draft Second Amended and Restated JPA and initiation of the formal amendment process.

ANALYSIS & DISCUSSION

As shown in the attached redline showing changes proposed to the First Amended and Restated Agreement, the proposed Second Amended and Restated JPA would make the following revisions and changes to the JPA:

- **Name.** Change name of agency to Pioneer Community Energy throughout (this was legally effectuated by a resolution adopted in 2017 but references to Sierra Valley Energy Authority remained in the First Amended and Restated); likewise changed references to “the Authority” to “Pioneer” for ease of reading.
- **Recitals.** Update recitals to reflect history of Pioneer and subsequent amendments.
- **Effective date.** Revise effective date to reflect Second Amended and Restated.
- **Exhibit A for List of Members.** Remove references to specific member agencies in Sections 2 and 5 and of the JPA, moving the list of the members to a new Exhibit A for easier reference and updating.
- **Special Voting Requirements.** Revise Section 8 to separate the discussion of involuntary termination of a member from the discussion of general amendments to the JPA. We moved but did not change the requirement that amendments of the JPA require a 2/3 vote of the Governing Board.

- **Amendments.** Revise Section 19, Amendments, to specify that only amendments to Section 4, Powers, and the addition of new member agencies requires approval by separate resolutions of each of the member agencies and to make other changes to streamline the amendment process.
- **Satisfied/completed obligations.** Revise sections that have now been completed to indicate they are satisfied (for example, Section 9E, which describes the provision of start-up funding by Placer County).
- **Clean-up.** Fix incorrect cross references, revise confusing references and typos.

The bulk of the changes proposed are clarifying or clerical in nature. Adopting a clearer Second Amended and Restated JPA will provide the public, staff, and legal counsel with a clearer reference document for questions of governance, eliminating the need to check amendments (at least in the near term). It also provides an opportunity to correct or eliminate outdated references, resulting in a document that is easier to understand.

The primary substantive proposed change to the JPA is to Section 19, Amendment. Currently, notice of proposed amendments must be sent to each member agency 30 days in advance of the Board considering the amendment. A two-thirds majority of the Board is required to approve an amendment. Further, the amendment must be approved by separate resolution of each of the member agencies, and finally, notice must be provided to members after the amendment is final.

Staff recommends that the amendment process be simplified for amendments that do not directly impact the member agencies or change the nature of Pioneer or its powers. Based on direction received at the October 19 Governing Board meeting, the attached draft would provide a different amendment process for amendments to Section 4 (Powers) and amendments to add a new party to the JPA. For those amendments, separate resolutions of each member agency would be required.

All other amendments could be approved by the Board with a two-thirds vote, with notice provided to the member agencies 30 days prior and after the action. Individual member agency approval by resolution would not be required. This is intended to allow amendments that are more internal in nature (affecting board membership, basic governance, etc.) to proceed with solely a Board vote. That said, member agencies would be given notice and the opportunity to object to any proposed amendment.

STRATEGIC PLAN

The recommendation supports the Operational Excellence priority.

FISCAL IMPACT

The proposed Second Amended and Restated JPA will not have any direct fiscal impact beyond the time of staff and General Counsel to process the amendment.

ATTACHMENTS

1. Draft Second Amended and Restated JPA
2. Redline showing changes made between the First and Second Amended and Restated JPA (as amended by Amendments 1-5).



City of Grass Valley City Council Agenda Action Sheet

Title: Review of 2023 General Plan Annual Progress Report
CEQA: Not a project
Recommendation: Receive and File. No formal action required.

Prepared by: Amy Wolfson, City Planner

Council Meeting Date: March 12, 2024

Date Prepared: March 6, 2024

Agenda: Consent

Background Information: The City of Grass Valley General Plan was adopted in November 1999. The City's last Housing Element was adopted in August 2019. Government Code Section 65400 mandates that cities and counties submit an annual progress report (APR) on the General Plan and progress on its implementation to the legislative body, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development Department (HCD) by April 1 of each year. The intent of the legislation is to ensure that the City's General Plan is relied upon for land use decisions and that it remains an effective tool for guiding development. The report provides the City Council with information regarding the current status of the General Plan policies and their implementation during the past year. The attached document fulfills Government Code Section 65400.

The purpose of the APR is to provide the public and decision makers with an update of the City's progress in implementing its General Plan vision. A secondary purpose of the APR is to fulfill the housing element statutory requirements regarding the City's progress in meeting its share of regional housing needs and its efforts to remove government constraints to the development of housing in accordance with Government Code Section 65584.3(c) and 65584.5(b)(5). The Housing Element APR has separate reporting requirements and forms, which will be submitted electronically by the City by the April 1, deadline.

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

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

Reviewed by: _____ City Manager

ATTACHMENT:

Attachment 1 - 2023 General Plan Annual Progress Report with Attachments



CITY OF GRASS VALLEY
2023 GENERAL PLAN ANNUAL
PROGRESS REPORT



March 6, 2023

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Attachments:

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

Table D – Program Implementation Status Pursuant to GC Section 65583

PURPOSE OF GENERAL PLAN ANNUAL REPORT

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

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

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

The purpose of the APR is to provide the public and decision makers with an update of the City’s progress in implementing its General Plan vision. This annual assessment provides an opportunity to adjust or modify its policies, goals, and objectives to ensure that the City meets its stated vision. A secondary purpose of the APR is to fulfill housing element statutory requirements regarding the City’s progress in meeting its share of regional housing needs and its efforts to remove government constraints to the development of housing in accordance with Government Code Section 65584.3(c) and 65584.5(b)(5). The Housing Element APR has separate reporting requirements and forms, which have been submitted electronically by the City by the April 1, deadline.

CITY OF GRASS VALLEY GENERAL PLAN BACKGROUND

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

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

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

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

CITY'S RESPONSIBILITY

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

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

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

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

AMENDMENTS TO THE GENERAL PLAN

State law allows the City to amend its General Plan no more than four times per year (Charter Cities are Exempt from this requirement). Amendments may be proposed and acted upon at any time during the year and one action may include multiple amendments. Any changes to the

General Plan require a public hearing by the City Council upon recommendation by the Planning Commission and include evaluation of the environmental impacts as required by the California Environmental Quality Act. (CEQA).

There were no notable General Plan Amendment for 2023.

2023 MAJOR MILESTONES & PROJECTS

Construction was approved, initiated, or completed within the City of Grass Valley for the following major projects during the 2023 planning year:

Annexation Projects:

The City did not initiate any annexation projects in 2023.

City Projects:

- *Mill Street Pedestrian Improvement Project* - Following the success of the temporary closure of two blocks of Mill Street to create public space in response to the COVID-19 pandemic, the City approved permanent closure of Mill Street. Custom planters, site furnishings and seating areas were carefully positioned throughout the street to 1) provide necessary vegetation and shading currently lacking on the street; 2) support businesses activities; and 3) provide designated public seating area to create a cohesive identity that compliments the historic character. Improvements were completed in 2023.
- *Scotten Field Turf Replacement* - Artificial turf was installed at Scotten School’s field along with an access road, parking lot, and restroom, as part of the 2021 Measure E Park Improvements. Improvements were completed 2023.
- *Condon Baseball Field Turf Project* - Artificial turf was installed at Condon Baseball Field as part of the 2021 Measure E Park Improvements. Improvements were completed in 2023.
- *2023 Annual Street Rehab Project* - The scope of work, in general, included: asphalt concrete pavement removal, hot mix asphalt paving, and thermoplastic pavement marking and striping for Lucas Avenue, Miners Trail, French Street, and portions of Clark Street, Clipper Lane, Wiley Lane, Fiddick Lane, and Neville Way. Improvements occurred in 2023.
- Working with consultant Surf to Snow Environmental Resource Management, Inc. (S2S ERM), the city developed the most feasible and desirable trail alignment for the Wolf Creek Trail, including engineering design, environmental studies, planning and related services (update provided to council in March 2023)
- Signed Professional Services Agreement with Sauers Engineering, Inc. for Infrastructure Needs Study for the Southern Sphere of Influence and Grass Valley RV Park Annexation Areas. for preparation of the Infrastructure Needs Study in April 2023.

Commercial Projects:

- *Target Remodel* – Façade elevations, site improvements and landscaping were approved for the redevelopment of the Kmart Store to a Target Store with Certificate of Occupancy issued in April 2023, and including outdoor gathering space improvements approved in September 2023.
- *Quick Quack Car Wash* – A ±3600 square foot attended Quick Quack Carwash and related site improvements was approved in 2022 and has been under construction throughout 2023 with a Certificate of Occupancy granted in January 2024.
- *Grass Valley RV Resort* - This project was annexed in 2021, and grading and construction began in 2022 and is ongoing for a 147 space RV Park Resort with 15 glamping spaces for short term camping.
- Approved a Use Permit in February 2023 for operational changes associated with Spirit House, which provides social services including counseling for clients with mental health issues.
- Approved an 80-room hotel project on Plaza Drive, with a recommendation by the Development Review Committee in December 2023, and approval by the Planning Commission in January 2024

Residential Projects:

- *Loma Rica Ranch Specific Plan* – Approved in 2019, the Specific Plan is a mixed-use development of over 452 acres. Grading and infrastructure improvements for Phase I consisting of ±250 homes is occurring in 2022 and 2023, with home construction slated for Summer 2024.
- *Berriman Ranch Phase I* – Single-family development of 30 homes ranging in size from 1,579 to 2,491 square feet are being constructed with the final phase completed in 2023.
- *Berriman Ranch Phase II Duet Project* – 12 zero lot-line duet lots ranging in size from ±3,984 square feet to ±8,405 square feet. The city received a notice of non-funding in August 2023 for a REAP 2.0 grant requested to fund a sewer lift station, which is required to serve the project. The applicant is considering funding options and anticipates construction to occur in 2025.
- *Berriman Ranch Phase III Duet Project* – Berriman Ranch Phase III includes the division of a ±75-acre parcel into 60 duet style lots ranging in size from ±4,000 square feet to ±8,741 square feet. The city received a notice of non-funding in August 2023 for a REAP 2.0 grant requested to fund a sewer lift station, which is required to serve the project. The applicant is considering funding options and anticipates construction to occur in 2025.
- *Gilded Springs* – 26 residential infill lots including floor plans ranging in size from 1,400 to 2,835 square feet. sq. ft. were approved in July 2019. Site improvements have occurred in 2022 with building permits issued in 2023 and 2024.
- *Ridge Village/McKenna Subdivisions* – 34 single family infill lots with floor plans ranging in size from 1,200 to 3,000 square feet. Site improvements are occurring in 2021 with building permits anticipated in Summer of 2024.
- *The Pines of Grass Valley* – Consists of 108 for rent 1- & 2-bedroom apartments. The resort-style apartment project includes a swimming pool, hot tub, sundeck, private cabanas with TVs, fire pit, outdoor Yoga Studio, on-site business center, smart home features, on-site deli and market. The

applicant has discussed the phasing of the project with staff and anticipates an initial phase to break ground in Summer 2024.

- *Timberwood Estates* – 45 single family home development, offering semi-customized homes in three sizes from 1,804 to 2,224 square feet, including 2-car garages. Building permits are issued in 2021. Buildout is on-going, with the majority of building permits issued in 2023 and the remaining anticipated to occur in 2024.
- *Ridge Village* – Approved the Final Map for a 24-lot subdivision for single-family residential development in March 2023.

Mixed-Use Projects:

- Dorsey Marketplace Selected Dudek Environmental Consultants to prepare the Health Risk Assessment and Partially Recirculated Draft EIR as required per the court's findings, for the previously approved entitlements associated with the Dorsey Marketplace project for a mixed-use and residential project, agreement 3/27/2023.

PRIOR YEARS APPROVED PROJECTS

- *Brunswick Commons*: 41-unit affordable rental apartment project, designed to provide housing targeting the homeless and mentally ill, with a Certificate of Occupancy issued in 2022.
- *Southern Sphere of Influence Planning and Annexation Project* – 1) an amendment to the General Plan land use designations on 237 of the 400 acres; 2) a prezone amendment on 237 of the 400 acres of land to various zone districts consistent with the proposed General Plan amendments; 3) an expansion of the boundaries and amendment to the Southeast Industrial District Combining Zone; 4) an amendment to add 31 acres to the City's Sphere of Influence; and 5) the annexation of approximately 400 acres.
- *Grass Valley RV Resort and Annexation Project* – The Grass Valley RV Park Resort and Annexation Project consists of 147 space RV Park Resort with 15 glamping spaces for short term camping on ±20 acres. The project also includes the annexation of ±25 acres of property into the City limits with a zoning designation that permits commercial and residential and combinations thereof.
- *Brockington Center Frontage Landscaping* – The Brockington (Safeway) shopping center frontage landscaping improvement project includes installation of several decorative rock walls and new parking lot landscaping.
- *Condon Park Accessibility & Parking Lot Improvement Project* – The Condon Park Accessibility Project was initiated 2020 and completed in 2021. The project included grading and resurfacing the trail, repaving the roadway, and repairing and installing sidewalk to meet current ADA standards. The 2021 Parking Lot Improvement Project included installation of a new restroom building, repaving of the LOVE building and baseball field parking lots, and extension of existing concrete walkway.

- *Slate Creek Road & Drainage Improvements* – The Slate Creek Road & Drainage Improvement project includes replacing drainage culvert, installing infiltration trenches, repaving and other needed improvements on Slate Creek Road to the City limits.
 - *Dutch Bros Coffee* – The construction of a ±900 square foot Dutch Bros with drive-through was completed in 2021.
 - *McDonald's Remodel* – The project consists of a façade, décor, drive-thru and restroom upgrade, as well as a 1,200 square foot building addition is under construction through 2021 with completion in 2022.
 - *Wendy's Restaurant* – A ±2,366 square foot Wendy's restaurant with drive-through with parking and landscaping is under construction in 2021 with completion in 2022.
 - *West Olympia Hotel* – A two-story, 74 room hotel that includes a pool and fitness center was approved by the Planning Commission on December 15th, 2020. Construction is anticipated in Spring/Summer 2022
 - *Brunswick Commons* – The project is a mixture of affordable housing and homeless resource center which includes transitional housing units. The project is a Nevada County sponsored project consisting of 41 units of affordable housing for homeless and mentally ill. Also included are 33 one bedroom and 8 two-bedroom units. The project is being constructed in 2021 with completion in Spring/Summer 2022.
 - *Coach N Four Motel* – Nevada County's 18-unit motel will initially continue as temporary emergency housing for people experiencing homelessness, with a focus on families, veterans, and other vulnerable groups. Construction to convert the Coach N Four Motel into permanent housing has commenced in 2021 with completion slated in 2022.

STATUS OF GENERAL PLAN IMPLEMENTATION ACTIONS

The following table outlines selected General Plan policies and action items that the City made notable progress towards in 2023. The table is not a comprehensive list of all policies and action items in the General Plan; many policies/actions are under ongoing implementation and may not be listed. As most of the General Plan policies and related action items have been implemented through the adoption of ordinance and resolutions, incorporated into the regular governmental activities of the applicable departments, or included in development proposals as they are reviewed for consistency with the City's policies, the purpose of providing the policy implementation below is simply to streamline the review and highlight the annual progress efficiently.

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

- Preserve Grass Valley's historical character and encourage restoration.
- Expand public services to serve a growing population.
- Encourage variety in residential building types and environments.
- Include high density housing areas in the town center.
- Provide better regional connections.

- Improve the circulation patterns within the City.
- Protect and improve the Downtown Historic area.
- Diversify the economy and locate industry to avoid undue traffic.
- Preserve scenic beauty and character.

To implement the City's 2020 General Plan, the City adopted a strategic plan, last updated in April 2020. The concept of a long-range Strategic Plan was presented to the Grass Valley City Council in 2018. The purpose of the Strategic Plan was to provide a set of goals from which comprehensive programs would be developed and adopted to help direct the City's future strategies and projects. The Strategic Plan was developed with input from community focus groups consisting of an assortment of interested citizens and community leaders. Community contributors culminated at a Citywide public forum where discussion focused on the future direction of Grass Valley and potential projects to enhance the City's livability. Seven core goals were identified: 1) Community Sense of Place; 2) Transportation; 3) Recreation and Parks; 4) Economic Development & Vitality; 5) High Performance Government & Quality Service; 6) Public Safety; 7) Water & Wastewater Systems & Underground Infrastructure.

2020 Adopted General Plan Implementation Measures	Implementation Progress
<p>Land Use</p> <p>1-LUI Revise the zoning map to reflect new General Plan designations</p> <p>2-LUI Revise zoning text to reflect General Plan changes, including density/intensity standards for zoning districts.</p> <p>3-LUI Review development regulations to assure adequately assess and mitigate environmental and fiscal impacts.</p> <p>4-LUI Establish and maintain a data base containing information needed to determine the City’s jobs-housing balance.</p> <p>5-LUI Review redevelopment and revitalization programs and activities, and adjust plans to meet the goals, objectives, and policies of the General Plan.</p> <p>6-LUI Review housing code enforcement practices, and adjust as needed to meet the goals, objectives, and policies of the General Plan.</p> <p>8-LUI Coordinate with LAFCo, Nevada County and other agencies and special districts regarding provisions of the General Plan, application of General Plan provisions incorporated portions of the Planning Area, and the timing and directions of future annexations.</p> <p>9-LUI Establish standard processes and procedures for planning, annexation and service provision in the unincorporated Planning Area.</p>	<ul style="list-style-type: none"> • The City revises the zoning map and text, as needed, to reflect changes in State law and General Plan amendments. • The City staffs the Historical Commission, Development Review Committee, Planning Commission and City Council to ensure that development regulations and programs adequately assess and mitigate environmental and fiscal impacts. • The City updates the City’s Development Code as needed to reflect State law including SB 9, Accessory Dwelling Units, Density Bonus law, etc. • The City annually reviews development programs, goals, and objectives of the General Plan to assure that goals, policies and objectives of the General Plan are implemented and relevant. • The City provides code compliance duties on a complaint basis. In 2022, the City addressed 38 code compliance cases. • The City engaged with discussions with the Nevada County LAFCo regarding a Grass Valley Sphere of Influence Update.
<p>Circulation</p> <p>1-CI Adopt a roadway classification system outlined in the Circulation Element.</p> <p>2-CI Regularly update Development Impact Fees</p> <p>3-CI Ensure that proposed specific plans are consistent with the provisions of the functional classification component. This shall include incorporation of consistent design standards for</p>	<ul style="list-style-type: none"> • The City is working with Caltrans to acquire Colfax Avenue, Hansen Way, and portions of Tinloy Avenue. State Relinquishment is anticipated to occur in 2023. • 2023 Annual Street Rehab Projects completed in 2023 • 2020 Measure E Street Rehab Project completed in 2022: <u>Joerschke Dr, Maltman Dr, Manor Dr, Glenbrook Dr, Annex</u>

<p>roadways, associated bikeways and trails, and landscape areas.</p> <p>4-CI Work with neighboring jurisdictions and regional planning agencies to coordinate the classification of roadways that cross the City’s boundaries.</p> <p>5-CI Continue to refine and improve the design standards for the roadway system.</p> <p>8-CI Base the Capital Improvement Program on a 20-year horizon and update the program regularly. Update concurrently with the approval of any significant modification to the land use allocation assumed by the Citywide travel model.</p> <p>15-CI Ensure adequate funding to meet established Level of Service policies. Continue to implement and update traffic impact fees on new development and to obtain gas tax and other revenues to fund the Capital Improvement Program.</p> <p>18-CI Develop a plan for parking that identifies park and ride lots. Consider the need for park and ride facilities and for facilities serving alternative transportation modes when evaluating development proposals. Require construction of these facilities concurrent with development, or fair-share developer contributions in lieu of actual construction.</p>	<p>Avenue, Apple Ave, W Olympia Dr, Glenwood Rd (Approximately 2 miles of resurfaced roadway)</p> <ul style="list-style-type: none"> • Slate Creek Road Improvements Project: Slate Creek Road from Ridge Road to the City limits (approximately 1,000 feet of resurfaced roadway). • Idaho Maryland Road Measure E Emergency Repaving: Idaho Maryland from Sutton Way to Brunswick Road, (approximately ½ mile of resurfaced roadway). • In partnership with Caltrans, Nevada County Transportation Commission and the City, completed an Intersection Control Evaluation for the S Auburn/Neal Street/Colfax Avenue intersection. An oval round-a-bout is the preferred improvement with funding being sought for environmental review and construction. The city is continuing to look at funding sources. • Initiating a review for the Ophir and Bennett St Circulation Improvements Project
<p>Conservation/Open Space</p>	
<p>1-CONSI Identify, inventory and map essential information related to conservation and open space, utilizing the City’s geographic information system.</p> <p>4-COSI Maintain a development review process which documents compliance with the various goals, objectives, and policies of the Conservation/Open Space Element.</p> <p>6-COSI Review development ordinances and regulations to assure adequate provision for clustering, density averaging, and other techniques.</p> <p><u>11-COSI Review sign regulations and landscaping requirements,</u></p>	<ul style="list-style-type: none"> • Engineering and Environmental Review is underway for the remainder of a Wolf Creek Trail through town. A preferred alignment has been selected and discussions with Caltrans are underway to finalize design details and right-of-way needs. • City partnered with community groups Bear Yuba Land Trust and Wolf Creek Community Alliance to maintain and improve trail and open space areas. BYLT coordinated repaving of the ½ mile stretch of the popular Litton Trail with significant City contribution.

<p>upgrade City ordinances as required, and develop an effective enforcement program. 16-COSI Study and consider a permanent ban on open burning within the City limits. 17-COSI Incorporate application mitigation measures specified in the Indirect Source Review Guidelines of the Northern Sierra Air Quality Management District in all future discretionary land use approvals.</p>	<ul style="list-style-type: none"> • The City has codified the Quimby Act in Chapter 17.86 of the City’s Development Code at five acres per 1,000 persons. • The City promotes Planned Developments to assure clustering, density averaging and other techniques. For example, the City recently approved the Berriman Ranch Phase III Planned Development project consisting of 60 duet style lots on 10 acres. • The City’s Fire Department has implemented a permanent ban on open burning in the City. • The City implements Northern Sierra Air Quality Management District’s air quality rules and standards on all projects. • Accepted Open Space Easement Deed for approximately 83 acres in conjunction with the Loma Rica Residential development project
<p>Noise</p>	
<p>2-NI Prohibit development of new noise-sensitive land uses where noise levels due to fixed noise sources will exceed the noise levels of the Noise Element. 4-NI Require that an acoustical analysis be performed where new development of fixed noise sources, or modification of existing fixed noise sources, is likely to produce noise levels exceeding the performance standards of the Noise Element and that noise mitigation be included in the project design.</p>	<ul style="list-style-type: none"> • The City requires an acoustical analysis and conducts environmental analysis for discretionary projects to ensure that noise-sensitive land uses are mitigated.
<p>Safety</p>	
<p>1-SI Adhere to the Land Use Plan’s compact overall development pattern, including infill. A compact development pattern reduces total land area needed to accommodate projected development; facilitates quick response to emergencies. 3-SI Amend land use regulations to allow clustering and density</p>	<ul style="list-style-type: none"> • With exception to the recently annexed areas, development within the City of Grass Valley has been exclusive to infill development where services exist. • The City’s Development Code has been updated in 2007 to permit clustering, density averaging and Planned

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

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

HOUSING ELEMENT ANNUAL PROGRESS REPORT

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

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

Within the current eight-year housing cycle to date, the city has permitted 196 units. We have entitlements for a total of 601 additional units including those approved but not yet built in Loma Rica, Timberwood Estates, Berriman Ranch, the Pines, and Dorsey Marketplace. If built out, the city is well-poised to meet the overall RHNA target of 743 units by the end of the housing cycle in 2027, though we will likely fall short of the units allocated for moderate and lower-income targets.

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

The following information is a summary of the housing unit activity of the City of Grass Valley during 2023. The information is an excerpt summary of Tables of the State Department of Housing and Community Development

Table B

**Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability**

		1	2										3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 01/01/2019-08/14/2019	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	143	-	-	30	-	-	-	-	-	-	-	30	113
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	126	1	-	3	-	-	1	-	-	-	-	84	42
	Non-Deed Restricted		33	2	35	3	6	-	-	-	-	-		
Moderate	Deed Restricted	125	-	-	-	-	-	-	-	-	-	-	15	110
	Non-Deed Restricted		-	-	3	1	11	-	-	-	-	-		
Above Moderate		349	22	3	24	14	-	4	-	-	-	-	67	282
Total RHNA		743												
Total Units			56	5	95	18	17	5	-	-	-	-	196	547
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5											6	7
		Extremely low-Income Need		2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		72		-	-	-	-	-	-	-	-	-	-	7

Jurisdiction		Grass Valley	
Reporting Year		2023 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1: Adequate Sites for Housing	Accommodate the City's share of Nevada County's future housing needs	Current and ongoing, 2019 – 2027 (annexation related policies are addressed as property owners request annexation)	<p>No annexations were proposed or processed in 2023. However, staff had conversations with a potential applicant of a high density residential project in the eastern sphere to ensure the correct zoning was in place to support the project should it be proposed.</p> <p>Currently, many areas of the city's sphere have limited access to connect to existing sewer infrastructure and city water. The City was awarded \$115,000 in REAP funding to conduct a water infrastructure study for the southern portion of the city and its sphere to identify gaps in infrastructure and opportunities to expand water infrastructure to support future development and annexation efforts.</p> <p>No projects were proposed in the R-3 zone. However, the City continues to work with interested developers to build out residential parcels to their maximum capacity in all residential zones.</p> <p>In 2022, the City approved an infill affordable housing project for Habitat for Humanity on Joyce Drive, that subsequently identified contamination on the site. In 2023, the City purchased the site from Habitat in order to facilitate rehabilitation. The City was awarded \$500,000 for an EPA Brownfields Assessment Grant, which included a contract to hire Geocoin for technical expertise. Geocoin conducted an assessment of the site and prepare a response plan, that was completed in September 2023. The City then applied for additional funding through DTSC's Equitable Community Revitalization Grant (ECRG) in November 2023 to implement the Response Plan. A response to the grant application is expected in early 2024.</p> <p>The City worked with Foothill House of Hospitality, a local nonprofit serving the homeless population, to expand an existing supportive housing facility to provide additional supportive housing units for the ELI, homeless and at-risk of homelessness, and senior population of Grass Valley. The project was proposed in the summer of 2023 and applied for a variance that is scheduled to go to hearing in early 2024. With or without the variance, the facility will provide a minimum of 27 rooms.</p>
Program 2: Flexible Development Standards and Mixed-Use Developments	Increase the options to provide for a variety of housing to meet the needs of all income groups	Use of Planned Development and other zoning techniques, current and ongoing, 2019 – 2027. Pre-annexation and pre-application meetings with applicants will occur each year as needed based on property owner interest	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote mixed-use in the city's downtown area.</p> <p>The South Auburn Street Master Plan was adopted in 2005 to cover approximately 2.5 acres along South Auburn Street that is entirely built out and comprised of 10 private lots. Implementation of the Plan relied on Redevelopment Agency funds that are no longer available. The City implements standards of the Town Core zone district in this area to encourage compatible redevelopment as property owners are interested.</p>
Program 3: Reduce Regulatory Barriers to Affordable Housing	Reduce regulatory barriers to facilitating the provision of a variety of housing for all income groups. Request the state understand and address the significant cumulative costs of implementing state housing regulations adopted by the state that severely impact the costs to housing, particularly those adopted after 2006	Ongoing monitoring	<p>In 2023, staff completed a comprehensive review of the Development Code to identify barriers to housing and clarify issues. The review resulted in a list of suggested changes to be made in 2024.</p> <p>The City has not had any requests for density bonuses. However, the City identified a need for additional incentives to encourage residential uses in the downtown area. Therefore, staff prepared a Request for Proposals to be released in early 2024 to conduct a feasibility study and traffic study to draft an ordinance to encourage conversion of unused upper- and basement-space to residential units in the Town Core zoning district.</p> <p>Staff worked with Habitat for Humanity in 2023 to expeditiously review their application for an affordable single-family home on Orchard Way to ensure development standards and review time did not impact construction costs or funding deadlines. Further, staff worked with Foothill House of Hospitality to move their variance application for expanding a supportive housing facility through the public hearing process as quickly as meeting schedules would allow. In both cases, the applicant had direct contact information for a designated staff member.</p> <p>Due to staff turnover and capacity, City staff did not lobby the state directly in 2023. However, the City will continue to work with interested developers to address state requirements.</p>
Program 4: Implement General Plan Policies	Through measures described in programs 1 – 3, the City shall continue to implement General Plan policies that encourage efficient use of unconstrained land and a healthy economic base	Ongoing, 2019-2027	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote infill mixed-use in the city's downtown area, thus encouraging use of unconstrained land and activating the downtown. Further, the City has encouraged construction of additional infill housing through ADUs.</p>
Program 5: Encourage the Use of Development Agreements	To expedite the process of final development approvals and ensure long-term protection for the City and developer	Current and ongoing, as part of the application process	No large residential developments were proposed in 2023; therefore, the City did not discuss development agreement opportunities.
Program 6: Annual Housing Element Monitoring Report	To evaluate progress annually and make appropriate revisions to policies and programs	Annual report as required by State law	<p>The City submitted the 2022 APR to HCD on March 31, 2023 after receiving approval from City Council. The City continues to complete the APR annually.</p> <p>In 2023, staff met and worked with multiple developers and property owners interested in building housing. These include affordable housing developers, including Habitat for Humanity and Bright Futures for Youth, as well as market rate developers and individual owners. Further, the City has encouraged homeowners to take advantage of SB 9 as well as adding ADUs to their property. The results of these conversations included applications for five SB9 units, seven ADUs, and several single family homes in 2023, inclusive of one lower-income unit.</p> <p>Further, the City applied for grant funding to clean up a brownfield site of interest to affordable developers, in order to further facilitate lower-income development. Staff also completed a comprehensive review of the Development Code in 2023 to identify needed revisions and updates to be completed in 2024.</p>
Program 7: Promote Infill Development	To reduce infrastructure costs associated with infill development proposals	Current and ongoing, 2019 – 2027	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote infill mixed-use in the city's downtown area. Further, the City has encouraged construction of additional infill housing through ADUs.</p>
Program 8: Allow Alternative Housing Types to Meet Special Needs	Provide greater housing and shelter opportunities for special needs groups	Current and ongoing, 2019 – 2027	<p>In 2023, staff met with Bright Futures for Youth, a local nonprofit, to discuss opportunities and permitting processes for development of transitional housing targeting foster youth. Staff provided guidance on development standards and encouraged the organization to apply for a pre-application, or conceptual, of potential site(s) when the nonprofit to streamline future projects. The City also met with Habitat for Humanity to discuss subdivision processes for prospective parcels. Additionally, the City worked with Foothill House of Hospitality to process their application to expand a supportive housing facility to increase housing opportunities for individuals with disabilities.</p> <p>The City allows ADUs in all residential zones and non-residential zones that allow residential uses.</p>
Program 9: Housing for Persons with Disabilities, including persons with Developmental Disabilities	Coordinate with the Regional Center and other entities that provide supportive housing to support and improve housing and shelter opportunities for persons with disabilities, including persons with developmental disabilities	Current and ongoing, 2019 – 2027	<p>In 2023, staff met with Bright Futures for Youth, a local nonprofit, to discuss opportunities and permitting processes for development of transitional housing targeting foster youth. Staff provided guidance on development standards and encouraged the organization to apply for a pre-application, or conceptual, of potential site(s) when the nonprofit to streamline future projects. Additionally, the City worked with Foothill House of Hospitality to process their application to expand a supportive housing facility (Sierra Guest Home) to increase housing opportunities for individuals with disabilities. Sierra Guest Home received funding through a local Community Care Expansion grant.</p>
Program 10: Housing Opportunities for Large Families	New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027; meet annually with housing providers to establish funding priorities; apply quarterly for available funding based on annual priorities and the schedule of the state or federal program	While no lower-income multifamily developments were proposed in 2023, the City permitted one Habitat for Humanity, deed-restricted affordable single-family home with four bedrooms on Orchard Way in 2023.
Program 11: Workforce Housing Study	Provide greater housing opportunities for local workforce	Current and ongoing, 2019 – 2027	The City permitted one deed-restricted single-family house in 2023 and applied for a Brownsfield Grant to complete remediation of a parcel on Joyce Drive suitable for construction of 12 lower-income units for the local workforce. Further, the City processed applications for seven ADUs in 2023.
Program 12: Density Bonus	New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027	Staff discussed the opportunity for a density bonus with one nonprofit developer during the year. However, no developers chose to pursue a density bonus. The City will continue to promote this opportunity for potential and proposed residential development opportunities.
Program 13: Pursue State and Federal Funding for Affordable Housing	Continue to apply for specific grants and provide support to private developers that are pursuing funding assistance for lower income housing. Based on past project approvals, the City's objective is: New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027; meet annually with housing providers to establish funding priorities; apply quarterly for available funding based on annual priorities and the schedule of the state or federal program	<p>Staff worked with Habitat for Humanity in 2023 to expeditiously review their application for an affordable single-family home on Orchard Way to ensure development standards and review time did not impact construction costs or funding deadlines. Further, staff worked with Foothill House of Hospitality to move their variance application for expanding a supportive housing facility through the public hearing process as quickly as meeting schedules would allow.</p> <p>Additionally, staff updated the City's website to include information on, and links to, CalHFA down payment assistance programs.</p>
Program 14: Tax Exempt Bonds and Mortgage Credit Certificates	Increase the availability of funding options for new or rehabilitated housing	Current and ongoing, 2019 – 2027	Due to limited funding, the City's first-time homebuyer program has been suspended. However, staff shared information on state opportunities with interested prospective owners.
Program 15: Community Reinvestment Act	Increase the availability of funding options for new or rehabilitated housing	Annual presentations, 2019 – 2027, additional meetings with specific lenders as needed	The expansion of Sierra Guest Home was partially funded with a grant to increase the availability of lower-income housing.
Program 16: Housing Rehabilitation Programs	Rehabilitation of 2 extremely low-income, 3 very low-income, and 5 low-income housing units	Current and ongoing, 2019 – 2027	Due to staff turnover and limited capacity, the City was unable to secure rehabilitation funding in 2023.
Program 17: Preservation of At-Risk Housing	Preserve the affordability of 953 assisted rental housing units	The City will continue to monitor and begin to address as part of the next Housing Element cycle	In 2023, Nevada County completed the conversion of the Homekey Coach and Four Project from transitional housing to the Empire Mine Courtyard 18 affordable permanent housing units for ELI residents. No assisted rental units were lost in 2023.
Program 18: Rental Assistance	Maintain availability of rental assistance to Grass Valley residents	Annual collaboration with the Housing Authority during federal funding request; information request, current and ongoing, 2019 – 2027; ongoing promotion of rental assistance program to rental property owners	The City continues to collaborate with the Housing Authority as requested to administer Housing Choice Vouchers.
Program 19: Preservation of Mobile Home Parks	Preserve the condition and affordability of larger mobile home parks containing 360 spaces; provide relocation assistance to residents of parks that are not feasible to preserve	Meet with park owners and residents if requested to determine feasibility of preservation.	No mobile home spaces were lost in 2023.
Program 20: Housing Code Enforcement	Improve substandard housing conditions through correction of code violations. Document housing conditions and establish priorities for future code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts.	Current and ongoing, 2019 – 2027	The City responded to complaints of code violations and substandard housing conditions. Staff compiled photo documentation of conditions and records of contact made and when the investigation was resolved. In addition to enforcing safe housing conditions, the City also proactively monitored vegetation overgrowth and other potential hazards to public health and safety and contacted property owners if violations were found.
Program 21: Re-Use of Large, Older Homes	Efficiently re-use and preserve existing residential structures and increase the supply of housing.	Current and ongoing, 2019 – 2027	The City has not had any interest from owners of large, older homes to convert to multi-family structures. However, in the downtown, R-2, and R-3 areas, the City permits the conversion of larger structures to multifamily structures and will continue to facilitate this process should any home owners or property owners express interest. To further this program beyond larger residential units, the City is preparing an ordinance to allow conversion of commercial space to residential units in structures in the downtown area.
Program 22: Fair Housing Program	Educate the public on fair housing issues, reduce housing discrimination, and promptly resolve housing discrimination complaints	Current and ongoing, 2019 – 2027; identify annual events in 2019 and include fair housing information beginning 2019 and thereafter	Staff provided fair housing resource information by request and in response to code violation complaints. No housing discrimination complaints were received in 2023.
Program 23: Energy Conservation for New Construction and Residential Design	Reduce residential energy consumption	Current and ongoing, 2019 – 2027	The City continues to enforce state energy standards for new residential construction.
Program 24: Weatherization and Energy Conservation for Existing Dwelling Units	Rehabilitation of 2 extremely low-income, 3 very low-income, and 5 low-income housing units	Current and ongoing, 2019 – 2027	Due to staff turnover and limited capacity, the City was unable to secure rehabilitation funding in 2023.
Program 25: Encourage Development of Moderate Income and Above Moderate-Income Housing	Approved support of previously approved housing projects and encourage the development of at least 120 moderate and 350 above moderate for-sale housing units.	Current and on-going through housing element planning period.	The City issued building permits for 4 market-rate units, including 3 homes in the new Gilded Springs development. Staff also met with interested developers to discuss opportunities for market-rate residential development. All parties were encouraged to submit pre-application, or conceptual plans; however, none were received. They city currently has 601 entitled units.
Program 26: Encourage Development of Market Rate Rental Housing	Provide support for the development of 50 moderate and 25 above moderate rental housing units.	Current and on-going through housing element planning period.	The City continues to encourage construction of ADU and SB9 units. Staff is currently working with two property owners to process plans for SB9 units that, combined, will result in 4 new market rate rental units. The City has had recent conversations with the developer of an entitled 108-unit apartment complex, known as The Pines, who has indicated a desire to begin construction.
Program 27: Efficiency Dwelling Units (Tiny Homes)	Explore the feasibility of amending the CA Building Code and CA Residential Code to allow for tiny home development. If feasible, the City will encourage tiny home developments on a case by case basis through the City's Planned Development process. If feasible, the City will promote development 20 very low-income and 10 low-income tiny homes.	Adopt ordinance by 2020, if feasible	The City has no minimum square footage requirements for housing beyond those established by the California Building Code.
Program 28: Facilitate the Development of Affordable Housing	Support Nevada County's and the Regional Housing Authority's effort to develop 40 transitional and supportive housing units and rental units that will not exceed 30% of the area's median income. Humanity to cooperate with Habitat for Humanity's effort to build 2 to 3 housing units annually (assumes 20 for 2019-2027 Housing Element cycle) for extremely low-income residents.	During Housing Element Planning period	<p>In 2023, City staff met with Habitat for Humanity, Foothill House of Hospitality, and Bright Futures for Youth to identify opportunities for affordable housing. The City has not received any requests for deferred fees for affordable housing in 2023. In November 2023, the City applied for funding through the Brownsfield Grant to facilitate affordable development on a Joyce Drive property of interest to Habitat for Humanity. The results of the application are expected to be released in early 2024.</p> <p>Additionally, in 2023, the City met with Habitat for Humanity to discuss several other housing opportunities. In June, staff worked with Habitat to identify an opportunity for a boarding house facility. In the fall, staff met with Habitat on multiple occasions to discuss feasibility of developing different sites, resulting in the selection of a site on Ventana Sierra Drive for four units using SB 9. Further, the City processed and approved an application by Habitat for construction of a single unit on Orchard Way and is in the process of securing funding to complete remediation of a contaminated site on Joyce Drive for Habitat to develop with 12 units.</p>
Program 29: Development Code, Policies and Procedures Review	To streamline development and building permit applications, in consultation with the development community, the City will continue to review its Development Code, policies and procedures and incorporate new systems to streamline the City's development review processes.	Annual Review with Supportive Housing Supervisors within 1 year of Housing Element adoption	The City allows transitional and supportive housing in residential zones in the same manner as residential uses in those zones, to streamline development of a variety of housing types. Further, in 2023 staff completed a comprehensive review of the Development Code to identify barriers to housing and clarify issues. The review resulted in a list of suggested changes to be made in 2024.
Program 30: Lower Income By-Right Zoning	To streamline development and building permit applications for lower income multiple family housing units in accordance with Government Code 65583.2 et. seq.	Within 2 years of adoption of Housing Element.	The City allows residential uses, including single-family and multi-family, by-right in the R-3 zone district, including lower-income housing.



City of Grass Valley City Council Agenda Action Sheet

Title: Review of 2023 Annual Housing Element Progress Report

CEQA: Not a Project

Recommendation: Receive and File. No formal action required.

Prepared by: Amy Wolfson, City Planner

Council Meeting Date: March 12, 2024

Date Prepared: February 13, 2024

Agenda: Consent

Background Information: The City adopted its 2019 - 2027 Housing Element on August 13, 2019. The 2019-2027 Housing Element Regional Housing Needs Assessment (RHNA) allocates 743 housing units to the City of Grass Valley during the Housing Element planning period, with income level targets as follows:

Income Level	RHNA Allocation
Very Low	143
Low	126
Moderate	125
Above Moderate	349

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

Attached is an excerpt summary of the City’s APR from the new forms adopted by HCD. Entitlements for City’s housing numbers for 2023, are few, with 14 units proposed, 6 units entitled, 5 permits issued, and 32 units finalized with certificates of occupancy for 2023.

Within the eight-year housing cycle to date, the city has permitted 196 units. We have entitlements for a total of 601 additional units including those approved but not yet built in Loma Rica, Timberwood Estates, Berriman Ranch, the Pines, and Dorsey Marketplace. If built out, the city is well-poised to meet the overall RHNA target of 743 units by the end of the housing cycle in 2027, though we will likely fall short of the units allocated for moderate and lower-income targets.

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

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

Reviewed by:

ATTACHMENT:
Attachment 1 - Excerpt Summary form from the 2023 Housing Element Annual Progress Report

Table A Housing Development Applications Submitted

Project Identifier				Unit Types		Date Appli- cation Sub- mitted	Proposed Units - Affordability by Household Incomes								Total Ap- proved Units by Project	Total Disap- proved Units by Project	Streamlining	Density Bonus Law Applica- tions		Application Status	Project Type	Notes	
1				2	3	4	5								6	7	8	9	10		11	12	13
Prior APN ⁺	Current APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Applica- tion Submitt- ed+ (see instruc- tions)	Very Low- Income Deed Restricted	Very Low- Income Non Deed Re- stricted	Low-Income Deed Re- stricted	Low-Income Non Deed Restricted	Moderate- Income Deed Re- stricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Total PROPOSED Units by Project	Total AP- PROVED Units by project	Total DISAP- PROVED Units by Project	Please select streamlining provi- sion/s the applica- tion was submitted pursuant to.	Did the housing development ap- plication seek incentives or con- cessions pursu- ant to Govern- ment Code sec- tion 65915?	Were incentives or concessions requested pursu- ant to Govern- ment Code sec- tion 65915 ap- proved?	Please indicate the status of the application.	Is the project considered a ministerial pro- ject or discre- tionary project?	Notes ⁺
Summary Row: Start Data Entry Below							0	0	1	0	0	0	0	13	14	7	0						
	8800017	222 Cameron Court	Gilded Springs	23BLD-0232	SFA	O	4/27/2023							1	1	1	0	NONE	No	No	Approved	Ministerial	
	8800024	204 Ben Taylor Crossing	Gilded Springs	23BLD-0233	SFA	O	4/27/2023							1	1	1	0	NONE	No	No	Approved	Ministerial	
	8800022	221 Cameron Court	Gilded Springs	23BLD-0234	SFA	O	4/28/2023							1	1	1	0	NONE	No	No	Approved	Ministerial	
	9280054	0 Orchard Way	Habitat for Humanity	23BLD-0536	SFA	O	6/12/2023			1					1	1	0	NONE	No	No	Approved	Ministerial	
	8260007	352 Alta Street		23BLD-0571	ADU	R	9/26/2023							1	1	1	0	NONE	No	No	Approved	Ministerial	
	8363012	209 Lloyd Street		23BLD-0605	ADU	R	10/16/2023							1	1	1	0	NONE	No	No	Approved	Ministerial	
	29150007	462 Mill Street		23BLD-0662	SFA	R	11/9/2023							1	1	1	0	SB 9 (2021) - Duplex in SF Zone	No	No	Pending	Ministerial	
	8311018	224 N. Church Street		23BLD-0446	2 to 4	R	8/3/2023							3	3			NONE	No	No	Pending	Ministerial	
	29150008	Rhode Island Street		23BLD-0341	2 to 4	R	6/15/2023							2	2			SB 9 (2021) - Duplex in SF Zone	No	No	Pending	Ministerial	
	29150008	Mill Street		23BLD-0323	2 to 4	O	6/8/2023							2	2			SB 9 (2021) - Duplex in SF Zone	No	No	Pending	Ministerial	
															0								

Table B

**Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability**

		1	2										3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 01/01/2019-08/14/2019	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	143	-	-	30	-	-	-	-	-	-	-	30	113
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	126	1	-	3	-	-	1	-	-	-	-	84	42
	Non-Deed Restricted		33	2	35	3	6	-	-	-	-	-		
Moderate	Deed Restricted	125	-	-	-	-	-	-	-	-	-	-	15	110
	Non-Deed Restricted		-	-	3	1	11	-	-	-	-	-		
Above Moderate		349	22	3	24	14	-	4	-	-	-	67	282	
Total RHNA		743												
Total Units			56	5	95	18	17	5	-	-	-	-	196	547
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5											6	7
		Extremely low-Income Need		2019	2020	2021	2022	2023	2024	2025	2026	2027	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		72		-	-	-	-	-	-	-	-	-	-	7

Jurisdiction	Grass Valley	
Reporting Year	2023	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1: Adequate Sites for Housing	Accommodate the City's share of Nevada County's future housing needs	Current and ongoing, 2019 – 2027 (annexation related policies are addressed as property owners request annexation)	<p>No annexations were proposed or processed in 2023. However, staff had conversations with a potential applicant of a high density residential project in the eastern sphere to ensure the correct zoning was in place to support the project should it be proposed.</p> <p>Currently, many areas of the city's sphere have limited access to connect to existing sewer infrastructure and city water. The City was awarded \$115,000 in REAP funding to conduct a water infrastructure study for the southern portion of the city and its sphere to identify gaps in infrastructure and opportunities to expand water infrastructure to support future development and annexation efforts.</p> <p>No projects were proposed in the R-3 zone. However, the City continues to work with interested developers to build out residential parcels to their maximum capacity in all residential zones.</p> <p>In 2022, the City approved an infill affordable housing project for Habitat for Humanity on Joyce Drive, that subsequently identified contamination on the site. In 2023, the City purchased the site from Habitat in order to facilitate rehabilitation. The City was awarded \$500,000 for an EPA Brownfields Assessment Grant, which included a contract to hire Geocoin for technical expertise. Geocoin conducted an assessment of the site and prepare a response plan, that was completed in September 2023. The City then applied for additional funding through DTSC's Equitable Community Revitalization Grant (ECRG) in November 2023 to implement the Response Plan. A response to the grant application is expected in early 2024.</p> <p>The City worked with Foothill House of Hospitality, a local nonprofit serving the homeless population, to expand an existing supportive housing facility to provide additional supportive housing units for the ELI, homeless and at-risk of homelessness, and senior population of Grass Valley. The project was proposed in the summer of 2023 and applied for a variance that is scheduled to go to hearing in early 2024. With or without the variance, the facility will provide a minimum of 27 rooms.</p>
Program 2: Flexible Development Standards and Mixed-Use Developments	Increase the options to provide for a variety of housing to meet the needs of all income groups	Use of Planned Development and other zoning techniques, current and ongoing, 2019 – 2027. Pre-annexation and pre-application meetings with applicants will occur each year as needed based on property owner interest	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote mixed-use in the city's downtown area.</p> <p>The South Auburn Street Master Plan was adopted in 2005 to cover approximately 2.5 acres along South Auburn Street that is entirely built out and comprised of 10 private lots. Implementation of the Plan relied on Redevelopment Agency funds that are no longer available. The City implements standards of the Town Core zone district in this area to encourage compatible redevelopment as property owners are interested.</p>
Program 3: Reduce Regulatory Barriers to Affordable Housing	Reduce regulatory barriers to facilitating the provision of a variety of housing for all income groups. Request the state understand and address the significant cumulative costs of implementing state housing regulations adopted by the state that severely impact the costs to housing, particularly those adopted after 2006	Ongoing monitoring	<p>In 2023, staff completed a comprehensive review of the Development Code to identify barriers to housing and clarify issues. The review resulted in a list of suggested changes to be made in 2024.</p> <p>The City has not had any requests for density bonuses. However, the City identified a need for additional incentives to encourage residential uses in the downtown area. Therefore, staff prepared a Request for Proposals to be released in early 2024 to conduct a feasibility study and traffic study to draft an ordinance to encourage conversion of unused upper- and basement-space to residential units in the Town Core zoning district.</p> <p>Staff worked with Habitat for Humanity in 2023 to expeditiously review their application for an affordable single-family home on Orchard Way to ensure development standards and review time did not impact construction costs or funding deadlines. Further, staff worked with Foothill House of Hospitality to move their variance application for expanding a supportive housing facility through the public hearing process as quickly as meeting schedules would allow. In both cases, the applicant had direct contact information for a designated staff member.</p> <p>Due to staff turnover and capacity, City staff did not lobby the state directly in 2023. However, the City will continue to work with interested developers to address state requirements.</p>
Program 4: Implement General Plan Policies	Through measures described in programs 1 – 3, the City shall continue to implement General Plan policies that encourage efficient use of unconstrained land and a healthy economic base	Ongoing, 2019-2027	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote infill mixed-use in the city's downtown area, thus encouraging use of unconstrained land and activating the downtown. Further, the City has encouraged construction of additional infill housing through ADUs.</p>
Program 5: Encourage the Use of Development Agreements	To expedite the process of final development approvals and ensure long-term protection for the City and developer	Current and ongoing, as part of the application process	<p>No large residential developments were proposed in 2023; therefore, the City did not discuss development agreement opportunities.</p>
Program 6: Annual Housing Element Monitoring Report	To evaluate progress annually and make appropriate revisions to policies and programs	Annual report as required by State law	<p>The City submitted the 2022 APR to HCD on March 31, 2023 after receiving approval from City Council. The City continues to complete the APR annually.</p> <p>In 2023, staff met and worked with, multiple developers and property owners interested in building housing. These include affordable housing developers, including Habitat for Humanity and Bright Futures for Youth, as well as market rate developers and individual owners. Further, the City has encouraged homeowners to take advantage of SB 9 as well as adding ADUs to their property. The results of these conversations included applications for five SB9 units, seven ADUs, and several single family homes in 2023, inclusive of one lower-income unit.</p> <p>Further, the City applied for grant funding to clean up a brownfield site of interest to affordable developers, in order to further facilitate lower-income development. Staff also completed a comprehensive review of the Development Code in 2023 to identify needed revisions and updates to be completed in 2024.</p>
Program 7: Promote Infill Development	To reduce infrastructure costs associated with infill development proposals	Current and ongoing, 2019 – 2027	<p>In September 2023, City Council directed staff to prepare a Request for Proposals to conduct a feasibility study and traffic study to support drafting an ordinance to incentivize conversion of underutilized upper and basement level spaces to residential use within the Town Core zoning district. The RFP was drafted in December 2023 to be released in January 2024. The intent of this ordinance is to promote infill mixed-use in the city's downtown area. Further, the City has encouraged construction of additional infill housing through ADUs.</p>
Program 8: Allow Alternative Housing Types to Meet Special Needs	Provide greater housing and shelter opportunities for special needs groups	Current and ongoing, 2019 – 2027	<p>In 2023, staff met with Bright Futures for Youth, a local nonprofit, to discuss opportunities and permitting processes for development of transitional housing targeting foster youth. Staff provided guidance on development standards and encouraged the organization to apply for a pre-application, or conceptual, of potential site(s) when the nonprofit to streamline future projects. The City also met with Habitat for Humanity to discuss subdivision processes for prospective parcels. Additionally, the City worked with Foothill House of Hospitality to process their application to expand a supportive housing facility to increase housing opportunities for individuals with disabilities.</p> <p>The City allows ADUs in all residential zones and non-residential zones that allow residential uses.</p>
Program 9: Housing for Persons with Disabilities, including persons with Developmental Disabilities	Coordinate with the Regional Center and other entities that provide supportive housing to support and improve housing and shelter opportunities for persons with disabilities, including persons with developmental disabilities	Current and ongoing, 2019 – 2027	<p>In 2023, staff met with Bright Futures for Youth, a local nonprofit, to discuss opportunities and permitting processes for development of transitional housing targeting foster youth. Staff provided guidance on development standards and encouraged the organization to apply for a pre-application, or conceptual, of potential site(s) when the nonprofit to streamline future projects. Additionally, the City worked with Foothill House of Hospitality to process their application to expand a supportive housing facility (Sierra Guest Home) to increase housing opportunities for individuals with disabilities. Sierra Guest Home received funding through a local Community Care Expansion grant.</p>
Program 10: Housing Opportunities for Large Families	New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027; meet annually with housing providers to establish funding priorities; apply quarterly for available funding based on annual priorities and the schedule of the state or federal program	<p>While no lower-income multifamily developments were proposed in 2023, the City permitted one Habitat for Humanity, deed-restricted affordable single-family home with four bedrooms on Orchard Way in 2023.</p>
Program 11: Workforce Housing Study	Provide greater housing opportunities for local workforce	Current and ongoing, 2019 – 2027	<p>The City permitted one deed-restricted single-family home in 2023 and applied for a Brownsfield Grant to complete remediation of a parcel on Joyce Drive suitable for construction of 12 lower-income units for the local workforce. Further, the City processed applications for seven ADUs in 2023.</p>
Program 12: Density Bonus	New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027	<p>Staff discussed the opportunity for a density bonus with one nonprofit developer during the year. However, no developers chose to pursue a density bonus. The City will continue to promote this opportunity for potential and proposed residential development opportunities.</p>
Program 13: Pursue State and Federal Funding for Affordable Housing	Continue to apply for specific grants and provide support to private developers that are pursuing funding assistance for lower income housing. Based on past project approvals, the City's objective is: New Construction: 25 very low-income units, 40-60 low-income units Homebuyer Assistance: 2 extremely low-income, 2 very low-income, 6 low-income, and 10 moderate-income homebuyers	Current and ongoing, 2019 – 2027; meet annually with housing providers to establish funding priorities; apply quarterly for available funding based on annual priorities and the schedule of the state or federal program	<p>Staff worked with Habitat for Humanity in 2023 to expeditiously review their application for an affordable single-family home on Orchard Way to ensure development standards and review time did not impact construction costs or funding deadlines. Further, staff worked with Foothill House of Hospitality to move their variance application for expanding a supportive housing facility through the public hearing process as quickly as meeting schedules would allow.</p> <p>Additionally, staff updated the City's website to include information on, and links to, CalHFA down payment assistance programs.</p>
Program 14: Tax Exempt Bonds and Mortgage Credit Certificates	Increase the availability of funding options for new or rehabilitated housing	Current and ongoing, 2019 – 2027	<p>Due to limited funding, the City's first-time homebuyer program has been suspended. However, staff shared information on state opportunities with interested prospective owners.</p>
Program 15: Community Reinvestment Act	Increase the availability of funding options for new or rehabilitated housing	Annual presentations, 2019 – 2027, additional meetings with specific lenders as needed	<p>The expansion of Sierra Guest Home was partially funded with a grant to increase the availability of lower-income housing.</p>
Program 16: Housing Rehabilitation Programs	Rehabilitation of 2 extremely low-income, 3 very low-income, and 5 low-income housing units	Current and ongoing, 2019 – 2027	<p>Due to staff turnover and limited capacity, the City was unable to secure rehabilitation funding in 2023.</p>
Program 17: Preservation of At-Risk Housing	Preserve the affordability of 953 assisted rental housing units	The City will continue to monitor and begin to address as part of the next Housing Element cycle	<p>In 2023, Nevada County completed the conversion of the Homekey Coach and Four Project from transitional housing to the Empire Mine Courtyard 18 affordable permanent housing units for ELI residents. No assisted rental units were lost in 2023.</p>
Program 18: Rental Assistance	Maintain availability of rental assistance to Grass Valley residents	Annual collaboration with the Housing Authority during federal funding request; information and ongoing, 2019 – 2027; ongoing promotion of rental assistance program to rental property owners	<p>The City continues to collaborate with the Housing Authority as requested to administer Housing Choice Vouchers.</p>
Program 19: Preservation of Mobile Home Parks	Preserve the condition and affordability of larger mobile home parks containing 360 spaces; provide relocation assistance to residents of parks that are not feasible to preserve	Meet with park owners and residents if requested to determine feasibility of preservation.	<p>No mobile home spaces were lost in 2023.</p>
Program 20: Housing Code Enforcement	Improve substandard housing conditions through correction of code violations. Document housing conditions and establish priorities for future code enforcement, housing rehabilitation assistance, and neighborhood improvement efforts.	Current and ongoing, 2019 – 2027	<p>The City responded to complaints of code violations and substandard housing conditions. Staff compiled photo documentation of conditions and records of contact made and when the investigation was resolved. In addition to enforcing safe housing conditions, the City also proactively monitored vegetation overgrowth and other potential hazards to public health and safety and contacted property owners if violations were found.</p>
Program 21: Re-Use of Large, Older Homes	Efficiently re-use and preserve existing residential structures and increase the supply of housing.	Current and ongoing, 2019 – 2027	<p>The City has not had any interest from owners of large, older homes to convert to multi-family structures. However, in the downtown, R-2, and R-3 areas, the City permits the conversion of larger structures to multifamily structures and will continue to facilitate this process should any home owners or property owners express interest. To further this program beyond larger residential units, the City is preparing an ordinance to allow conversion of commercial space to residential units in structures in the downtown area.</p>
Program 22: Fair Housing Program	Educate the public on fair housing issues, reduce housing discrimination, and promptly resolve housing discrimination complaints	Current and ongoing, 2019 – 2027; identify annual events in 2019 and include fair housing information beginning 2019 and thereafter	<p>Staff provided fair housing resource information by request and in response to code violation complaints. No housing discrimination complaints were received in 2023.</p>
Program 23: Energy Conservation for New Construction and Residential Design	Reduce residential energy consumption	Current and ongoing, 2019 – 2027	<p>The City continues to enforce state energy standards for new residential construction.</p>
Program 24: Weatherization and Energy Conservation for Existing Dwelling Units	Rehabilitation of 2 extremely low-income, 3 very low-income, and 5 low-income housing units	Current and ongoing, 2019 – 2027	<p>Due to staff turnover and limited capacity, the City was unable to secure rehabilitation funding in 2023.</p>
Program 25: Encourage Development of Moderate Income and Above Moderate-Income Housing	Continue support of previously approved housing projects and encourage the development of at least 120 moderate and 350 above moderate for-sale housing units.	Current and on-going through housing element planning period.	<p>The City issued building permits for 4 market-rate units, including 3 homes in the new Gilded Springs development. Staff also met with interested developers to discuss opportunities for market-rate residential development. All parties were encouraged to submit pre-application, or conceptual plans; however, none were received. They city currently has 601 entitled units.</p>
Program 26: Encourage Development of Market Rate Rental Housing	Provide support for the development of 50 moderate and 25 above moderate rental housing units.	Current and on-going through housing element planning period.	<p>The City continues to encourage construction of ADU and SB9 units. Staff is currently working with two property owners to process plans for SB9 units that, combined, will result in 4 new market rate rental units. The City has had recent conversations with the developer of an entitled 108-unit apartment complex, known as The Pines, who has indicated a desire to begin construction.</p>
Program 27: Efficiency Dwelling Units (Tiny Homes)	Explore the feasibility of amending the CA Building Code and CA Residential Code to allow for tiny home development. If feasible, the City will encourage tiny home developments on a case by case basis through the City's Planned Development process. If feasible, the City will promote development 20 very low-income and 10 low-income tiny homes.	Adopt ordinance by 2020, if feasible	<p>The City has no minimum square footage requirements for housing beyond those established by the California Building Code.</p>
Program 28: Facilitate the Development of Affordable Housing	Support Nevada County's and the Regional Housing Authority's effort to develop 40 transitional and supportive housing units and rental units that will not exceed 30% of the area's median income. Humanity to cooperate with Habitat for Humanity's effort to build 2 to 3 housing units annually (assumes 20 for 2019-2027 Housing Element cycle) for extremely low-income residents.	During Housing Element Planning period	<p>In 2023, City staff met with Habitat for Humanity, Foothill House of Hospitality, and Bright Futures for Youth to identify opportunities for affordable housing. The City has not received any requests for deferred fees for affordable housing in 2023. In November 2023, the City applied for funding through the Brownsfield Grant to facilitate affordable development on a Joyce Drive property of interest to Habitat for Humanity. The results of the application are expected to be released in early 2024.</p> <p>Additionally, in 2023, the City met with Habitat for Humanity to discuss several other housing opportunities. In June, staff worked with Habitat to identify an opportunity for a boarding house facility. In the fall, staff met with Habitat on multiple occasions to discuss feasibility of developing different sites, resulting in the selection of a site on Ventana Sierra Drive for four units using SB 9. Further, the City processed and approved an application by Habitat for construction of a single unit on Orchard Way and is in the process of securing funding to complete remediation of a contaminated site on Joyce Drive for Habitat to develop with 12 units.</p>
Program 29: Development Code, Policies and Procedures Review	To streamline development and building permit applications, in consultation with the development community, the City will continue to review its Development Code, policies and procedures and incorporate new systems to streamline the City's development review processes.	Annual Review with Supportive Housing Supervisors within 1 year of Housing Element adoption	<p>The City allows transitional and supportive housing in residential zones in the same manner as residential uses in those zones, to streamline development of a variety of housing types. Further, in 2023 staff completed a comprehensive review of the Development Code to identify barriers to housing and clarify issues. The review resulted in a list of suggested changes to be made in 2024.</p>
Program 30: Lower Income By-Right Zoning	To streamline development and building permit applications for lower income multiple family housing units in accordance with Government Code 65583.2 et. seq.	Within 2 years of adoption of Housing Element.	<p>The City allows residential uses, including single-family and multi-family, by-right in the R-3 zone district, including lower-income housing.</p>



City of Grass Valley City Council Agenda Action Sheet

Title: 4th of July Fireworks Show (Approval of Pyro Spectaculars North Agreement)

CEQA: Not a Project

Recommendation: The Council 1) approve the 2024 4th of July Fireworks Show; 2) approve the City Manager to execute an Agreement with Pyro Spectaculars North, Inc. for the amount of \$22,600 for the 4th of July Fireworks Show subject to legal review; and 3) approve the Finance Director to make any necessary budget adjustments and transfers.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: 03/12/2024

Date Prepared: 03/6/2024

Agenda: Consent

Background Information: In 2020, due to COVID-19 restrictions, the traditional 4th of July fireworks display at the Nevada County Fairgrounds had to be canceled. Recognizing the strain and challenges brought about by the pandemic, the City of Grass Valley believed it was essential to preserve a sense of community and tradition. Consequently, the City took the initiative to host its own 4th of July fireworks show.

The event was met with overwhelming success. Residents from all corners of the city came together to enjoy the spectacular display, which was made possible through the generous contributions of local businesses and community members who donated all the fireworks. Building on this positive momentum, the City continued to host the fireworks show in 2021, 2022, and 2023, each year surpassing the previous one in scale and impact.

The resounding success of these events can be attributed to the unwavering support of the community and the generous donations and sponsorships received to fund the shows. Encouraged by this ongoing support and enthusiasm, City staff is eager to bring back the fireworks show once again this year and are actively seeking sponsorships to ensure its success.

Attached for Council consideration is the agreement with Pyro Spectaculars North, Inc.

Council Goals/Objectives: The 4th of July Firework Show executes portions of work tasks towards achieving/maintaining Strategic Plan - Community Leadership

Fiscal Impact: There will be sufficient funds in the current budget and next fiscal years budget for this action.

Funds Available: Yes

Account #: General Fund

Reviewed by: City Manager

Attachments: Pyro Spectaculars North, Inc. Proposal/Production Agreement

2024 Pyrotechnic Fireworks Proposal

PYRO SPECTACULARS

by Souza[®]



City of Grass Valley

July 4, 2024

January 24, 2024

Item # 6.

City of Grass Valley
Tim Kiser
125 East Main St.
Grass Valley, CA 95945

Subject: Proposal for your event on **July 4, 2024, PROGRAM A** for **\$22,600.00.**

- Pyrotechnics:** Close Proximity Display Fireworks Firecrackers
- Theatrical Effects:** Spark Machines Flames CO2 Cryo Jets
- Confetti/Streamers Lights Foggers
- Drones:** Light Animations Accents

Dear Tim Kiser,

Pyro Spectaculars North, Inc. is delighted to present our proposal for the full-service custom-designed **PROGRAM A** for the production of your upcoming event. We are confident that our production capabilities and crew experience will result in the display of an unforgettable experience for your audience.

Enclosed you will find three important documents that outline our **PROGRAM A** proposal in detail:

1. **Product Synopsis - Proposal:** Provides the specifications of the devices and products to be used in your event.
2. **Production Agreement:** Presents the terms and conditions for the production of your event, including engagements, duties, and payment dates and amounts.
3. **Scope of Work:** Outlines the responsibilities and services to be provided by both Pyro Spectaculars North, Inc. and City of Grass Valley that will be necessary for the execution of the production of your event, along with insurance limits and requirements.

To secure your program, return the fully executed Production Agreement and initial payment to our office by the PRICE FIRM date, April 1, 2024. Please note that program availability, pricing, and show date may be subject to change if these are not timely received.

If you have any questions, or wish to discuss your program in detail, please do not hesitate to contact either myself or your dedicated Customer Service Representative, Luis Ruiz, at (909) 355-8120, extension 227.

Sincerely,

Pyro Spectaculars North, Inc.

David Mosley

David Mosley, Show Producer
(JB)

Pyro Spectaculars North, Inc.

5301 Lang Avenue, McClellan, CA 95652 • Phone: (909) 355- 8120 • Fax: (909) 355-9813

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www.pyrospec.com



Pyrotechnic Fireworks Proposal

City of Grass Valley

PROGRAM A – July 4, 2024

\$22,600.00

Main Body - Aerial Shells

<u>Description</u>	<u>Quantity</u>
◆ 3" Souza Designer Selections	430

Total of Main Body - Aerial Shells 430

Grand Finale

<u>Description</u>	<u>Quantity</u>
◆ 2" Souza Designer Bombardment Shells	100
◆ 2.5" Souza Designer Bombardment Shells	72
◆ 3" Souza Designer Bombardment Shells	195

Total of Grand Finale 367
Grand Total 797

*Product descriptions are for specification of product quality, classification, and value.
Final product selections will be based on availability, suitability, and overall artistic style.*



PRODUCTION AGREEMENT

This agreement ("Agreement") is made this _____ day of _____, 2024 by and between **Pyro Spectaculars North, Inc.**, a California corporation, hereinafter referred to as ("PYRO"), and City of Grass Valley, hereinafter referred to as ("CLIENT"). PYRO and CLIENT are sometimes referred to as "Party" or collectively as "Parties" herein.

1. **Engagement** - CLIENT hereby engages PYRO to provide to CLIENT one fireworks production ("Production"), and PYRO accepts such engagement upon all of the promises, terms and conditions hereinafter set forth. The Production shall be substantially as outlined in Program "A", attached hereto and incorporated herein by this reference.

1.1 **PYRO Duties** - PYRO shall provide all pyrotechnic equipment, trained pyrotechnicians, shipping, pyrotechnic products, application for specific pyrotechnic permits (the cost of which, including standby fees, shall be paid by CLIENT) relating to the Production, insurance covering the Production and the other things on its part to be performed, including preproduction services, all as more specifically set forth below in this Agreement and in the Scope of Work ("Scope of Work"), attached hereto, incorporated herein by this reference, and made a part of this Agreement as though set forth fully herein.

1.2 **CLIENT Duties** - CLIENT shall provide to PYRO a suitable site ("Site") for the Production, security for the Site as set forth in Paragraph 6 hereof, access to the Site, any permission necessary to utilize the Site for the Production, and the other things on its part to be performed as more specifically set forth below in this Agreement and in the Scope of Work. All Site arrangements are subject to PYRO's reasonable approval as to pyrotechnic safety, suitability, and security. All other conditions of the Site shall be the responsibility of CLIENT, including, but not limited to, access, use, control, parking and general safety with respect to the public, CLIENT personnel and other contractors.

2. **Time and Place** - The Production shall take place on July 4, 2024, at approximately 9:30 PM, at Gravel Lot across the street from 291 Dorsey Dr., Grass Valley, CA, Site.

3. **Fees, Interest, and Expenses** -

3.1 **Fee** - CLIENT agrees to pay PYRO a fee of \$22,600.00 USD (TWENTY-TWO THOUSAND SIX HUNDRED DOLLARS) ("Fee") for the Production. CLIENT shall pay to PYRO an initial payment ("Initial Payment") equal to 50 % of the Production Fee \$11,300.00 USD (ELEVEN THOUSAND THREE HUNDRED DOLLARS) plus estimated permit and standby fees, and other regulatory costs approximated at \$00.00 OR an amount to be determined, for a total of \$11,300.00, upon the execution of this Agreement by both parties but no later than April 1, 2024. The Initial Payment is a partial payment toward the preproduction services and costs set forth in the Scope of Work ("Preproduction Services and Costs".) The balance of the Fee shall be paid no later than July 3, 2024. CLIENT authorizes PYRO to receive and verify credit and financial information concerning CLIENT from any agency, person or entity including but not limited to credit reporting agencies. The "PRICE FIRM" date, the date by which the executed Agreement must be delivered to Pyro, is set forth in paragraph 20.

3.2 **Interest** - In the event that the Fee is not paid in a timely manner, CLIENT will be responsible for the payment of 1.5% interest per month or 18% annually on the unpaid balance. If litigation arises out of this Agreement, the prevailing party shall be entitled to reasonable costs incurred in connection with the litigation, including, but not limited to attorneys' fees.

3.3 **Expenses** - PYRO shall pay all normal expenses directly related to the Production including freight, insurance as outlined, pyrotechnic products, pyrotechnic equipment, experienced pyrotechnic personnel to set up and discharge the pyrotechnics and those additional items as outlined as PYRO's responsibility in the Scope of Work. CLIENT shall pay all costs related to the Production not supplied by PYRO including, but not limited to, those items outlined as CLIENT's responsibility in this Agreement and Scope of Work.

4. **Proprietary Rights** - PYRO represents and warrants that it owns all copyrights, including performance rights, to this Production, except that PYRO does not own CLIENT-owned material or third-party-owned material that has been included in the Production, and as to such CLIENT-owned and third-party-owned material, CLIENT assumes full responsibility therefore. CLIENT agrees that PYRO shall retain ownership of, and all copyrights and other rights to, the Production, except that PYRO shall not acquire or retain any ownership or other rights in or to CLIENT-owned material and third-party-owned material and shall not be responsible in any way for such material. If applicable, CLIENT consents to the use of CLIENT-owned material and represents that it has or will obtain any permission from appropriate third parties sufficient to authorize public exhibition of any such material in connection with this Production. PYRO reserves the ownership rights in its trade names that are used in or are a product of the Production. Any reproduction by sound, video or other duplication or recording process without the express written permission of PYRO is prohibited.

5. **Safety** - PYRO and CLIENT shall each comply with applicable federal, state and local laws and regulations and employ safety programs and measures consistent with recognized applicable industry standards and practices. At all times before and during the Production, it shall be within PYRO's sole discretion to determine whether or not the Production may be safely discharged or continued. It shall not constitute a breach of this Agreement by PYRO for fireworks to fail or malfunction, or for PYRO to determine that the Production cannot be discharged or continued as a result of any conditions or circumstances affecting safety beyond the reasonable control of PYRO.

6. **Security** - CLIENT shall provide adequate security personnel, barricades, and Police Department services as may be necessary to preclude individuals other than those authorized by PYRO from entering an area to be designated by PYRO as the area for the set-up and discharge of the Production, including a fallout area satisfactory to PYRO where the pyrotechnics may safely rise and any debris may safely fall. PYRO shall have no responsibility for monitoring or controlling CLIENT's other contractors, providers or volunteers; the public; areas to which the public or contractors have access; or any other public or contractor facilities associated with the Production.

7. **Cleanup** - PYRO shall be responsible for the removal of all equipment provided by PYRO and clean up of any live pyrotechnic debris made necessary by PYRO. CLIENT shall be responsible for any other clean up which may be required of the Production or set-up, discharge and fallout areas including any environmental clean-up.

8. **Permits** - PYRO agrees to apply for permits for the firing of pyrotechnics only from the **Grass Valley Fire Department**, FAA, and USCG, if required. CLIENT shall be responsible for any fees associated with these permits including standby fees. CLIENT shall be responsible for obtaining any other necessary permits, paying associated fees, and making other appropriate arrangements for Police Departments, other Fire Departments, road closures, event/activity or land use permits or any permission or permit required by any Local, Regional, State or Federal Government.

9. **Insurance** - PYRO shall at all times during the performance of services herein ensure that the following insurance is maintained in connection with PYRO's performance of this Agreement: (1) commercial general liability insurance, including products, completed operations, and contractual liability under this Agreement; (2) automobile liability insurance, (3) workers' compensation insurance and employer liability insurance. Such insurance is to protect CLIENT from claims for bodily injury, including death, personal injury, and from claims of property damage, which may arise from PYRO's performance of this Agreement, only. The types and amounts of coverage shall be as set forth in the Scope of Work. Such insurance shall not include claims which arise from CLIENT's negligence or willful conduct or from failure of CLIENT to perform its obligations under this Agreement, coverage for which shall be provided by CLIENT.

The coverage of these policies shall be subject to reasonable inspection by CLIENT. Certificates of Insurance evidencing the required general liability coverage shall be furnished to CLIENT prior to the rendering of services hereunder and shall include that the following are named as additionally insured: CLIENT; Sponsors, Landowners, Barge Owners, if any; and Permitting Authorities, with respect to the operations of PYRO at the Production. Pyrotechnic subcontractors or providers, if any, not covered under policies of insurance required hereby, shall secure, maintain and provide their own insurance coverage with respect to their respective operations and services.

10. **Indemnification** - PYRO represents and warrants that it is capable of furnishing the necessary experience, personnel, equipment, materials, providers, and expertise to produce the Production in a safe and professional manner. Notwithstanding anything in this Agreement to the contrary, PYRO shall indemnify, hold harmless, and defend CLIENT and the additional insureds from and against any and all claims, actions, damages, liabilities and expenses, including but not limited to, attorney and other professional fees and court costs, in connection with the loss of life, personal injury, and/or damage to property, arising from or out of the Production and the presentation thereof to the extent such are occasioned by any act or omission of PYRO, their officers, agents, contractors, providers, or employees. CLIENT shall indemnify, hold harmless, and defend PYRO from and against any and all claims, actions, damages, liability and expenses, including but not limited to, attorney and other professional fees and court costs in connection with the loss of life, personal injury, and/or damage to property, arising from or out of the Production and the presentation thereof to the extent such are occasioned by any act or omission of CLIENT, its officers, agents, contractors, providers, or employees. In no event shall either party be liable for the consequential damages of the other party.

11. **Limitation of Damages for Ordinary Breach** - Except in the case of bodily injury and property damage as provided in the insurance and indemnification provisions of Paragraphs 9 and 10, above, in the event CLIENT claims that PYRO has breached this Agreement or was otherwise negligent in performing the Production provided for herein, CLIENT shall not be entitled to claim or recover monetary damages from PYRO beyond the amount CLIENT has paid to PYRO under this Agreement, and shall not be entitled to claim or recover any consequential damages from PYRO including, without limitation, damages for loss of income, business or profits.

12. **Force Majeure** - CLIENT agrees to assume the risks of weather, strike, civil unrest, terrorism, military action, governmental action, and any other causes beyond the control of PYRO which may prevent the Production from being safely discharged on the scheduled date, which may cause the cancellation of any event for which CLIENT has purchased the Production, or which may affect or damage such portion of the exhibits as must be placed and exposed a necessary time before the Production. If, for any such reason, PYRO is not reasonably able to safely discharge the Production on the scheduled date, or at the scheduled time, or should any event for which CLIENT has purchased the Production be canceled as a result of such causes, CLIENT may (i) reschedule the Production and pay PYRO such sums as provided in Paragraph 13, or (ii) cancel the Production and pay PYRO such sums as provided in Paragraph 14, based upon when the Production is canceled.

13. **Rescheduling Of Event** - If CLIENT elects to reschedule the Production, PYRO shall be paid the original Fee plus all additional expenses made necessary by rescheduling plus a 15% service fee on such additional expenses. Said expenses will be invoiced separately and payment will be due in full within 5 days of receipt. CLIENT and PYRO shall agree upon the rescheduled date taking into consideration availability of permits, materials, equipment, transportation and labor. The Production shall be rescheduled for a date not more than 90 Days subsequent to the date first set for the Production. The Production shall not be rescheduled to a date, or for an event, that historically has involved a fireworks production. The Production shall not be rescheduled between June 15th and July 15th unless the original date was July 4th of that same year, or between December 15th and January 15th unless the original date was December 31st of the earlier year unless PYRO agrees that such rescheduling will not adversely affect normal business operations during those periods.

14. **Right To Cancel** - CLIENT shall have the option to unilaterally cancel the Production prior to the scheduled date. If CLIENT exercises this option, CLIENT agrees to pay to PYRO, as liquidated damages, the following percentages of the Fee as set forth in Paragraph 3.1. 1) 50% if cancellation occurs 30 or more days prior to the scheduled date, 2) 75% if cancellation occurs 15 to 29 days prior to the scheduled date, 3) 100% thereafter. In the event CLIENT cancels the Production, it will be impractical or extremely difficult to fix actual amount of PYRO's damages. The foregoing represents a reasonable estimate of the damages PYRO will suffer if CLIENT cancels the Production.

15. **No Joint Venture** - It is agreed, nothing in this Agreement or in PYRO's performance of the Production shall be construed as forming a partnership or joint venture between CLIENT and PYRO. PYRO shall be and is an independent contractor with CLIENT and not an employee of CLIENT. The Parties hereto shall be severally responsible for their own separate debts and obligations and neither Party shall be held responsible for any agreements or obligations not expressly provided for herein.

16. **Applicable Law** - This Agreement and the rights and obligations of the Parties hereunder shall be construed in accordance with the laws of California. It is further agreed that the Central Judicial District of San Bernardino County, California, shall be proper venue for any such action. In the event that the scope of the Production is reduced by authorities having jurisdiction or by either Party for safety concerns, the full dollar amounts outlined in this Agreement are enforceable.

17. **Notices** - Any Notice to the Parties permitted or required under this Agreement may be given by mailing such Notice in the United States Mail, postage prepaid, first class, addressed as follows: PYRO - Pyro Spectaculars North, Inc., P.O. Box 2329, Rialto, California, 92377, or for overnight delivery to 3196 N. Locust Avenue, Rialto, California 92377. CLIENT - **Grass Valley, 125 East Main St., Grass Valley, CA 95945.**

Pyro Spectaculars North, Inc.
5301 Lang Avenue
McClellan, CA 95652
Tel: 909-355-8120 ::: Fax: 909-355-9813

City of Grass Valley Item # 6.
July 4, 2024
Page 3 of 4

18. **Modification of Terms** – All terms of the Agreement are in writing and may only be modified by written agreement of both Parties hereto. Both Parties acknowledge they have received a copy of said written Agreement and agree to be bound by said terms of written Agreement only.

19. **Severability** – If there is more than one CLIENT, they shall be jointly and severally responsible to perform CLIENT’s obligations under this Agreement. This Agreement shall become effective after it is executed and accepted by CLIENT and after it is executed and accepted by PYRO at PYRO’s offices in Rialto, California. This Agreement may be executed in several counterparts, including faxed and emailed copies, each one of which shall be deemed an original against the Party executing same. This Agreement shall be binding upon the Parties hereto and upon their heirs, successors, executors, administrators and assigns.

20. **Price Firm** – If any changes or alterations are made by CLIENT to this Agreement or if this Agreement is not executed by CLIENT and delivered to PYRO on or before the PRICE FIRM date shown below, or if the Initial Payment is not paid on or before the due date, then the price, date, and scope of the Production are subject to review and acceptance by PYRO for a period of 15 days following delivery to PYRO of the executed Agreement. In the event it is not accepted by PYRO, PYRO shall give CLIENT written notice, and this Agreement shall be void.

PRICE FIRM through April 1, 2024
EXECUTED AGREEMENT MUST BE DELIVERED TO PYRO BY THIS DATE.
See PRICE FIRM conditions, paragraph 20, above.

EXECUTED as of the date first written above:

PYRO SPECTACULARS NORTH, INC.

City of Grass Valley

By: 

By: _____

Its: President

Its: _____

Date: 7/24/2024

Print Name

Date: _____

SHOW PRODUCER: **David Mosley**

**SCOPE OF WORK
 PYRO SPECTACULARS NORTH, INC. (“PYRO”)
 and
 City of Grass Valley (“CLIENT”)**

Pyro shall provide the following goods and services to CLIENT:

- One Pyro Spectaculars North, Inc., Production on July 4, 2024, at approximately 9:30 PM at Gravel Lot across the street from 291 Dorsey Dr., Grass Valley, CA.
- All pyrotechnic equipment, trained pyrotechnicians, shipping, and pyrotechnic product.
- Preproduction Services and Costs for the Production, including advance acquisition of materials and products; design, engineering, programming, handling, staging, storage, and maintenance of products, props, and systems; preparation of drawings, diagrams, listings, schedules, inventory controls, choreography, and computer code; picking, packing, labeling, staging, and loading of equipment, materials, and systems; transportation, and logistics and crew scheduling and support; explosive storage magazines with legally mandated distances, surfaces, security, housekeeping, and access controls; and necessary and appropriate vehicles, including legally mandated insurance, including MCS90 explosives transportation coverage, parking, security, and maintenance.
- Application for specific pyrotechnic permits relating to the Production.
- Insurance covering the preproduction and Production as set forth in the Agreement with the following limits:

<u>Insurance Requirements</u>	<u>Limits</u>	
<u>Commercial General Liability</u>	\$5,000,000.00	Combined Single Limit- Each Occurrence (Bodily Injury & Property Damage)
<u>Business Auto Liability- Owned, Non-Owned and Hired Autos</u>	\$5,000,000.00	Combined Single Limit- Each Occurrence (Bodily Injury & Property Damage)
<u>Workers’ Compensation</u>	Statutory	
<u>Employer Liability</u>	\$1,000,000	Per Occurrence

CLIENT shall provide to PYRO the following goods and services:

- All on-site labor costs, if any, not provided or performed by PYRO personnel including, but not limited to, local union requirements, all Site security, Police and Fire Dept. standby personnel, stagehands, electricians, audio and fire control monitors, carpenters, plumbers, clean-up crew. All these additional personnel and services shall be fully insured and the sole responsibility of CLIENT.
- Coordination and any applicable non-pyrotechnic permitting with the local, state or federal government that may hold authority within the Production.
- Costs of all permits required for the presentation of the Production and the event as a whole.
- Provision of a Safety Zone in accordance with applicable standards and all requirements of the authorities having jurisdiction throughout the entire time that the pyrotechnics are at the Site or the load site (if different) on the date of the Production and all set-up and load-out dates, including water security to keep unauthorized people, boats, etc. from entering the Safety Zone.
- General Services including, but not limited to, Site and audience security, fencing, adequate work light, dumpster accessibility, a secure office for PYRO personnel within the venue, secure parking for PYRO vehicles, access to washrooms, tents, equipment storage, hazmat storage, electrical power, fire suppression equipment, access to worksites, necessary credentialing, etc., will be required as necessary.

PYRO - SPECTACULARS - NORTH INC.

5301 LANG AVE.
 McCLELLAN, CA 95652
 (916) 640.0173

DATE	INVOICE #
1/24/2024	N 400

BILL TO
<p>City of Grass Valley Tim Kiser 125 East Main St. Grass Valley, CA 95945</p>

SHIP TO

DESCRIPTION	AMOUNT
<p>INITIAL PRODUCTION FEE FOR SPECIAL FIREWORKS DISPLAY PROGRAM "A" ON July 4, 2024</p> <p>PAYMENT DUE April 1, 2024</p> <p>FINAL PAYMENT DUE WILL BE INVOICED AT A LATER DATE</p>	<p>\$11,300.00</p>
<p>Total \$11,300.00</p>	



City of Grass Valley City Council Agenda Action Sheet

Title: Adoption of updated job descriptions for all peace officer classes

Recommendation: Approve the attached updated job descriptions for all peace officer job classes in the City

Prepared by: Chief Alex Gammelgard

Council Meeting Date: March 12, 2024

Date Prepared: March 8, 2024

Agenda: Consent

Background Information: Senate Bill 2, commonly known as the “peace officer decertification bill” became law after it was signed by the Governor, enacting a set of rules related to investigation, reporting, and ultimately, in some cases, decertification of California peace officers for sustained findings of serious misconduct, as defined.

In the past, peace officer job descriptions have not mentioned the requirements to hold a valid Peace Officers Standards and Training (POST) basic certificate from the State of California POST Commission as a condition of employment. This was because, prior to SB2, once issued, the certificate could not be revoked, suspended, or surrendered.

The purpose of this council action is to update all City job descriptions for peace officers (of all ranks) to:

- Add language related to SB2 that requires, in order to hold a peace officer position, that the employee maintain a valid POST certificate.
- Update antiquated language of job descriptions that have not been updated in decades to be more contemporary, eliminating, for example, gender specific language and/or antiquated words like “briefcase” etc.

Police Department management has met and conferred with affected member units including labor unit 6, unit 1, and contract staff.

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

Fiscal Impact: None

Funds Available: N/A

Account #: N/A

Reviewed by:

Attachments: Copies of each job description to be adopted.



POLICE CHIEF

Department: Police

FSLA Status: Exempt

Reports To: City Manager

Unit: Executive Service

SUMMARY OF JOB PURPOSE

Performs highly responsible and professional work on planning, organizing, and directing the activities of the Police Department in law enforcement and the prevention of crime. Performs other work as required.

SUPERVISION RECEIVED AND EXERCISED

Works under the general direction of the City Manager. Exercises supervision over sworn, professional, and clerical personnel as assigned.

ESSENTIAL FUNCTIONS (includes but is not limited to listed tasks)

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

Depending upon assignment, duties may include, but are not limited to the following:

- Plans, organizes, directs, and coordinates the activities of Police Department personnel in preserving order, protecting life and property, and enforcing laws and municipal ordinances.
- Formulates and enforces rules, procedures, and policies for efficient operation of the department.
- Recommends appointments and promotion; develops and places into effect a program of in-service training.
- Evaluates employee performance and tasks or recommends appropriate disciplinary action.
- Directs record-keeping activities and the preparation of reports.
- Composes and reviews correspondence.
- Prepares budget estimates and controls budget expenditures.
- Recommends purchase of equipment and supplies.
- Provides City officials with periodic reports showing the number and types of arrests and other data as required.
- Submits reports and information to State and Federal authorities and to other law enforcement agencies.

This job description indicates in general the nature and levels of work, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent.

It is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. The City of

Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



POLICE CHIEF

- Attends county, area and State police conferences and meetings.
- Establishes and maintains cooperative working relationships with peace officers in other law enforcement agencies.
- Ensures compliance with all applicable State and Federal regulations and mandates.
- Serves on committees doing community project work.
- Meets the public and works with various officials and citizens in furthering the public relations program of the department and the City.
- Performs related duties like the above in scope and function and required.

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

Knowledge of:

- Principles, practices and techniques of police administration, organization, and operation, and their applicability to specific situations.
- Technical and administrative phases of crime prevention and law enforcement, including investigation and identification, patrol, traffic control and safety, juvenile delinquency control, record keeping, and care and custody of persons and property.
- Laws, ordinances, and regulations affecting the work of the department.

Ability to:

- Testify under oath
- Plan, direct, and coordinate the work of the Police Department.
- Formulate, place in effect, and administer sound departmental policy.
- Establish and maintain effective working relationships with public officials, employees, and the general public.

EDUCATION AND EXPERIENCE

- Graduation from an accredited four-year college or university with a major in Public Administration, Criminology, Sociology, or related field.
- POST Advance Certificate and graduation from a recognized command school is highly desirable.

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



POLICE CHIEF

- Must maintain a valid California POST Certificate

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL DEMANDS

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

- The Chief must be found to be free from any physical, emotional, or mental condition which might affect the ability of the officer to perform essential job functions. Physical condition shall be evaluated by a licensed physician and surgeon, and the emotional and mental condition shall be evaluated by a licensed psychologist who has a doctoral degree in psychology and at least five years of post-graduate experience in the diagnosis and treatment of emotional and mental disorders. The medical examination which includes the psychological examination will only be given after all other testing for the position has been successfully completed and a conditional offer of employment has been given to the applicant.
- Maintain fitness for duty as established by departmental standards and others as listed above.

RESIDENCY REQUIREMENT

Must reside within 30 nautical miles of the City of Grass Valley Corporate Limits within 1 year from date of appointment.

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



DEPUTY POLICE CHIEF

Department: Police

FSLA Status: Exempt

Reports To: Chief of Police

Unit: Executive Service

SUMMARY OF JOB PURPOSE

Under general direction, assists the Chief of Police in administering, planning, organizing, coordinating and directing the operations and activities of the Police Department; in the absence of the Chief, assumes the responsibilities of the Chief as needed; and performs related work as required.

This single position classification is the second highest sworn rank in the Police management team and the incumbent serves at the will of the Chief of Police/City Manager.

DISTINGUISHING CHARACTERISTICS

The City of Grass Valley Deputy Police Chief is a member of the management staff. As such, his/her duties include assisting in long and short range planning, organizing various programs including, but not limited to, crime prevention, citizen engagement, community relations and quality of service. The position of Deputy Police Chief is responsible for administering and developing training programs for police officers to comply with state law and California Peace Officers Standards and Training (POST) as well as ensuring department compliance with DOJ reporting, among other mandates. The Deputy Police Chief is also responsible for conducting or overseeing complex criminal investigations and personnel investigations. He/she oversees policy development and adherence as well as the responsibility to manage police operations, staff, and functions. The Deputy Police Chief oversees staff who make mandatory and regular reports to State and Federal agencies in adherence to laws and statutes and also coordinates administrative activities of the Police Department to ensure efficient and effective operations, among other responsibilities. The Deputy Police Chief is the second in command officer of the agency and in the absence of the Chief of Police, the Deputy Police Chief is the executive officer of the Department.

SUPERVISION RECEIVED AND EXERCISED

Direct supervision is provided by the Chief of Police. Supervisory responsibility entails direct supervision of the Police Lieutenant(s) and/or Police Captain(s) as well as direct and indirect supervision of other departmental staff.

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



DEPUTY POLICE CHIEF

ESSENTIAL FUNCTIONS (includes but is not limited to listed tasks)

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

Depending upon assignment, duties may include, but are not limited to the following:

- Ability to perform those duties assigned to any rank of a lower level
- Performs functions of Police Captain in the absence of such personnel
- Assists in developing departmental policies and long range plans
- Recommends priorities for department resource allocations
- Assists in developing and administering the department budget
- Assists the Chief of Police in achieving the overall objectives of efficiency, economy and effectiveness by promoting cost effective management practices
- Directs the investigation of public or internal complaints pertaining to activities of employees of the Police Department
- Directs the preparation of policies and procedures and coordinates the activities of the Police Department with other law enforcement agencies, city departments, service providers, and other entities
- Performs Peace Officer duties as required
- Ensures staff training, personnel development, and equipment acquisition
- Possess tactical knowledge and ability to apply sound tactical decisions; review operational plans and contracts for special events or services; assume Incident Command for critical incidents and major events when needed
- Maintains personal contact with members of the community and ensure the same is being carried out by personnel
- Fulfills administrative responsibilities assigned by the Chief of Police
- Makes recommendations regarding the appointment of personnel; conducts performance evaluations; implement discipline procedures as required; maintains discipline and high standards necessary for the efficient and professional operation of the Police Department.
- Performs other duties as assigned
- Act as the executive officer in-charge in the absence of the Chief of Police

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

This job description indicates in general the nature and levels of work, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent.

It is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. The City of

Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



DEPUTY POLICE CHIEF

Knowledge of:

- Criminal law, codes, ordinances and court interpretations pertaining to the rights of citizens, apprehension, arrest, search and seizure, and rules of evidence
- Principles and practices of law enforcement patrol, traffic enforcement, crime prevention, investigations, apprehension, civil process, and arrest
- Principles and practices of personnel administration
- Administrative principles and practices, including goals and objectives development, work planning and organization, and employee supervision, training and development
- Principles and practices of budget development and administration
- Current Federal, State and city laws and policies regarding employer-employee relations
- Local government organizations and functions as related to public safety

Skill in:

- Analyzing problems, identifying alternative solutions, projecting consequences of proposed actions and implementing recommendations in support of goals
- Analyzing situations and adopting effective courses of action, often in stressful, emergency situations
- Developing effective long term goals and action plans
- Coordinating the work of large function units
- Planning, organizing, directing and evaluating the work of others
- Gaining cooperation through discussion and persuasion
- Effectively administering a variety of law enforcement activities
- Preparing and administering a large and complex budget
- Selecting, supervising, training and evaluating assigned staff
- Communicating clearly and concisely, both verbally and in writing
- Establishing and maintaining cooperative working relationships with those contacted in the course of work

Ability to:

- Supervise, train, and evaluate assigned staff
- On a continuous basis, know and understand all aspects of a sworn Police Officer's job; analyze budget and technical reports; interpret and evaluate staff reports; know laws, regulations and codes; observe performance and evaluate staff; problem solve department related issues; remember accounts given by witnesses; identify crime suspects; interpret and apply the law to field situations;

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Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



DEPUTY POLICE CHIEF

- and explain and interpret laws and policy
- Analyze situations quickly and objectively and determine a proper course of action
- Communicate clearly and concisely, both orally and in writing
- Properly interpret and make decisions in accordance with laws, regulations, and policies
- Recommend improvements in department operation and in the rules, regulations, and policies governing the Department
- Coordinate outside agency service requests
- On a continuous basis, sit at desk and in meetings for long periods of time; intermittently twist to reach equipment surrounding desk; perform simple and power grasping and fine manipulation; push, pull, climb, run and walk; use telephone, and communicate through written means; continuously wear utility belt and other police equipment
- Interact with a diverse community, show compassion, and build consensus in developing approaches to police services
- Develop and implement comprehensive plans to provide effective community based police services; interpret and explain laws as well as department policies and procedures
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals
- Gain cooperation through discussion and persuasion
- Interpret and apply Federal, State and local policies, procedures, laws, regulations and Police Department General Orders
- Prepare and administer a budget
- Manipulate firearms and emergency vehicles under stressful conditions in a safe and legal manner
- Operate and use modern office equipment including computers and applicable software
- Establish and maintain effective working relationships with those contacted in the course of work
- Communicate clearly and concisely, both orally and in writing including the preparation and delivery of public presentations

EDUCATION, EXPERIENCE AND LICENSES:

1. Must have four years of progressively responsible police experience as a police supervisor and/or manager, preferably in a municipal police agency
2. Completion of a Bachelor's Degree from an accredited college or university in police science, public or business administration or a related field required

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DEPUTY POLICE CHIEF

3. Graduate of the F.B.I. National Academy or California POST Command College preferred
4. Possession of a POST Advanced certificate
5. Possession of a POST Management Certificate or within 2 years of appointment
6. Must have an acceptable driving record and possess and appropriate and valid California Driver's License
7. Must maintain a valid California POST Certificate

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL REQUIREMENTS

The Deputy Police Chief must be found to be free from any physical, emotional, or mental condition which might affect the ability of the officer to perform essential job functions. Physical condition shall be evaluated by a licensed physician and surgeon, and the emotional and mental condition shall be evaluated by a licensed psychologist who has a doctoral degree in psychology and at least five years of post-graduate experience in the diagnosis and treatment of emotional and mental disorders. The medical examination which includes the psychological examination will only be given after all other testing for the position has been successfully completed and a conditional offer of employment has been given to the applicant.

Maintain fitness for duty as established by departmental standards and others as listed above.

RESIDENCY REQUIREMENT

Must reside within 30 nautical miles of the City of Grass Valley Corporate Limits within 1 year from date of appointment. The Chief of Police shall have the discretion to permit sworn employees to live further than 30 air miles from the City limits when, in the Chief's opinion, the officer will be capable of responding in an emergency in a reasonable period of time.

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



POLICE LIEUTENANT

Department: Police

FSLA Status: Exempt

Reports To: Chief of Police or Designee

Unit: Contract (At Will)

SUMMARY OF JOB PURPOSE

To plan, direct, and supervise police and operational activities and to provide responsible and technical staff assistance to the Department; supervise the associated activities under the administrative direction of the Chief of Police or Police Captain.

DISTINGUISHING CHARACTERISTICS

The Grass Valley Police Lieutenant is a member of the management staff. As such, his/her duties include assisting in planning, organizing various programs including, but not limited to, crime prevention, citizen engagement, and community relations. The Lieutenant position is tasked with the daily directing, assisting, and controlling of departmental operational activities, as well as other department activities where assigned. Activities include, but are not limited to, the following: regular and directed patrol, traffic enforcement and education, reserve officer program, parking enforcement, education, animal control operations and services, special events, permit review, citizen complaint and investigation, media relations, court liaison, facilities management, crime prevention, crime analysis, and the volunteer program among others.

SUPERVISION RECEIVED AND EXERCISED

General and direct supervision is provided by the Chief of Police and/or the Police Captain. Supervisory responsibility entails direct supervision of Police Sergeants and direct and indirect supervision of other department staff.

ESSENTIAL FUNCTIONS (includes but is not limited to listed tasks)

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

Depending upon assignment, duties may include, but are not limited to the following:

- Ability to perform those duties assigned to the rank of Police Sergeant
- Fulfill administrative responsibilities assigned by the Chief of Police and/or Police Captain.
- Responsibilities include direct supervision of sworn and non-sworn personnel as assigned.

This job description indicates in general the nature and levels of work, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent.

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Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



POLICE LIEUTENANT

- In addition to those duties assigned to lower ranking officers, a Lieutenant must possess knowledge of Department policies, local ordinances, State and Federal laws.
- Assist in the development and implementation of objectives, policies, and procedures relating to patrol, administrative and investigative activities.
- Serve as the operational supervisor of patrol and related field activities; assign, assist, review, supervise, and evaluate the work of all personnel assigned to the patrol and investigative divisions.
- Analyze and recommend improvements in organizational policies and procedures, staffing, and practices.
- Conduct staff and community meetings.
- Identify training needs and recommend specific training requirements of sworn personnel; assist in training coordination.
- Review crime and other statistical information; identify trends and develop appropriate policies and programs.
- Review the work of subordinates to ensure compliance with Departmental policies and procedures.
- Assist in administrative responsibilities involving the Department's budgeting, purchasing and personnel functions and conduct special studies of Department functions.
- Conduct training programs in the various phases of police activities.
- Conduct internal affairs investigations as assigned; interface with citizens related to service delivery complaints and/or citizen complaints; respond to citizen complaints against officers and procedures; respond to inquiries from citizens and outside agencies. Assist in coordinating police activities with other City departments and divisions, and with outside agencies.
- May serve as a watch commander or backup on patrol activities.
- Assist in developing information for the preparation of the department budget requests.
- In addition to those duties assigned by the Chief of Police or Police Captain, the Lieutenant shall assume those duties assigned to the rank of Sergeant when necessary.
- Supervise, train, and evaluate assigned staff and provide leadership by example.
- Perform other duties as assigned.
- Act as the executive officer of the Department when designated.

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



POLICE LIEUTENANT

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

Knowledge of:

- Contemporary law enforcement principles, practices, techniques, and programs.
- Principles and practices of organization, administration, budget, and personnel management.
- Rules of evidence, rights of citizens, laws pertaining to search, seizure and arrest and court procedures; pertinent local, State, and Federal rules, regulations, and laws
- Department rules and regulations.
- Functions and objectives of Federal, State, and other local law enforcement agencies.
- Disciplinary action processing, citizen complaint processing, budget expenditure procedures, tactical team supervision, and media liaison.
- Modern office equipment and applicable computer applications
- Safe working practices and risk management

Ability to:

- Supervise, train, and evaluate assigned staff.
- Analyze situations quickly and objectively and determine a proper course of action.
- Communicate clearly and concisely, both orally and in writing.
- Properly interpret and make decisions in accordance with laws, regulations, and policies.
- Recommend improvements in department operation and in the rules, regulations, and policies governing the Department.
- Coordinate outside agency service requests.
- On a continuous basis, know and understand all aspects of a sworn Police Officer's job; analyze budget and technical reports; interpret and evaluate staff reports; know laws, regulations, and codes; observe performance and evaluate staff; problem solve department related issues; remember accounts given by witnesses; identify crime suspects; interpret and apply the law to field situations; and explain and interpret laws and policy.

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



POLICE LIEUTENANT

- On a continuous basis, sit at desk and in meetings for long periods of time; intermittently twist to reach equipment surrounding desk; perform simple and power grasping and fine manipulation; push, pull, climb, run and walk; use telephone, and communicate through written means; continuously wear utility belt and other police equipment Interact with a diverse community and different expectations of police services, show compassion and build consensus in developing approaches to police services, grasping and fine manipulation; push, pull, climb, run and walk; use telephone, and communicate through written means; continuously wear utility belt and other police equipment, interact with a diverse community, show compassion, and build consensus in developing approaches to police services.
- Develop and implement comprehensive plans to provide effective community-based police services; interpret and explain laws as well as department policies and procedures.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Gain cooperation through discussion and persuasion.
- Interpret and apply Federal, State, and local policies, procedures, laws, regulations, and Police Department General Orders.
- Supervise, train, and evaluate personnel.
- Manipulate firearms and emergency vehicles under stressful conditions in a safe and legal manner.
- Operate and use modern office equipment including computers and applicable software.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Communicate clearly and concisely, both orally and in writing including the preparation and delivery of public presentations.
- Apply and uphold the Department and City-wide goals.

EXPERIENCE, EDUCATION, LICENSE, AND CERTIFICATE

Experience: Must have six years of responsible experience in law enforcement with a public agency, 1 or more as sergeant or similar supervisory position.

Education: Must possess a bachelor's degree from an accredited college or university in police science or related field of study.

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POLICE LIEUTENANT

License(s): Due to the performance of field duties, which require the operation of a personal or City vehicle, a valid and appropriate California driver’s license and an acceptable driving record are required.

Certificate(s):

- Must possess and maintain a current POST Basic certificate.
- Must possess a POST Advanced Certificate.
- Must possess or obtain a POST Management certificate within two years of appointment.

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL DEMANDS

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

The Lieutenant must be found to be free from any physical, emotional, or mental condition which might affect the ability of the officer to perform essential job functions. Physical condition shall be evaluated by a licensed physician and surgeon, and the emotional and mental condition shall be evaluated by a licensed psychologist who has a doctoral degree in psychology and at least five years of post-graduate experience in the diagnosis and treatment of emotional and mental disorders. The medical examination which includes the psychological examination will only be given after all other testing for the position has been successfully completed and a conditional offer of employment has been given to the applicant.

Maintain fitness for duty as established by departmental standards and others as listed above.

RESIDENCY REQUIREMENT

Sworn employees shall live no further than 30 air miles from the City limits. The Chief of Police shall have the discretion to permit sworn employees to live further than 30 air miles from the City limits when, in the Chief’s opinion, the officer will be capable of responding in an emergency in a reasonable period of time.

This job description indicates in general the nature and levels of work, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent.

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**City of Grass Valley
JOB DESCRIPTION**

Item # 7.



POLICE LIEUTENANT

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POLICE CAPTAIN

Department: Police

FSLA Status: Exempt

Reports To: Chief of Police or Designee

Unit: 1, Full-Time Position

SUMMARY OF JOB PURPOSE

To plan, organize, direct, coordinate and supervise the activities associated with the administrative division within the Police Department including investigations, marketing, training, community relations, crime prevention, and risk management among others; to coordinate Police Department activities with other divisions and departments; and to provide highly responsible and complex staff assistance to and under the direction of the Chief of Police.

DISTINGUISHING CHARACTERISTICS

The City of Grass Valley Police Captain is a member of the management staff. As such, his/her duties include assisting in long- and short-range planning, organizing various programs including, but not limited to, crime prevention, citizen engagement, and community relations. The position of Captain is responsible for administering and developing training programs for police officers to comply with State law and California Peace Officers Standards and Training (POST) as well as ensuring Department compliance with DOJ reporting and compliance, among other mandates. The Captain is also responsible for conducting or overseeing complex criminal investigations and personnel investigations. He/she oversees policy development and adherence as well as the responsibility to manage police evidence and staff. The Captain oversees staff who make mandatory and regular reports to State and Federal agencies in adherence to laws and statutes and also coordinates administrative activities of the Police Department to ensure efficient and effective operations, among other responsibilities. The Captain is the second in command officer of the agency and in the absence of the Chief of Police, the Captain is the executive officer of the Department.

SUPERVISION RECEIVED AND EXERCISED

Direct supervision is provided by the Chief of Police. Supervisory responsibility entails direct supervision of the Police Lieutenant and direct and indirect supervision of other departmental staff.

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



POLICE CAPTAIN

ESSENTIAL FUNCTIONS (includes but is not limited to listed tasks)

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

Depending upon assignment, duties may include, but are not limited to the following:

- Ability to perform those duties assigned to the rank of Police Lieutenant.
- Fulfill administrative responsibilities assigned by the Chief of Police.
- Plan, organize, and assist in the development and implementation of an organizational philosophy with an emphasis on community policing, enforcement efforts, and internal supervision and mentoring.
- Maintain personal contact with members of the community and ensure the same is being carried out by personnel.
- Possess tactical knowledge and ability to apply sound tactical decisions; review operational plans and contracts for special events or services; assume Incident Command for critical incidents and major events when needed.
- Understanding of budget preparation and administration including budget forecasting and analysis.
- Process citizen complaints and reporting.
- Ensure staff training, personnel development, and equipment acquisition.
- Make recommendations regarding the appointment of personnel; conduct performance evaluations; implement discipline procedures as required; maintain discipline and high standards necessary for the efficient and professional operation of the Police Department.
- Direct and coordinate departmental file and record retention, sealing, and purging pursuant to court order, state law, or City process.
- Ensure sound evidence practices and provide supervision and oversight related to evidence collection, booking, processing, storage, requests, and disposition and destruction.
- Ensure the day-to-day functioning of the department's Records Management and Computer Aided Dispatch System(s), On-Officer or similar camera/audio systems, data message switches, telephone, system(s), CLETS systems, link(s) to other department information management systems, and related systems.
- Review and analyze reports from subordinates, calls for service, crime data and other reports and activities; determine trends and make recommendations for

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Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



POLICE CAPTAIN

changes in organization and/or operating procedures and policies, short and long term.

- Review all disciplinary issues, complaints from citizens, and personnel investigations to ensure compliance with Peace Officer Bill of Rights and State reporting requirements; address and resolve issues.
- Research and prepare technical and administrative reports; prepare written correspondence.
- Build and maintain positive working relationships with co-workers, other City employees, and the public using principles of good customer service.
- May serve as a watch commander or backup on patrol activities.
- Perform other duties as assigned.
- Act as the executive officer in-charge in the absence of the Chief of Police.

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

Knowledge of:

- Contemporary law enforcement principles, practices, techniques, and programs.
- Rules of evidence, rights of citizens, laws pertaining to search, seizure and arrest and court procedures; pertinent local, State, and Federal rules, regulations, and laws
- Principles and practices of leadership, motivation, team building and conflict resolution.
- Citizen complaint processing and reporting.
- Budget, expenditure, and acquisition procedures.
- Use of firearms and other modern police equipment and communications and information systems.
- Department rules and regulations.
- Media sources, communication, and dissemination
- Safe working practices and risk management
- Modern office equipment and applicable computer applications
- Principles and practices of customer service.

Ability to:

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POLICE CAPTAIN

- Supervise, train, and evaluate assigned staff.
- Analyze situations quickly and objectively and determine a proper course of action.
- Communicate clearly and concisely, both orally and in writing.
- Properly interpret and make decisions in accordance with laws, regulations, and policies.
- Recommend improvements in department operation and in the rules, regulations, and policies governing the Department.
- Coordinate outside agency service requests.
- On a continuous basis, know and understand all aspects of a sworn Police Officer's job; analyze budget and technical reports; interpret and evaluate staff reports; know laws, regulations, and codes; observe performance and evaluate staff; problem solve department related issues; remember accounts given by witnesses; identify crime suspects; interpret and apply the law to field situations; and explain and interpret laws and policy.
- On a continuous basis, sit at desk and in meetings for long periods of time; intermittently twist to reach equipment surrounding desk; perform simple and power grasping and fine manipulation; push, pull, climb, run and walk; use telephone, and communicate through written means; continuously wear utility belt and other police equipment
- Interact with a diverse community, show compassion, and build consensus in developing approaches to police services.
- Develop and implement comprehensive plans to provide effective community-based police services; interpret and explain laws as well as department policies and procedures.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Gain cooperation through discussion and persuasion.
- Interpret and apply Federal, State, and local policies, procedures, laws, regulations, and Police Department General Orders.
- Prepare and administer a budget.
- Supervise, train, and evaluate personnel.
- Manipulate firearms and emergency vehicles under stressful conditions in a safe and legal manner.
- Operate and use modern office equipment including computers and applicable software.

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



POLICE CAPTAIN

- Establish and maintain effective working relationships with those contacted in the course of work.
- Communicate clearly and concisely, both orally and in writing including the preparation and delivery of public presentations.
- Apply and uphold the Department and City-wide goals.

EXPERIENCE, EDUCATION, LICENSE, AND CERTIFICATE

- Graduate of the F.B.I. National Academy or California POST Command College preferred.
- Possession of a POST Advanced certificate.
- Possession of a POST Management Certificate or within 2 years of appointment

Experience: Must have four years of progressively responsible police experience as a police supervisor and/or manager, preferably in a municipal police agency.

Education: Must possess a bachelor's degree from an accredited college or university in police science, public or business administration or a related field.

License(s): Due to the performance of field duties, which require the operation of a personal or City vehicle, a valid and appropriate California driver's license and an acceptable driving record are required.

Certificate(s):

- Must possess and maintain a current POST Basic certificate.
- Must possess a POST Advanced Certificate.
- Must possess or obtain a POST Management certificate within two years of appointment.

Other: Graduate of the F.B.I. National Academy, California POST Command College, or completion similar leadership training is preferred.

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL DEMANDS

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



POLICE CAPTAIN

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

The Captain must be found to be free from any physical, emotional, or mental condition which might affect the ability of the officer to perform essential job functions. Physical condition shall be evaluated by a licensed physician and surgeon, and the emotional and mental condition shall be evaluated by a licensed psychologist who has a doctoral degree in psychology and at least five years of post-graduate experience in the diagnosis and treatment of emotional and mental disorders. The medical examination which includes the psychological examination will only be given after all other testing for the position has been successfully completed and a conditional offer of employment has been given to the applicant.

Maintain fitness for duty as established by departmental standards and others as listed above.

RESIDENCY REQUIREMENT

Sworn employees shall live no further than 30 air miles from the City limits. The Chief of Police shall have the discretion to permit sworn employees to live further than 30 air miles from the City limits when, in the Chief's opinion, the officer will be capable of responding in an emergency in a reasonable period of time.

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



POLICE SERGEANT

Department: Police

FSLA Status: Non-Exempt

Reports To: Police Lieutenant

Unit: 6, Full-time Position

SUMMARY OF JOB PURPOSE

Police Sergeant is the first-level, permanent supervisory position within the chain of command of the Police Department.

DISTINGUISHING CHARACTERISTICS

The Police Sergeant plays a critical leadership role within the Grass Valley Police Department, ensuring the efficient and effective delivery of law enforcement services. The Sergeant will oversee and manage a team of police officers and support staff, and will be responsible for supervising daily operations, ensuring adherence to departmental policies and procedures, and maintaining a high standard of professionalism.

SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by a Police Lieutenant; exercises direct supervision over Police Officers, Detectives, and civilian personnel.

ESSENTIAL FUNCTIONS (includes but is not limited to listed tasks)

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address department needs and changing department practices. Duties may include, but are not limited to the following:

- In addition to those essential duty responsibilities assigned to a Police Officer II or a duty assigned Corporal, a Sergeant's essential duty responsibilities include direct supervision of other sworn and non-sworn personnel.
- Supervise law enforcement activities during an assigned shift.
- Maintain discipline and ensure that Department rules and policies are followed.
- Coordinate and assist officers in follow-up investigations and personally participate in investigations including the routine gathering of evidence, questioning of witnesses, and the apprehension of suspects.
- Participate in all normal shift activities including enforcing local and state laws, issuing citations, making arrests, administering first aid, and transporting prisoners.

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

Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



POLICE SERGEANT

- Assist officers in preparing reports in cases scheduled for trial and personally appear in court to present evidence and testimony, as required.
- Confer with prosecutors and maintain contact with other law enforcement agencies.
- Review reports submitted by officers.
- Conduct in-service training.
- Prepare reports of shift activity as needed.
- Interview victims, complainants, witnesses, and suspects.
- Contact and cooperate with other law enforcement agencies in matters relating to the investigation of crimes and the apprehension of offenders.
- Assume administrative responsibilities involving the Department's personnel and communications functions, personnel scheduling, and maintenance of a variety of department records.
- Supervise CSO activities and parking enforcement.
- Analyze and synthesize a variety of data concerning Department activities and prepare reports and statistics as needed.
- Respond to citizen complaints and requests for information.
- Participate in Department public relations program.
- Participate in the development of department policies and procedures.
- Supervise, train, and evaluate assigned staff.
- Perform other related duties as assigned.

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential duties satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

Knowledge of:

- Police methods and procedures, including patrol, crime prevention, traffic control, investigation, identification techniques, police equipment, police records, police reports, and first aid techniques.
- Department rules and regulations.
- Criminal law with reference to the apprehension, arrest, and custody of persons committing misdemeanors and felonies, including rules of evidence pertaining to the

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POLICE SERGEANT

search, seizure, preservation, and presentation of evidence in traffic and criminal cases.

- Principles and practices of supervision and training.
- Civil liability issues in police conduct.
- Tactical and Officer safety procedures.

Ability to:

- Deploy personnel effectively.
- Direct personnel in their work and advise them on technical police problems.
- Assess the capabilities and limitations of operating units in the Police Department to facilitate proper utilization.
- Communicate clearly and concisely, both orally and in writing.
- Prepare accurate and comprehensive reports.
- Analyze law enforcement situations and adopt effective programs for action.
- Plan and coordinate the work of subordinates.
- Effectively and tactfully counsel, mentor, and develop employees.
- Conduct interviews and interrogations.
- Recognize commendable work performed by employees and document it appropriately.
- Appear for work on time.
- Follow directions from a supervisor.
- Understand and follow work rules and procedures.
- Accept constructive criticism.
- Establish and maintain effective relationships with the public and fellow employees.
- This position may be required to work overtime hours as needed.

EXPERIENCE, EDUCATION, LICENSE, and CERTIFICATE

Experience: A Sergeant must have at least four years of responsible experience in law enforcement with a public agency.

Education: Completion of an AA or higher degree at time of appointment.

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POLICE SERGEANT

License(s): Due to the performance of field duties, which require the operation of a personal or City vehicle, a valid and appropriate California driver's license and an acceptable driving record are required.

Certificate(s): Must possess and maintain a current POST Basic certificate.

ADDITIONAL REQUIREMENTS

- Legally authorized under federal law to work in the United States.
- Minimum age at time of appointment is 21 years.
- Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- Be of good moral character, as determined by a thorough background investigation.
- Be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.
- Criminal record must be free from conviction of any felony or misdemeanor involving moral turpitude or domestic violence, and from an excessive number of citations for traffic violations. Background history should indicate responsibility, dependability, honesty, integrity, acceptable communication skills, good judgment, and the ability to relate well to others.

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL REQUIREMENTS AND ENVIRONMENTAL WORKING CONDITIONS:

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

Environment: Reactive emergency, natural or man-made disaster, and routine peace keeping environments with travel from site to site. The employee is regularly exposed to outside weather conditions; occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, risk of electrical shock, risk of radiation, and vibration; potentially hostile environments; extensive public contact. The noise level in the work environment is usually moderate but may be very loud due to sirens, firearm training,

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POLICE SERGEANT

etc. Incumbents required to work various shifts, including evenings and weekends, and may be required to travel outside City boundaries to attend meetings.

Physical: Primary functions require sufficient physical ability to work in a law enforcement setting and an office setting; restrain or subdue individuals; walk, stand, sit, or run for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; occasionally climb and balance; regularly push, pull, lift, and/or carry light to moderate weights; frequently lift and/or move moderate to heavy weights; occasionally lift and/or move heavy weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information; ability to operate a vehicle to travel to various locations; ability to operate and use specialized law enforcement tools and equipment including guns and handcuffs.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

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

- The Police Sergeant must be found to be free from any physical, emotional, or mental condition which might affect the ability of the officer to perform essential job functions. Physical condition shall be evaluated by a licensed physician and surgeon, and the emotional and mental condition shall be evaluated by a licensed psychologist who has a doctoral degree in psychology and at least five years of post-graduate experience in the diagnosis and treatment of emotional and mental disorders. The medical examination which includes the psychological examination will only be given after all other testing for the position has been successfully completed and a conditional offer of employment has been given to the applicant.
- The Police Sergeant must maintain fitness for duty as established by departmental standards and others as listed above.

RESIDENCY REQUIREMENT

Must be a U.S. citizen, permanent resident alien or have applied for citizenship. Upon academy completion, sworn employees shall live no further than 30 air miles from the City limits. The Chief of Police shall have the discretion to permit sworn employees to live further

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Grass Valley is an EQUAL OPPORTUNITY EMPLOYER



POLICE SERGEANT

than 30 air miles from the City limits when, in the Chief's opinion, the officer will be capable of responding in an emergency in a reasonable period of time.

DRAFT

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POLICE OFFICER I / POLICE OFFICER II

Department: Police

FSLA Status: Non-Exempt

Reports To: Police Sergeant

Unit: 6, Full-time Position

SUMMARY OF JOB PURPOSE

Under the direction of an assigned supervisor, perform law enforcement and related services to safeguard the lives, property, and constitutional rights of citizens in the City; patrol assigned areas, respond to crime and accident scenes, emergency situations and other requests for assistance; detect, apprehend, and arrest criminals; enforce State and Federal laws; enforce City and County ordinances; and perform a variety of specialized duties as assigned.

DISTINGUISHING CHARACTERISTICS

- Police Officer I is the entry level class in the professional police series requiring sworn police status. Officers in this class have graduated from a Police Academy and possess a POST Academy Graduate Certificate and maintain a valid POST Proof of Eligibility status.
- Police Officer II is the experienced journey level classification in the police officer ranks. Officers in this class possess and maintain a valid POST Basic Certificate. Officers in this class are given complex patrol and investigation assignments and are able to operate with minimal supervision.

SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by a Police Sergeant or Corporal.

ESSENTIAL FUNCTIONS

The following duties are typical for this classification. Incumbents may not perform all the listed duties and/or may be required to perform additional or different duties from those set forth below to address department needs and changing department practices. Depending upon assignment, duties may include, but are not limited to the following:

Police Officer I & II:

- Patrol an assigned area on rotating shifts, in an automobile, other vehicle, or on foot for the prevention of crime and the enforcement of traffic laws and regulations; issue

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POLICE OFFICER I / POLICE OFFICER II

citations; perform security patrols, traffic control, investigations; administer first aid and request medical attention when necessary.

- Investigate crimes including felonies, misdemeanors, and violations of City ordinances; conduct follow-up investigations of crimes committed during assigned shift; seek out and interview victims, witnesses, and suspects; search crime scenes for clues and evidence, collect, package, and preserve evidence.
- Handle emergency situations.
- Detect, pursue, apprehend, and arrest or detain persons involved in crimes or misconduct; confront and arrest violent combative subjects; transport prisoners.
- Patrol City streets, parks, commercial, and residential areas to secure and protect property and to preserve the peace and enforce the law; participate in community crime prevention programs and activities.
- Perform crowd control, regulate vehicle flow at fires, parades, and other incidents or congested situations.
- Respond to hostage situations, barricaded subjects and other extremely hazardous situations; respond to natural and man-made disasters.
- Perform duties in conformance with Federal, State, County, and City laws, regulations, and ordinances.
- Attend and successfully complete required training including firearm qualification.
- Prepare a variety of written reports; operate a department issued computer and other technology.
- Make public appearances and presentations at City Council and other civic organization meetings to actively develop and foster community partnerships.
- Provide information and direction to the public.
- Make presentations at schools; plan and conduct police department tours for students.
- Appear and testify in court when subpoenaed.
- Perform other related duties as required.

Police Officer II:

- In addition to those duties listed above, a Police officer II must possess extensive knowledge of departmental policies and procedures and demonstrate an ability to function with a significant degree of independence.

QUALIFICATIONS

To perform this job successfully, the incumbent must be able to perform each of the essential functions satisfactorily. Reasonable accommodations may be made to enable incumbents with disabilities to perform the essential functions. The requirements listed are representative of the knowledge, skill and/or ability required.

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POLICE OFFICER I / POLICE OFFICER II

Knowledge of:

- Police methods and procedures including patrol, crime prevention, traffic control, investigation, and identification techniques.
- Criminal law and criminal procedures with particular reference to the apprehension, arrest, and custody of persons committing misdemeanors and felonies, including rules of evidence pertaining to search and seizure and preservation of evidence.
- Offensive and defensive weapons nomenclature and theory.
- Basic self-defense tactics.
- Interview techniques and public contact techniques.
- Modern office methods and techniques.

Ability to:

- Communicate clearly and concisely, both orally and in writing.
- Write clear, concise, and comprehensive reports using correct English and grammar.
- Read and understand department policies, instruction, laws, and regulations.
- Interpret and apply laws and regulations.
- Learn standard procedures related to the use of police radio systems.
- Gather and evaluate facts and evidence.
- Draw logical conclusions and make proper recommendations.
- Analyze situations and adopt quick, effective, and reasonable courses of action.
- Qualify in the use of firearms.
- Use and care for a wide variety of police equipment.
- Meet the physical requirements established by the Department.
- Meet and deal with the public tactfully and effectively.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Use computer and related software.
- Effectively problem solve and interact professionally with diverse community members.
- Exercise fairness in all pursuits regardless of a subject's race, ethnicity, nationality, gender, sexual orientation, religion, or disability.

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POLICE OFFICER I / POLICE OFFICER II

EXPERIENCE, EDUCATION, LICENSE, and CERTIFICATE

Experience:

Police Officer I: Must have completed a California POST Basic Academy and be able to complete the Grass Valley Police Department Field Training Program.

Police Officer II: Must have successfully completed a probationary period at a California law enforcement agency and be able to complete the Grass Valley Police Department Field Training Program.

Education: Equivalency to high school graduation. College level coursework or other specialized training in criminal justice, police science, psychology, public administration, or related field is highly desirable.

License(s): Due to the performance of field duties, which require the operation of a personal or City vehicle, a valid and appropriate California driver's license and an acceptable driving record are required.

Certificate(s):

Police Officer I: Must maintain a valid POST Proof of Eligibility status.

Police Officer II: Must possess and maintain a current POST Basic certificate.

ADDITIONAL REQUIREMENTS

- Legally authorized under federal law to work in the United States.
- Minimum age at time of appointment is 21 years.
- Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- Be of good moral character, as determined by a thorough background investigation.
- Be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.

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POLICE OFFICER I / POLICE OFFICER II

- Criminal record must be free from conviction of any felony or misdemeanor involving moral turpitude or domestic violence, and from an excessive number of citations for traffic violations. Background history should indicate responsibility, dependability, honesty, integrity, acceptable communication skills, good judgment, and the ability to relate well to others.

LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance. Effectively present information and respond to questions from managers, employees, and the general public.

PHYSICAL REQUIREMENTS AND ENVIRONMENTAL WORKING CONDITIONS:

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

Environment: Reactive emergency, natural or man-made disaster, and routine peace keeping environments with travel from site to site. The employee is regularly exposed to outside weather conditions; occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, risk of electrical shock, risk of radiation, and vibration; potentially hostile environments; extensive public contact. The noise level in the work environment is usually moderate but may be very loud due to sirens, firearm training, etc. Incumbents required to work various shifts, including evenings and weekends, and may be required to travel outside City boundaries to attend meetings.

Physical: Primary functions require sufficient physical ability to work in a law enforcement setting and an office setting; restrain or subdue individuals; walk, stand, sit, or run for prolonged periods of time; occasionally stoop, bend, kneel, crouch, reach, and twist; occasionally climb and balance; regularly push, pull, lift, and/or carry light to moderate weights; frequently lift and/or move moderate to heavy weights; occasionally lift and/or move heavy weights; operate office equipment including use of computer keyboard; requires a sense of touch, finger dexterity, and gripping with hands and fingers; ability to speak and hear to exchange information; ability to operate a vehicle to travel to various locations; ability to operate and use specialized law enforcement tools and equipment including guns and handcuffs.

Vision: See in the normal visual range with or without correction.

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POLICE OFFICER I / POLICE OFFICER II

RESIDENCY REQUIREMENT

Sworn employees shall live no further than 30 air miles from the City limits. The Chief of Police shall have the discretion to permit sworn employees to live further than 30 air miles from the City limits when, in the Chief's opinion, the officer will be capable of responding in an emergency in a reasonable period of time.

DRAFT

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City of Grass Valley City Council Agenda Action Sheet

Title: Transportation Impact Fees - Fee Program Revisions

CEQA: Not a Project

Recommendation: That Council authorize revised, lower fees for the Single Family Residential land use category for the Grass Valley Transportation Impact Fee (GVTIF) and Regional Transportation Mitigation Fee (RTMF) programs

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

Council Meeting Date: 3/12/2024

Date Prepared: 3/7/2024

Agenda: Consent

Background Information: On August 22, 2023, Council adopted updated fee programs for the Grass Valley Transportation Impact Fee (GVTIF) and Regional Transportation Mitigation Fee (RTMF) after a comprehensive study process. Program updates were performed in coordination with Nevada County Transportation Commission (NCTC) and consultant GHD.

Soon after implementation of the new fees, it was discovered that an error in the calculations led to some residential categories being over charged and some under charged from what the nexus study would support. Fee program experts at GHD have recommended that those categories that are being charged a higher fee (Single Family) should be immediately revised to reflect the accurate amount; as the law allows fees to be set at or below the study supported values, but no higher.

Land use categories that are currently being under charged (Multi Family, Mobile Home and Senior Housing) do not pose a legal concern and City Staff and NCTC plan to begin the update and adoption process in the coming months, to get the revised fees, including an inflationary adjustment, in place for next fiscal year.

The proposed fees to be used for both programs are shown in the excerpt tables below.

Proposed RTMF Fees

Land Use Category	2023 Adopted RTMF Rate	Proposed RTMF Rate - 2024	Difference from 2023 Adopted
Residential			
Single Family House			
Small (<1,500 sq.ft.)	\$4,030	\$3,406	-\$624
Medium (1,500-2,500 sq.ft.)	\$4,868	\$4,115	-\$753
Large (<2,500 sq.ft.)	\$5,396	\$4,561	-\$835

Proposed GVTIF Fees

Land Use Category	2022 GVTIF Rate (Pre AB 602)	2023 Adopted GVTIF Rate	Revised 2024 GVTIF Rate	Difference from 2023 Adopted
	(A)	(B)	(C)	(D) = (C)-(B)
Residential				
Single Family House				
Small (<1,500 sq.ft.)	\$3,850	\$3,293	\$3,090	-\$203
Medium (1,500-2,500 sq.ft.)	\$3,850	\$3,978	\$3,732	-\$246
Large (<2,500 sq.ft.)	\$3,850	\$4,410	\$4,138	-\$272

At this time Staff requests that Council authorize immediate implementation of only the reduced Single Family rates for both GVTIF and RTMF programs.

Council Goals/Objectives: Implementation of the proposed Impact Fees program updates executes portions of work tasks towards achieving/maintaining Goal #2 - Transportation, and Goal #4 - Economic Development and Vitality.

Fiscal Impact: The proposed transportation impact fees are established based on the capital costs for facilities and transportation improvement projects needed to mitigate the impacts of additional development.

Funds Available: N/A

Account #: N/A

Reviewed by: __ City Manager



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

Title: Public Review for the Sphere of Influence (SOI) Plan Update

Recommendation: Receive and File. No formal action required.

Prepared by: Amy Wolfson, City Planner

Council Meeting Date: March 12, 2024

Date Prepared: March 7, 2024

Agenda: Administrative

Background Information: The City Sphere of Influence (SOI) is an area outside the city limit boundaries that is anticipated to be annexed within an approximate 20-year time frame according to policy set by the Nevada County Local Area Formation Commission (LAFCo). LAFCo is required to determine an appropriate SOI for each city and special district based on present and future service needs which are determined through Municipal Service Reviews, the last of which was conducted in 2015. LAFCOs exercise quasi-legislative authority under Government Code Sections 56000-57550 (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 or “CKH”). Under CKH LAFCo’s are required to update an SOI every five years, as necessary.

LAFCo has prepared an SOI update for the City of Grass Valley and is recommending a Negative Declaration (ND) in compliance with the California Environmental Quality Act (CEQA). The ND will be available for public review from March 15, 2024 to April 15, 2024. once the public review period commences, both the SOI update and the ND will be available on the Nevada County LAFCo website: <https://www.nevadacountyca.gov/907/Local-Agency-Formation-Commission-LAFCo>

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

Fiscal Impact: Review of the draft SOI Update and draft ND has been completed with existing staffing resources. No impact to the General Fund will occur.

Reviewed by: Tim Kiser, City Manager

ATTACHMENT:

Attachment 1 - LAFCo Transmittal Letter: 2024 City of Grass Valley Sphere of Influence Update Public Review Period

**Nevada County
Local
Agency
Formation
Commission**

LAFCo
950 Maidu Avenue
P.O. Box 599002
Nevada City, CA 95959-7902
Phone: 530-265-7180
E mail: lafco@nevadacountyca.gov
https://www.mynevadacounty.com/907

Josh Susman, **Chair**
Public

Bob Branstrom
Cities

Hardy Bullock
County

Ricki Heck
Districts

Sue Hoek
County

Gordon Mangel, **Vice-Chair**
Districts

Jan Zabriskie
Cities

Erin Minett
Public Alternate

Gary Peterson
Cities Alternate

Lisa Swarthout
County Alternate

Rich Johansen
Districts Alternate

SR Jones
Executive Officer

P. Scott Browne
Legal Counsel

Deborah Gilcrest
Clerk/Analyst

City Council
City of Grass Valley
125 E. Main Street,
Grass Valley, CA 95945

RE: 2024 City of Grass Valley Sphere of Influence Update Public Review Period

Thank you for the opportunity to provide an Informational Item at your March 12, 2024 City Council meeting related to Nevada County LAFCo's 2024 update of the Sphere of Influence Plan for the City and the upcoming Public Comment Period for the Plan.

As background, a Sphere of Influence (SOI) is a plan for the probable physical boundaries and service area of a local agency, as determined by the Local Agency Formation Commission (LAFCo). Changes to an agency's SOI can be initiated by LAFCo through a comprehensive update, or by an agency through an application for an annexation and sphere amendment for a proposed development project. LAFCo policy requires sphere plans to include annexation phasing by designating sphere areas for Near Term annexation and for Long Term annexation. In addition, Nevada LAFCo policies provide for designation of an Area of Interest, which is a geographic area beyond the sphere in which land use decisions or other governmental actions of another local agency impact directly or indirectly upon the subject local agency.

The City of Grass Valley 2024 Sphere of Influence Plan is an update to the 2011 Sphere Plan, and there are four changes proposed in the update, as detailed below.

- 1. North Star property:** 325 acres in the southern portion of this property would be transferred from the Long Term to the Near Term Sphere. (2 unimproved parcels)

- 2. **Sierra Pines properties:** 24 acres adjacent to City boundaries and the Sierra Pines Mobile Home Park in the Brighton Street area transferred from the Area of Interest to the Near Term Sphere. (1 improved parcel and 1 unimproved parcel)
- 3. **Kenny Ranch properties:** 365 acres located along Rough and Ready Highway transferred from the Long Term Sphere to Area of Interest. (1 improved parcel and 11 unimproved parcels)
- 4. **Nevada Union High School:** 67 acres transferred from the Near Term to the Long Term Sphere (5 improved parcels)

The 30-day Public Comment Period will begin on Friday, **March 15, 2024** and will conclude on Monday, **April 15, 2024**.

The 2024 City of Grass Valley Sphere of Influence (SOI) Plan and associated environmental review document can be downloaded from the LAFCo website at www.mynevadacounty.com/907, or can be viewed at the LAFCo office at the Eric Rood County Administrative Center in Suite 270. Please contact LAFCo staff at 530-265-7180 for more information or to make an appointment to view the documents.

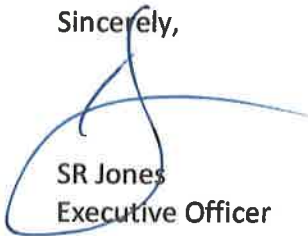
Please submit all public comments by postal mail or e-mail to the following:

LAFCO@nevadacountyca.gov

or

Nevada LAFCO
 950 Maidu Avenue, Suite 270
 Nevada City, CA 95959

Sincerely,

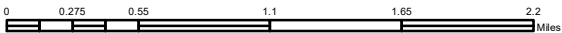
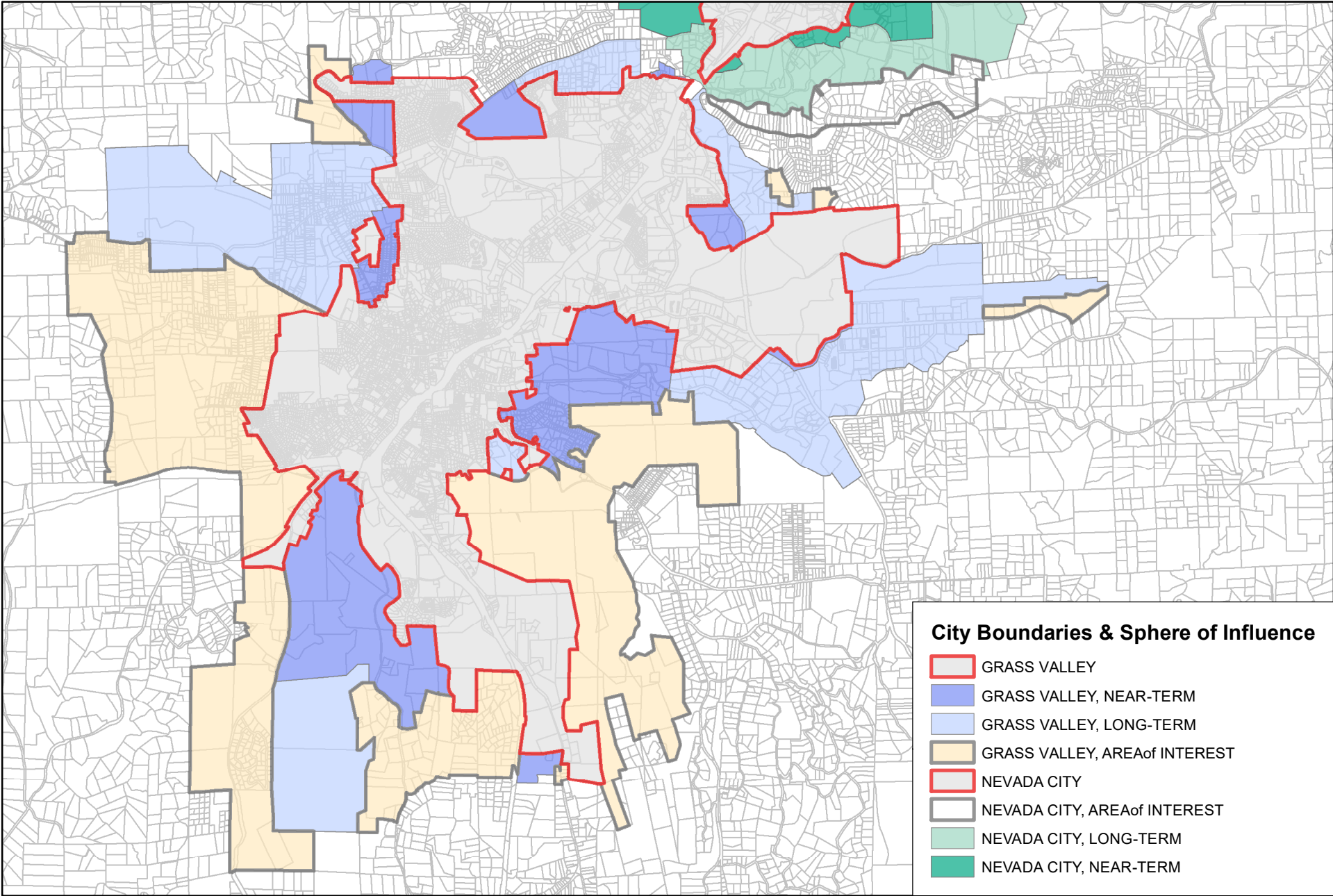


SR Jones
 Executive Officer

ATTACHMENTS:

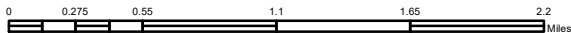
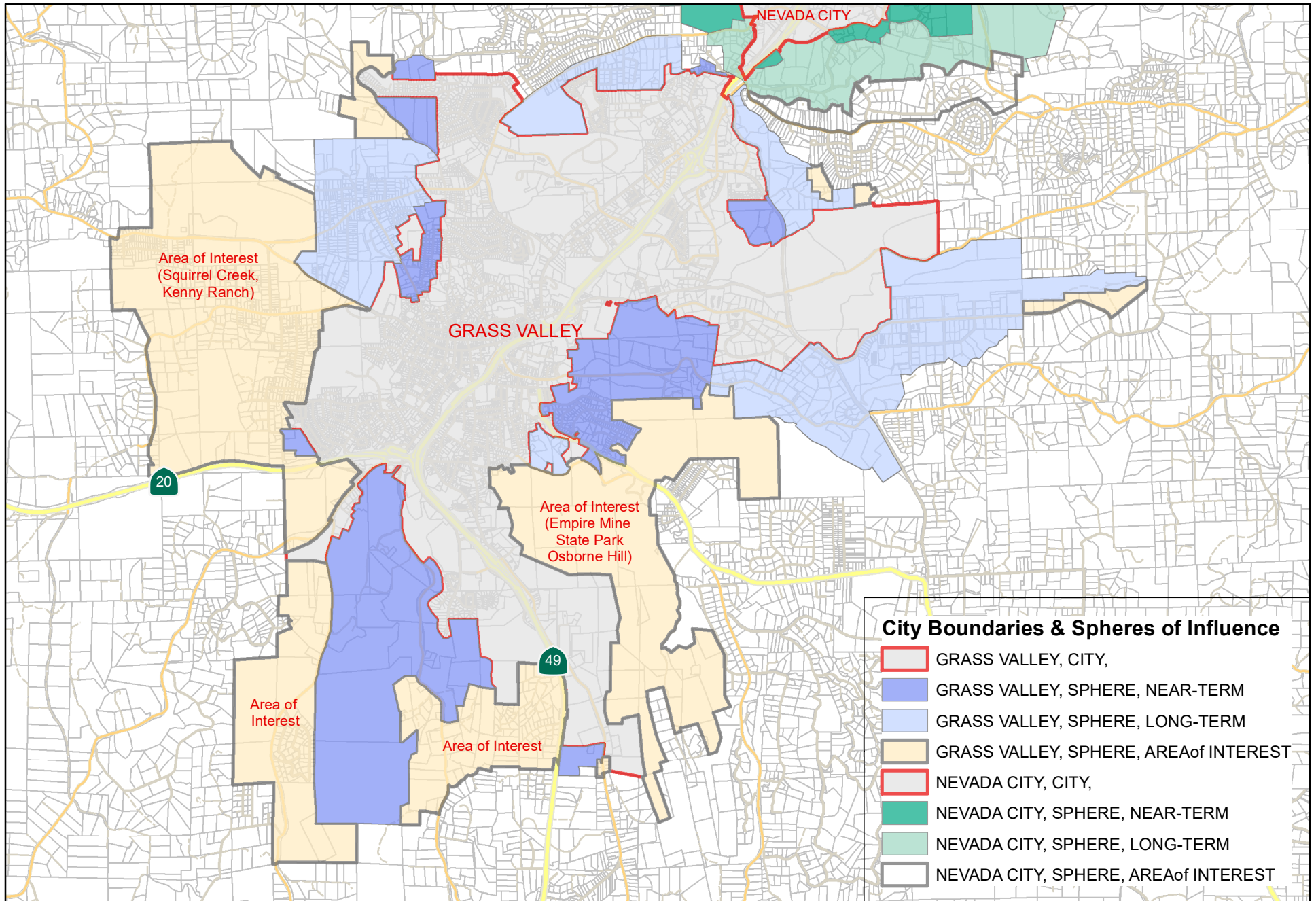
- 1) 2011 City SOI Map
- 2) 2024 Proposed City SOI Map
- 3) Map Showing SOI Changes

City of Grass Valley Boundaries and Sphere of Influence -- 2011 Update

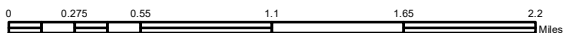
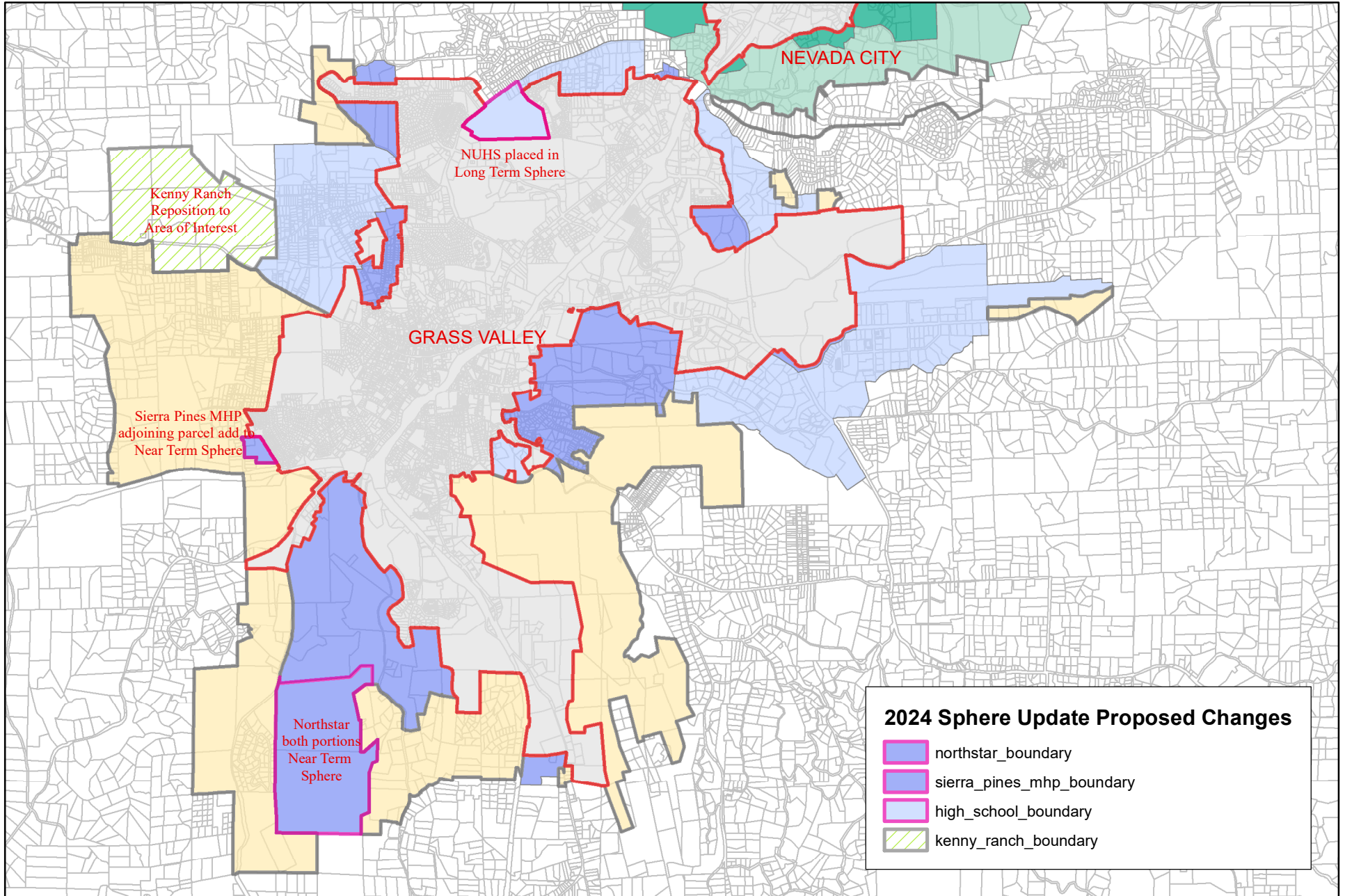


Map prepared by LAFCo Staff using County GIS data

City of Grass Valley Boundaries and Sphere of Influence -- 2024 Proposal



City of Grass Valley Boundaries and Sphere of Influence -- 2024 Proposed Changes





City of Grass Valley City Council Agenda Action Sheet

Title: Opposition to Pacific Bell Telephone Company d/b/a AT&T California amended application for targeted relief from its Carrier of Last Resort obligation and certain associated tariff obligations.

CEQA: Not a Project.

Recommendation: That Council approve the letter and authorize the Mayor to sign and submit it to the California Public Utilities Commission.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: March 12, 2024

Date Prepared: March 5, 2024

Agenda: Administrative

Background Information: AT&T, as a designated "Carrier of Last Resort" (COLR), is obligated to furnish "Plain Old Telephone Service" (POTS), commonly known as landline phone service, upon request to both residential and business customers. POTS adheres to a standardized set of minimum service criteria and regulatory measures, which do not extend to emerging technologies offering similar services, such as wireline Voice Over Internet Protocol (VoIP).

While the transition of COLR designation from one company to another is not unprecedented, AT&T has recently filed two applications with the California Public Utilities Commission (CPUC), seeking relief from its responsibilities as a COLR and an Eligible Telecommunications Carrier (ETC). These designations play a crucial role in providing essential telephone communication services to residents across the City and Nevada County.

Approval of AT&T's applications by the CPUC could potentially expose our community to significant risks, including threats to public health and safety, as well as the affordability of communication services. As per CPUC's Universal Service rules, carriers have the option to relinquish their COLR status when another designated COLR assumes service responsibilities. However, AT&T's application deviates from this norm by seeking relief for over 99% of its service territory statewide, without proposing a replacement COLR. Additionally, AT&T's application seeks expedited approval for future relief through a CPUC Tier 1 Advice Letter process, bypassing the usual CPUC approval process.

If granted, AT&T could terminate service to its POTS customers within as little as six months, leaving tens of thousands of customers in Nevada County with limited or no alternative options in terms of choice, quality, and affordability. It's crucial to note that alternative services like VoIP and wireless are not obligated to serve customers or provide equivalent services to AT&T landline customers, including reliable access to emergency services like 9-1-1 or program discounts.

Therefore, the staff respectfully requests the Grass Valley City Council's approval to issue an attached Letter of Opposition to Pacific Bell Telephone Company, also known

as AT&T California, regarding their amended application for targeted relief from their Carrier of Last Resort obligation and associated tariff obligations. This authorization would empower the Mayor to execute and submit the letter to the CPUC, advocating for the protection of essential communication services within our community.

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

Fiscal Impact: There is no Fiscal Impact of improving the proposed letter.

Funds Available: N/A

Account #: N/A

Reviewed by: Tim Kiser, City Manager

Attachments: Letter of Opposition



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

Item # 10.

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

March 12, 2024

Attn: Honorable President Alice Bushings Reynolds
California Public Utilities Commission
505 Van Ness Avenue San Francisco, CA 94102

RE: Letter of Comment and Opposition to Pacific Bell Telephone Company d/b/a AT&T California amended application for targeted relief from its Carrier of Last Resort obligation and certain associated tariff obligations.

Dear President Reynolds and Honorable Commissioners,

The City of Grass Valley, representing our residents, is passionately opposing Pacific Bell Telephone Company, also known as AT&T's applications seeking the relinquishment of their Carrier of Last Resort (COLR) and Eligible Telecommunications Carrier (ETC) designations. We urge the California Public Utilities Commission (CPUC) to reject these requests.

As the current COLR for Grass Valley and Nevada County, AT&T is obligated to provide "Plain Old Telephone Services" (POTS) to all residents and businesses. These services, with minimum requirements, are not extended to newer technologies like cell or Voice Over Internet Protocol (VoIP). AT&T's application lists several communities and surrounding areas, including Alta Sierra, Floriston, Grass Valley, Kingvale, Lake Wildwood, Lake of the Pines, Nevada City, North San Juan, Penn Valley, Rough and Ready, Soda Springs, and the Town of Truckee, as areas at risk of losing service. This could leave thousands without any alternative to POTS telecommunication, particularly in rural and vulnerable areas where POTS remains the sole reliable option for emergency communication.

AT&T's claim that only 7% of households in California use outdated copper-based technology is misleading. Rural regions like Grass Valley and Nevada County heavily rely on POTS due to topographical challenges and insufficient profitability for ISPs to invest in broadband infrastructure, resulting in limited or no broadband service for VoIP or wireless technologies.

Moreover, our region, prone to catastrophic wildfires, necessitates reliable communication during emergencies. VoIP phones, dependent on internet connection, become ineffective during power outages or Public Safety Power Shutoffs (PSPS), endangering community lives and impeding first responders. If CPUC approves AT&T's withdrawal as COLR and ETC, telecommunication networks could cease within six months, severely impacting our community's ability to respond during crises.

We assert that COLR and ETC relief must not be granted without establishing widespread alternatives with uniform technology-neutral minimum service quality standards. Therefore, we urge CPUC to deny AT&T's applications seeking the release of COLR and ETC designations.

Thank you for your consideration.

Sincerely,

Jan Arbuckle
Mayor
City of Grass Valley