



---

## GRASS VALLEY

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

---

Tuesday, November 14, 2023 at 7:00 PM

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

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

E-Mail: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com)

Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)

## AGENDA

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

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

## MEETING NOTICE

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

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

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

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

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. 32nd Annual Toy Run Proclamation
2. National Hospice and Palliative Care Month Proclamation
3. Habitat for Humanity Funding Award Presentation

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

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

4. Approval of the Regular Meeting Minutes of October 24th, 2023.

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

5. Appointment of Councilmember Branstrom's Nominee, Jacob Cooke, for the Measure E Oversight Committee

**CEQA:** Not a Project

**Recommendation:** That the City Council appoint Measure E Oversight Committee member Cooke to a term ending December 2024.

- 6. Fourth Amended Employment Agreement with City Manager Tim Kiser  
CEQA: Not a project  
Recommendation: That Council approve the Fourth Amended Employment Agreement with City Manager, Tim Kiser.
- 7. Public Works purchase of WWTP grit removal equipment at a total cost of \$152,300.14  
CEQA: Not a project  
Recommendation: Council to authorize the Utilities Director to purchase WWTP grit removal equipment from MISCOWater
- 8. Memorandum of Understanding between the City of Grass Valley and County of Nevada Environmental Health Department for inspection services related to SB 1383.  
CEQA: Not a Project  
Recommendation: That Council 1) review the attached Memorandum of Understanding (MOU) with the County of Nevada; 2) adopt Resolution No. 2023-63 approving the Memorandum of Understanding (“MOU”) between the County of Nevada (“County”) and the City of Grass Valley (“City”); and 3) authorize the Mayor execute MOU, subject to legal review.
- 9. Resolution to execute a contract with Northern Sierra Air Quality Management District and accept AB 2766 DMV Surcharge Funds.  
CEQA: Not a Project  
Recommendation: That Council 1) review the attached contract with Northern Sierra Air Quality Management District (NSAQMD); 2) adopt Resolution No. 2023-64 accepting the contract between NSAQMD and the City of Grass Valley; and 3) authorize the City Manager to be delegated the authority to conduct all negotiations, sign and submit all documents, including, but not limited to applications agreements, amendments, and payment request, which may be necessary for the completion of the grant scope, subject to legal review.

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

**REORGANIZATION RELATED ITEMS**

**PUBLIC HEARING**

**ADMINISTRATIVE**

**BRIEF REPORTS BY COUNCIL MEMBERS**

**ADJOURN**

**POSTING NOTICE**

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, November 14, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, November 9, 2023.

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



**PROCLAMATION**

**HONORING THE NEVADA COUNTY 32<sup>nd</sup> ANNUAL FOOD AND TOY RUN**

**Whereas**, the Nevada County Food and Toy Run this year celebrates its 32<sup>nd</sup> anniversary of bringing motorcyclists to the Gold Country on Saturday December 9<sup>th</sup>, 2023

**Whereas**, since its inception in 1991, the Nevada County food and Toy Run has gained the reputation as the safest Toy Run in Northern California, and one that has never changed its date or been canceled; and

**Whereas**, over the last 32 years, the Nevada County Food and Toy Run has gained the trust and support of the cities of Grass Valley and Nevada City the Nevada County Board of Supervisors and all branches of local law enforcement; and

**Whereas**, The Nevada County food and Toy Run is both the Head Start single biggest event of making sure their families have a Christmas with food and toys, as well as many local community families, for all; and

**Whereas**, the Nevada County Food and Toy Run was the first Toy Run to have the families there, so the motorcyclists could watch their toys being picked up by the kids which has become the highlight for most of the riders; and

**Whereas**, the Thirty-second annual Nevada County Food & Toy Run will be held December 9, 2023. 1,500 motorcyclist will be escorted from the Eric Rood Center, through Nevada City and Grass Valley, and end up at the Nevada County Fairgrounds to celebrate the event. The toy run is expecting six to seven hundred families to receive a holiday meal, gifts and extra food.

**Whereas**, the Nevada County Food and Toy Run Board of Directors thank the City of Grass Valley for helping to restore the traditional route of the Toy Run, and thank the partnerships with Interfaith Food Ministries, The Nevada County Food Bank and several local grocery stores and businesses, as well as the community for their donations and support,

**Now, Therefore**, by the Mayor and Council of the City of Grass Valley, that the individuals involved with the Toy Run to be recognized for their efforts in providing food and toys to needy families during the Holiday Season. Dated this 14<sup>th</sup> day of November 2023

Dated this 14th day of November 2023

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

\_\_\_\_\_  
Hilary Hodge, Vice Mayor

\_\_\_\_\_  
Bob Branstrom, Council Member

\_\_\_\_\_  
Haven Caravelli, Council Member

\_\_\_\_\_  
Thomas Ivy, Council Member



**PROCLAMATION**

**National Hospice and Palliative Care Month – November 2023**

**WHEREAS**, for more than 40 years, hospice has helped provide comfort and dignity to millions of people, allowing them to spend their final months at home, surrounded by their loved ones;

**WHEREAS**, the hospice model involves an interdisciplinary, team-oriented approach to treatment, including expert medical care, quality symptom control, and comprehensive pain management as a foundation of care;

**WHEREAS**, beyond providing physical treatment, hospice attends to the patient’s emotional, spiritual and family needs, and provides family services such as respite care and bereavement counseling;

**WHEREAS**, since its conception, the hospice benefit’s holistic approach has helped patients prepare for and face death, and their loved ones carry on supported in the wake of it;

**WHEREAS**, palliative care improves quality of life and offers relief from pain, can be provided at any time during an illness, and hospices are some of the best providers of community-based palliative care;

**WHEREAS**, in an increasingly fragmented and broken healthcare system, hospice is one of the few sectors that demonstrates how healthcare can – and should – work at its best for its patients;

**WHEREAS**, 1.72 million Medicare beneficiaries living with life-limiting illness and their families received care from the nation’s hospice programs in communities throughout the United States in 2020;

**WHEREAS**, hospice and palliative care organizations are advocates and educators about advance care planning that helps individuals make decisions about the care they want;

**WHEREAS**, the central philosophy of hospice care puts patients first, ensuring a coordinated and person-centered approach to care, protecting patient choice and access to individualized services based on a patient’s unique care needs and wishes.

**WHEREAS**, given our universal mortality, hospice is a valuable benefit for *all* Americans and their loved ones.

**NOW, THEREFORE**, by the Mayor and Council of the City of Grass Valley, do hereby proclaim November 2023 as **National Hospice and Palliative Care Month** and encourage citizens to increase their understanding and awareness of care at the end of life, discuss their end of life wishes with their families, and observe this month with appropriate activities and programs.

*Dated this 14th day of November 2023*

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

\_\_\_\_\_  
Hilary Hodge, Vice Mayor

\_\_\_\_\_  
Bob Branstrom, Council Member

\_\_\_\_\_  
Haven Caravelli, Council Member

\_\_\_\_\_  
Thomas Ivy, Council Member

# Habitat for Humanity Funding Award

November 14, 2023

Mike Dent, Director  
Child Support, Housing and Community Services

Jennifer Cordova, Development Director  
Nevada County Habitat for Humanity



# Loan #3: Owner Occupied Construction

- **Background/Overview**
- **Project to Date**
- **Selection Process and Award to Habitat for Humanity**

# Background:

- PLHA: created by the 2017 *Building Homes and Jobs Act* – a.k.a SB2
- SB2 established a \$75 recording fee on certain real estate documents
- These funds provided a permanent source of funding to all local governments to help cities and counties implement plans to increase affordable housing stock
- 2020- Western Nevada County Regional Housing Trust Fund (WNCRHTF) formed to increase impact of PLHA funds with County a lead agency.





# Background (cont.):

- Coordinate funding to make greater impact
- Increase the supply of housing for households at or below 60% of area median income (80% for OOC Projects)
- Increase assistance to affordable owner-occupied workforce housing
- Assist persons experiencing or at risk of homelessness



## Funding Sources for 2022 funds (from year 2020) :

- Grass Valley: \$225,493
- Nevada City: \$136,870
- Nevada Co: \$566,474

**Total Funds: \$928,837**



# The PLHA Plan:

- Year 1 & 2: Emergency sheltering and trust fund match
- Year 3 (current year): Sheltering, TF match and OOC
- Year 4 & 5: Rental housing, OOC, homelessness and navigation



# Projects so far...

## Cashin's Field Apartments

- **First loan from WNCRHTF for \$1,575,000**
- **Authorized in May of 2021**
- **Leveraged special Fire Recovery TCAC 9% earmarked to County for Wind Complex Fire of 2017**
- **Leveraged Competitive PLHA sponsored by City of Nevada City**
- **Project completed December 2022**

## Lone Oak Senior Apartments

- **Second Loan for \$1,000,240**
- **Authorized in May of 2023**
- **Funding coordinated with County HOME Program Income and Disaster Funding from Wind Complex Fire.**
- **Has made first 9%TCAC application in August 2023**

# Third Project: OOC

- \$172,000 PLHA for OOC
- Request for Proposal issued by Nevada County Purchasing
- Habitat for Humanity selected by Selection committee
- Deed restricted for 30 years for 80% AMI
- Forgivable loan
- Follow similar terms at Habitat loans and traditional FTHB regulation
- Meet the Owner- Angela



# Questions?





# Better Together

NEVADA COUNTY



## GRASS VALLEY

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

Tuesday, October 24, 2023 at 7:00 PM

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

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

E-Mail: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com)

Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)

## MINUTES

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

### CALL TO ORDER

Meeting called to order at 7:02PM.

### PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Mayor Arbuckle.

### ROLL CALL

PRESENT

Councilmember Bob Branstrom

Councilmember Haven Caravelli

Councilmember Tom Ivy

Vice Mayor Hilary Hodge

Mayor Jan Arbuckle

### AGENDA APPROVAL

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

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

### REPORT OUT OF CLOSED SESSION

No reportable action.

### PUBLIC COMMENT

In person: Dave Williams, Robin Galvin-Davies, Rachel Grivas, Judy Penrose, Brenda English, Aria Griffis, and Courtney Williams.

### CONSENT ITEMS

Motion made to approve consent as submitted by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

1. Approval of the Regular Meeting Minutes of October 10, 2023.  
**Recommendation:** Council approve minutes as submitted.
2. Approval of the Town Hall Meeting Minutes of October 10, 2023.  
**Recommendation:** Council approve minutes as submitted.
3. Local Emergency Proclamation (Winter Storm of February 2023)  
**CEQA:** Not a project



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

4. Local Emergency Proclamation (Drought Conditions)

**CEQA:** Not a Project.

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

5. Job Description for Pop-Ups Coordinator

**CEQA:** Not a Project.

**Recommendation:** That Council approve a job description for a Pop-Ups Coordinator.

6. Downtown Streetscape Improvements Project - Budget Amendment

**CEQA:** Exempt - Not a Project

**Recommendation:** That Council authorize the Finance Director to execute a budget amendment to reallocate \$150,000 in funds to the Downtown Streetscape Improvements Project

### **ADMINISTRATIVE**

7. Consider Resolution No. 2023-62 of the City Council of the City of Grass Valley calling an election on March 5, 2024, to consider a transactions and use tax for Fire Resiliency and Vegetation Management

**CEQA:** Not a Project.

**Recommendation:** That Council adopt Resolution No. 2023-62 of the City Council of the City of Grass Valley calling a special election on March 5, 2024, to consider a transactions and use tax, requesting to consolidate the elections with other elections the Registrar of Voters is to administer on March 5, 2024, and authorizing the City Clerk to perform all other acts necessary or required by law to implement this Resolution and related to the Special Election.

City Attorney, David Ruderman, announced a change to the Resolution number and changes to the Resolution. City Manager, Tim Kiser, gave brief presentation to Council.

Public Comment: Brenda English, Robin Galvin-Davies, Judy Penrose, Larry Hoffman.

Council asked for clarification on the use of the phrase "fiscal emergency", and asked for more collaboration with Nevada County and Nevada City. Council asked Staff to communicate with Nevada County and Nevada City to discuss property fire insurance and how, working together, rates may be better controlled.

Motion made to adopt Resolution No. 2023-62 of the City Council of the City of Grass Valley calling a special election on March 5, 2024, to consider a transactions and use tax, requesting to consolidate the elections with other elections the Registrar of Voters is to administer on March 5, 2024, and authorizing the City Clerk to perform all other acts necessary or required by law to implement this Resolution and related to the Special Election by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

8. Electric Vehicle Charging Stations

**CEQA:** Not a Project

**Recommendation:** That Council 1) receive an update on the City's efforts to date on procuring electric vehicle (EV) charging stations; and 2) provide direction to staff on proceeding with a request for proposals.

City Manager, Tim Kiser, gave presentation to Council.

Council discussed the need to reasonably priced EV chargers, the importance of independent charging stations as opposed to Tesla charging stations, discussed e-bike charging and storage, asked for clarification on the difference between owning and leasing, asked if there are any local companies, asked if Truckee or Nevada City has installed EV chargers and how they have worked for them.

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

Councilmember Caravelli enjoyed the lights downtown and announced the upcoming ERC Summit on 10/26. Councilmember Ivy attended the Solid and Hazardous Waste event and the Pioneer board meeting. Councilmember Branstrom volunteered at the NCCA career technical education events, partook in the Open Spaces event, attended a concert from In Concert Sierra, CalCities webinar, LAFCO conference, celebrated his mother 102 birthday, Ken Getz celebration of life, and attended the Jones Hospital plaque dedication. Vice Mayor Hodge participated in the Sac Cities League cornhole competition, attended the Mayors and Managers meeting and the Music in the Mountains fundraising Gala, and reminded the public about flu season. Mayor Arbuckle attended the GVDA mixer, a construction industry education meeting, the past chiefs dinner, the Jones Hospital plaque dedication, hosted Monday with the mayor, and reminded the public about the upcoming Memorial Park panels unveiling.

#### **ADJOURN**

Meeting adjourned at 8:48PM.

---

Jan Arbuckle, Mayor

---

Taylor Day, City Clerk

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

**Miranda Bacon**

---

**From:** Amy Young [REDACTED] >  
**Sent:** Tuesday, October 17, 2023 7:24 PM  
**To:** Public Comments  
**Subject:** I oppose a tax rate increase

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

City Council Members,

After doing our taxes and revising the family budget which is so tight it squeaks, I needed some groceries and the kids wanted to use their birthday money to buy a new video game.

We drove down to Wal-Mart to save every penny we could and fill up on gas down there while we were at it.

If you pass another sales tax hike, this kind of behavior will be even more common than it is now. I feel for the small businesses here, and try to buy a few things when the cost of making the trip down the hill is not outweighed by the savings, but as a family trying to make ends meet you can't expect us to *not* adjust to more taxes, especially when those taxes are going into a general fund with no guarantee that they will be spent on fire issues.

Amy Young

*"For of him, and through him, and to him, are all things: to whom be glory for ever. Amen."* Romans 11:36

Sent with [Proton Mail](#) secure email.

## Miranda Bacon

---

**From:** Kathy Tillett [REDACTED] >  
**Sent:** Monday, October 23, 2023 12:22 PM  
**To:** Public Comments  
**Subject:** Tax Increase for Fire Protection

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

Just a quick note to let you know I am completely against any increase in taxes for fire protection if the monies are placed in the general fund vs a specific fund for fire mitigation only.

It is time for the city to focus on the needs of our current citizens and NOT tourism. Improvements to parks are great if for locals not for soccer tournaments to encourage tourism.

How is the funding for future low income housing coming along? We desperately need more income based and senior housing!

Kathy Tillett  
304 Sutton Way #38  
Grass Valley, CA 95945

Sent from Windows Mail

## Miranda Bacon

---

**From:** Aria Griffis [REDACTED] >  
**Sent:** Tuesday, October 24, 2023 8:05 AM  
**To:** Public Comments  
**Subject:** Parklet at 114 West Main Street

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

To whom it may concern,

My name is Aria Griffis and I'm writing you today regarding the parklet at 114 West Main Street. I have some major concerns about the complete closure of the public city sidewalk on the uphill side.

My business, Make Local Habit resides at 112 West Main Street next door. When coming to work on October 10th I looked up the sidewalk to see it completely blocked off by a large planter that looked to be an accident, like it got pushed into the way unintentionally. Come to find out, it was not and it is subject to stay this way. Since this incident, I have remained close to the front door to observe the confusion and safety risks this is causing. It also forces people to walk directly around my store and bypass looking in my window. Similar to putting in a highway next to a small town that you used to have to drive through.

The design of this parklet does not put public safety as a top priority. The space is inadequate to let the normal flow of traffic pass by each other. Now that the public is being forced to walk right to the edge of vehicle traffic, you can't step off the side walk to let a wheel chair, stroller, dog on a leash, or child holding a hand. Day after day, I am witness to the general public wondering how they are allowed to just close the public side walk. As a business owner in downtown, not so much of an A-frame sign can be placed on the sidewalk in front of my business. But you can infact choose to block the entire city sidewalk and cause an inconvenience for the general public? When reading over the information in the hand book for the city planning. I found many statements to be questioned as how the plan for this parklet came about.

The concerns I have for the lack of foot traffic since this debacle are very worrisome. I have had my business downtown for 14 years and I come to know my numbers. This is devastating to my business. Our busiest time of year is quickly approaching and those tables will be sitting out there empty, due to weather. While I stand in my store watching the people walk around my front door. Being a small business in today's world and economy is tuff and added hurdles like these are detrimental.

When a project like this is in the planning phase and will have direct affects on surrounding properties, it should involve these parties. As stated by the handbook. My landlord or myself heard nothing of this in the planning phase. There is even a very large planter encroaching under our awning, also not to be mentioned it was coming.

My hope is to have the city sidewalk open to the general public once again. For many reasons this sidewalk closure is unnecessary and brings more inconvenience and safety risks than before.

Thank you for considering my concerns.

Aria Griffis

**Miranda Bacon**

---

**From:** Courtney Williams [REDACTED] >  
**Sent:** Tuesday, October 24, 2023 11:55 AM  
**To:** Public Comments  
**Subject:** Public Comment re: Parklet at 114 W. Main St.

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

Dear City Council Members –

I am a tenant at 112 W. Main St, where I do my remote work for FREED. My family also own this property.

I am writing to express concerns about the barricade of the west side of the parklet at 114 W. Main St. and the second planter blocking portions of the sidewalk extension around the parklet on the east side.

After several inquiries to City of Grass Valley staff I have heard multiple conflicting reports –

First that such a barricade would not be allowed, as there should be pedestrian traffic flow on both sides of the parklet.

Second that this barricade was placed there because ABC rules require an “enclosed patio” which is why the city placed the barricade. I spoke to an ABC employee working on the license for this property, and they had no knowledge of said parklet or it’s enclosure status. I have requested further inquiry from ABC as to their requirements for this parklet.

Finally, Tim Kiser reported to my father, Dave Williams, that the barricade was placed there due to the historic path of travel on the city sidewalk being non-ADA compliant. Apparently, the barricade is the solution that the city thinks will force the path of travel to the newly constructed, ADA compliant sidewalk. If the city was aware of this non-compliant area of sidewalk, that should have been corrected during the construction of the parklet.

I met with City of Grass Valley Fire Inspector, Rob Arnad, regarding the barricade being a potential fire code violation, as it blocks the means of egress from the building to the public sidewalk. Although the barricade itself is not a violation, the second planter on the east side of the parklet does partially block the newly constructed path of travel, which is an issue because it needs to have the full width available if it is going to remain in compliance.

A few issues here –

--The planter on the east side of the parklet needs to be moved so it no longer blocks the path of travel.

--The barricade planter may solve an issue with ADA accessibility on the sidewalk for those with mobility disabilities, but placing a large barricade in an historic path of travel with no indication for blind or visually disabled pedestrians of the new path of travel certainly is NOT accessible.

--The newly constructed path of travel may be technically accessible, but it creates a situation where pedestrians have to funnel from the much wider sidewalk east and west of the parklet to travel around it. For anyone with small children, pets, mobility aids, or service animals, this makes travel more difficult. It also feels quite unsafe to be walking so close to traffic with no barriers between the traffic and the sidewalk. Of course, there was no barrier on the historic path of travel, but with the much wider sidewalk, and a parking space between pedestrians and traffic, it did not feel unsafe to walk along the path.

Thank you for considering alternative solutions to this issue that will create true accessibility and protect the safety of pedestrians with and without disabilities in our community.

~Courtney

“Only when we are brave enough to explore the darkness will we discover the infinite power of our light.” ~Brenè Brown

\*\*I do not expect a response outside business hours\*\*

Courtney Williams  
Pronouns: she/her  
Executive Assistant  
Disability Rap Production Assistant  
FREED  
Aging & Disability Resource Connection

[www.FREED.org](http://www.FREED.org)



Grass Valley Office:

435 Sutton Way  
Grass Valley, CA 95945  
(530) 477-3333 x215 voice  
(530) 477-8194 TTY  
(530) 477-8184 fax

Yuba City office:  
1100 Butte House Rd  
Suite 120  
Yuba City, CA 95991  
(530) 742-4474 Voice  
(530) 742-2379 TTY  
(530) 742-4476 Fax

Serving Nevada, Yuba, Sutter, Sierra & Colusa counties

This email may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply email and delete all copies of this message. Please consider environment before printing this email.



# Memorandum

1451 Quail Street, Suite 201  
NEWPORT BEACH, CA 92660

TEL (949) 851-0995

FAX (949) 851-3059

---

Date: October 26, 2023

To: Grass Valley City Counsel – Public Hearing #4 – Fire and Vegetative Management Tax

From: Mesa Management, Inc. Manager Grass Valley Shopping Center

Subject: Recommended Alternatives to Proposed Tax

Sent Via Email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com)

---

Dear City Council Members ~

Mesa Management, Inc., and McKnight Crossing Shopping Center express gratitude to City staff for working with us on our Re-Imagine project to create a warm, inviting, destination so that people can enjoy an enhanced lifestyle experience.

There are two items we wish to share with the City Council.

1) We believe the new proposed tax increase will be an additional burden on local Grass Valley consumers and retail businesses at a time when local retail businesses and consumers are under extraordinary pressure due to inflation and the diminishing spending power of the dollar.

We believe that the added tax, although intended to raise revenue, will lead to higher prices in Grass Valley compared to surrounding communities, less sales due to the higher prices, and more retail sales leakage as customers flee Grass Valley to take their business to more lucrative surrounding communities.

2) We have evidence that in the past six months with the opening of just Target here at McKnight Crossing in Grass Vally, that Grass Valley has seen a projected increase in annual retail sales of just over \$13 million. This was leakage that had left Grass Valley and the surrounding communities for Auburn. See attached chart data from Placer.ai Labs.

In summary, we believe by keeping taxes low, by encouraging redevelopment, by reducing costly regulations, dynamic retail businesses will come to Grass Valley and attract consumers from all over to travel to Grass Valley to enjoy the enhanced lifestyle while spending their money. This will increase the tax revenues to the City while benefiting all.

Regards,

**Josh Recalde, Legislative Affairs**  
**Mesa Management, Inc.**

1451 Quail Street, Suite 200, Newport Beach, CA 92660  
[jrecalde@mesamanagement.net](mailto:jrecalde@mesamanagement.net) [www.mesamanagement.net](http://www.mesamanagement.net)

## **Supplementary Information**

In the last HdL quarterly tax report, Target had not opened and was not in the Top 25 of Tax Contributors. And the Center was in the middle of our construction on a pathway to the vision the community is starting to see, with a Center Grand Opening in the spring.

The next HdL quarterly tax report is due out any day. What that will show is Target is now at the Top of the Top 25 Retail Tax contributors and is projected to alone contribute an incremental \$500,000 a year in Retail Tax contributions.

That is a meaningful contribution to offset a fiscal emergency and provide necessary funds for Fire mitigation without the burden of additional taxes.

### **Target Grass Valley is performing well:**

Below are several graphics to indicate the solid performance of Target in Grass Valley, out performing Target Auburn since launch earlier this year. This creates convenience, reduces trips and miles travelled, consistent with the City's Strategic Goals, and creates meaningful jobs.

Thank you to the Grass Valley community and we are working hard to finalize our plans, introduce gathering spaces and put the final touches on the Center.

### **Observations:**

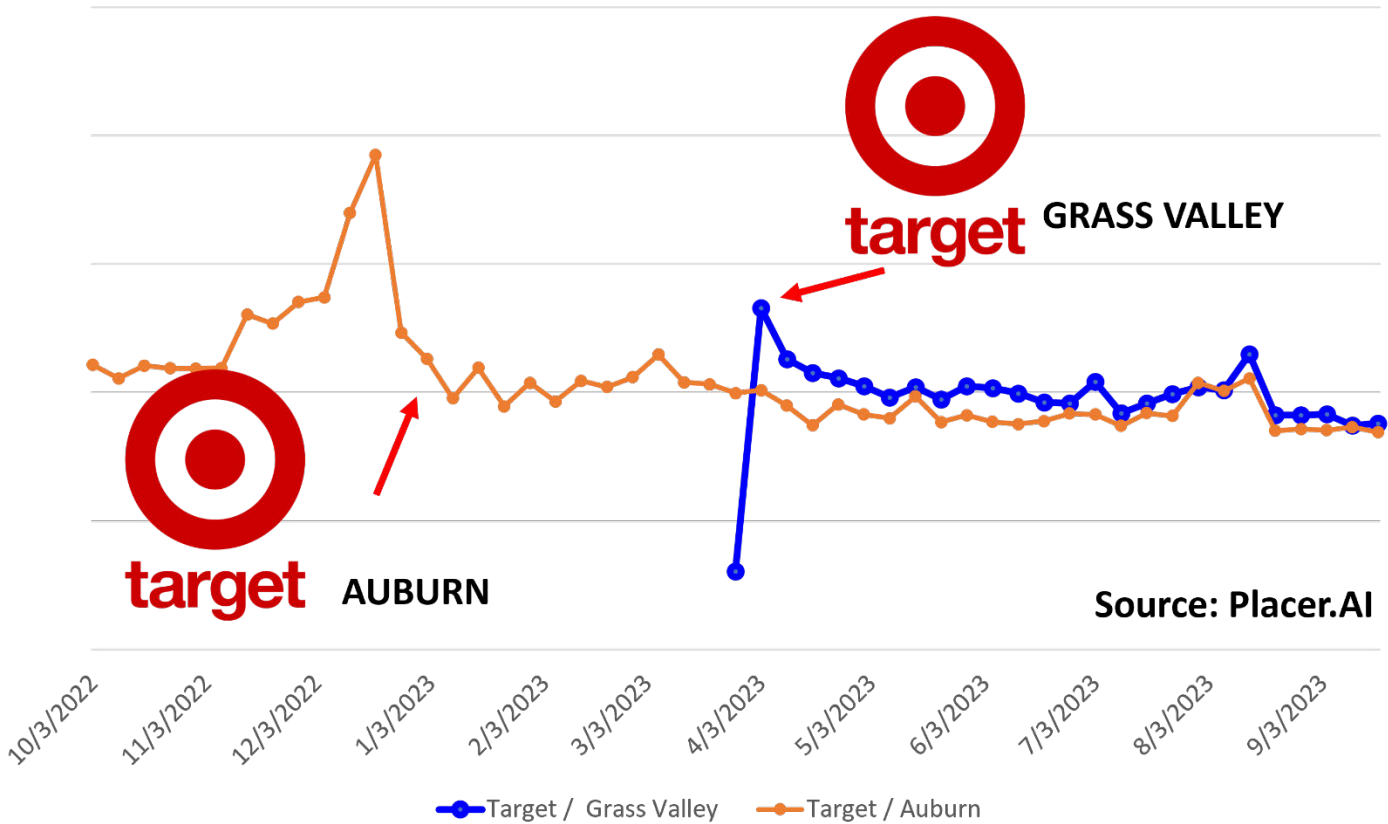
We have recent data that shows Grass Valley Target is outperforming Auburn's Target.

We believe this captures a correction of "leakage" (Sales tax dollars leaving the City).

This indicates Grass Valley residents are no longer traveling to Auburn and spending their money and spending their money here in Grass Valley to generate substantial and sustainable Retail Tax Revenue.

This also fits in well with the City's Strategic Plan to reduce trips and miles driven.

# Target - Grass Valley vs Auburn

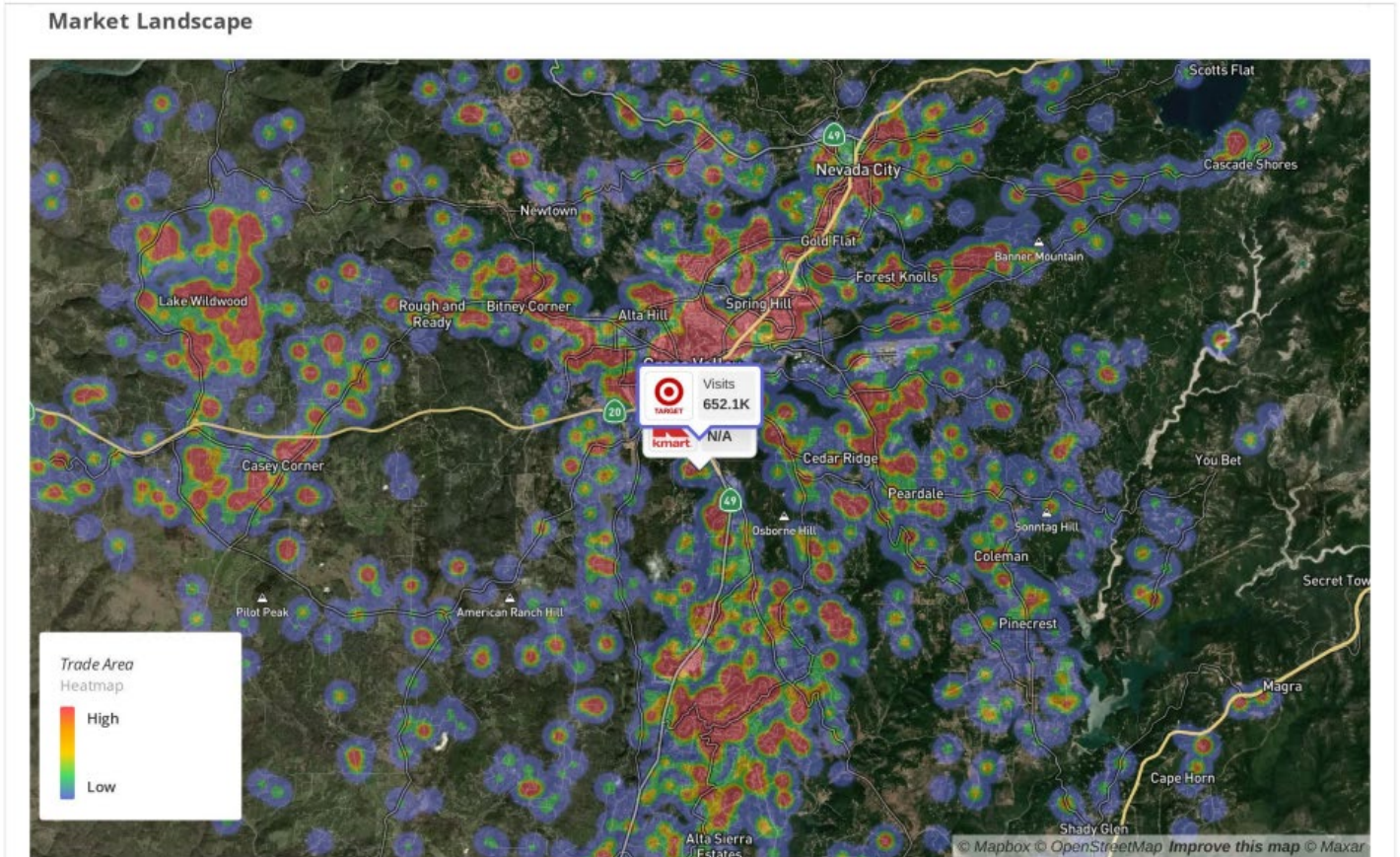


**Observations:**

This Heat Map indicates the Target at McKnight Crossing is servicing customers from both Grass Valley and the local Region.

**Property Overview**

Apr 1 - Sep 30, 2023



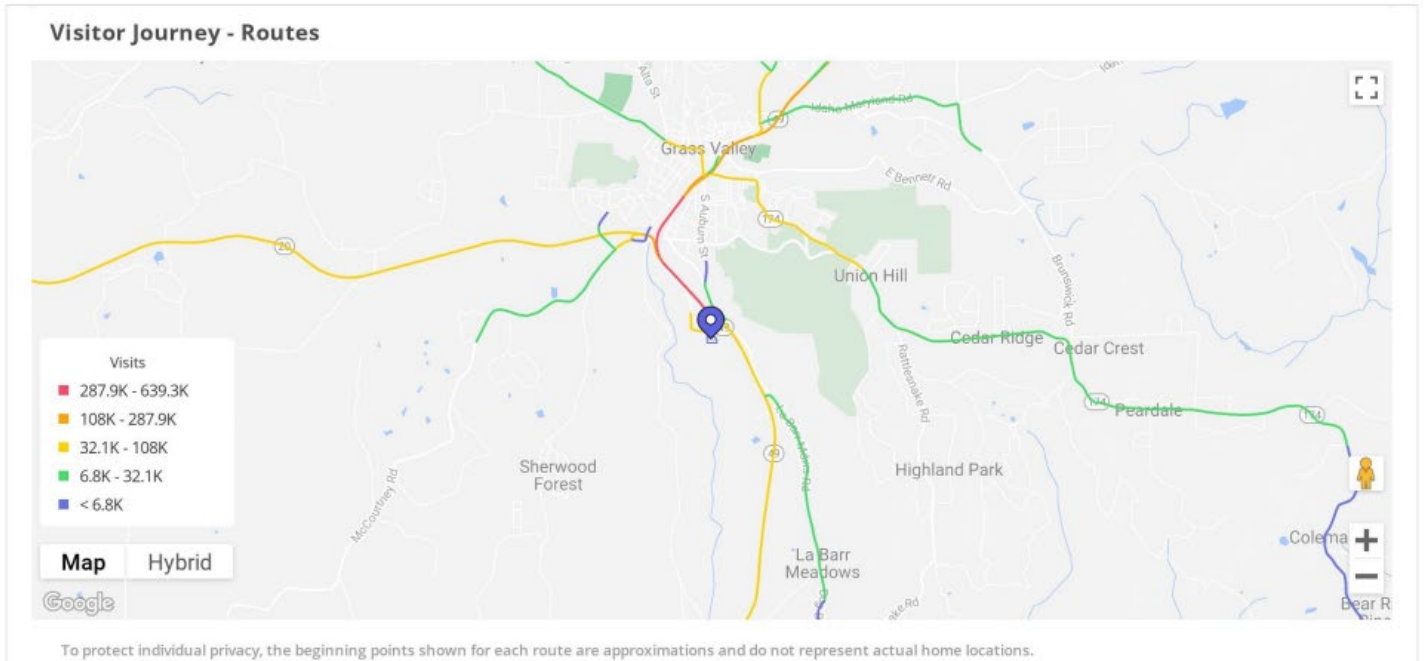
Source: Placer.AI

**Observations:**

The Primary Route of Travel is on the 49, servicing customers from the North.

**Property Overview**

Apr 1 - Sep 30, 2023



**Miranda Bacon**

---

**From:** HOFFMAN LARRY <[REDACTED]>  
**Sent:** Tuesday, October 24, 2023 5:18 PM  
**To:** Public Comments  
**Subject:** Voice Mail (2 minutes and 8 seconds)  
**Attachments:** audio.mp3

My name is Larry Hoffman and I live at 266 N Auburn, St. My public comment is related to tonight's vote to put forward a sales tax increase on the March ballot. Most of US homeowners and residents of Grass Valley are either retired or employed in jobs much less lucrative than those in current current government positions. Plus, we live here. Unlike most city staff who reside outside the city, we cannot afford to see our cost for living here increase and be able to maintain a decent, decent lifestyle. Lifestyle. Excuse me. Here are some of the increased costs we are seeing. Recent increases to the city water sewer rates will cost residents and businesses at least 25% or more in the next five years. We already pay 1% and put perpetuity for Measure E, which has been spent on more fire, police and residential expenses than the infrastructure improvements it said were needed. Living expensive have gone through the roof. Inflation has made food and gasoline prices go up almost exponentially. We drive around town and still pay over 50, \$75.00 a month just for gas. PG&E rates are amongst the highest in the nation and they want to increase it even more. Homeowners and car insurance rate increases have and will continue to make living here more and more unaffordable. Although I support the need for extra fire resources and mitigation efforts, I know the city should have foreseen these years ago and dealt it with them within the fiscal budgets it was given. For these reasons, the City Council. I hope the City Council votes to deny this measure. If not, I hope the city voters do.

You received a voice mail from [HOFFMAN LARRY](#).

---

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

[Set Up Voice Mail](#)

**Miranda Bacon**

---

**From:** HOFFMAN LARRY <[REDACTED]>  
**Sent:** Tuesday, October 24, 2023 5:04 PM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 27 seconds)  
**Attachments:** audio.mp3

Hi, my name is Joyce Hoffman. I live on North Auburn St. in Grass Valley. I don't know Matthew Coulter. I do know that he's been vocal in his opinions against the city staff and council members, and that part of his legal settlement with the city is that he has easy access to vocally participate in council meetings remotely. Many citizens have reasons for not being able to physically participate in the evening meetings. This can be due to physical disabilities, job or educational commitments, or family responsibilities. All of us deserve and have earned and need to have the same ease to participate remotely. Please make attendance in our City Council's planning committees, historic meetings, etcetera easier to participate in. Why do we have to wait to submit our comments until after 5:00 PM on the evening of the meeting? Is 1 phone contact enough for the limited time to submit? Since COVID prompted remote access to all public meetings, the Brown Act will support enabling equal access to all. Please make us all have equal access to our public meetings. Make it easier.

You received a voice mail from [HOFFMAN LARRY](#).

---

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

[Set Up Voice Mail](#)



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

**Title:** Appointment of Councilmember Branstrom's Nominee, Jacob Cooke, for the Measure E Oversight Committee

**CEQA:** Not a Project

**Recommendation:** That the City Council appoint Measure E Oversight Committee member Cooke to a term ending December 2024.

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

**Council Meeting Date:** 11/7/2023

**Date Prepared:** 11/14/2023

**Agenda:** Consent

**Background Information:** In 2018 Grass Valley citizens voted to approve Measure E, a voter initiative tax measure that repealed the previous 1/2 percent City transaction and use (sales) tax and replaced it with an ongoing 1 percent sales tax. Measure E expands funding for such general fund purposes as increased police and fire services, enhancing parks and recreational services, and improving streets and sidewalks. All Measure E funds stay local and all expenditures subject to an annual audit by an independent citizen oversight committee. See the City website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com) for more information on Measure E.

The Citizen's Oversight Committee reviews an independent audit of tax receipts and how they are spent each year and advises the City Council on how tax money should be spent. The Council must discuss the audit results at a public meeting each year and post them on the City's website.

The most recently elected city councilmembers were tasked with nominating one new Measure E Oversight Committee member and Councilmember Branstrom has nominated Grass Valley community member Jacob Cooke.

**Council Goals/Objectives:** The Measure E Oversight Committee executes portions of work tasks towards achieving/maintaining Strategic Plan - Open and Collaborative City Government.

**Fiscal Impact:** N/A

**Funds Available:** N/A

**Account #:** N/A

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





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

**Title:** Fourth Amended Employment Agreement with City Manager Tim Kiser

**CEQA:** Not a project

**Recommendation:** That Council approve the Fourth Amended Employment Agreement with City Manager, Tim Kiser.

**Prepared by:** Michael G. Colantuono, City Attorney

**Council Meeting Date:** 11/14/2023

**Date Prepared:** 11/8/2023

**Agenda:** Consent

**Background Information:** The City appointed Tim Kiser City Manager in September 2017, in which position he has served since. Following his annual performance evaluation on October 24, 2023, the City Council requested that I prepare this report for consideration of the amended agreement to increase his salary to \$237,228 as a 3 percent cost-of living adjustment and merit increase retroactive to his salary review date of September 12, 2022. The amendment also provides for future cost of living adjustments when awarded to the City's executive management team members and adjusts the monthly medical retirement contribution from \$500 to \$800. These changes reflect the City's recently completed negotiations with its executive management team.

A copy of the fourth amendment to the City Manager's employment agreement is attached. If the City Council has any questions or comments on the amended agreement, I can address them before or during the November 14, 2023, meeting.

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

**Funds Available:** Budget resources are available for the additional expense entailed in the amended employment agreement. **Account #:** N/A

**Reviewed by:** \_\_\_\_ Director of Administrative Services

**Attachments:** City Manager Fourth Amened Employment Agreement

**FOURTH AMENDED EMPLOYMENT AGREEMENT BETWEEN  
CITY OF GRASS VALLEY AND TIM KISER**

This Fourth Amended Employment Agreement (“Agreement”) is effective as of \_\_\_\_\_, 2023 by and between the City of Grass Valley (“City”) and Tim Kiser (“City Manager” or “Employee”) (collectively, the “Parties”).

**RECITALS**

**WHEREAS**, the City and Employee entered into an Employment Agreement (the “Original Agreement”) for his service in the position of City Manager effective September 12, 2017 and amended that Original Agreement effective September 1, 2020 (“First Amendment”), effective September 1, 2021 (“Second Amendment”), and effective June 26, 2022 (“Third Amendment”); and

**WHEREAS**, the City Council desires to extend Employee’s employment beyond the original expiration date in the Original Agreement and to convert the term of his at-will employment to an indefinite term; and

**WHEREAS**, the City Council desires to provide Employee with a Cost of Living Adjustment (COLA) retroactively and also prospectively while Employee continues to remain employed with the City; and

**WHEREAS**, the City Council desires to increase the City Manager’s retirement medical coverage premium allowance from \$500 to \$800 as of the effective date of this Agreement; and

**WHEREAS**, the Parties may modify the Original Agreement or Amendments thereto upon mutual written agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth herein the adequacy of which is hereby acknowledged by the Parties to be sufficient, the Parties agree as follows:

**TERMS AND CONDITIONS**

1. Section 3 (Term of Employment) of the Original Agreement is hereby amended and replaced by the following to read as follows:

### “ 3. Term of Employment

Pursuant to the provisions of the Grass Valley City Charter, and City Municipal Code, City Manager serves at the pleasure of the City Council on an “at will” basis and has no vested right to his employment during the term of this Agreement, subject to the terms and provision of this Agreement as set forth below. City Manager’s employment with the City shall continue for an indefinite and unspecified period, until terminated by either Party under this Agreement.”

2. Section 5.A. (Compensation) of the Original Agreement as amended by the First, Second, and Third Amendments is hereby further amended and replaced with the following to read as follows:

#### “5. Compensation

A. The City Manager’s annual salary shall be \$237,228 effective September 12, 2023 (to reflect a COLA of 3% from City Manager’s previous \$\$230,318 annual salary). Any COLA earned from September 12, 2023 to date shall be paid to City Manager at the next regular scheduled pay date. For each subsequent calendar year starting January 1, 2024, City Manager’s annual salary is subject to the same COLA adjustments for the same effective dates as applied to the annual salaries of the City’s executive team (Directors, Fire Chief, Police Chief, etc.).”

3. Section 13.C.1. (Retirement Program and Deferred Compensation) of the Original Agreement is hereby amended and replaced with the following to read as follows:

“1. Employees who become subject to this Plan on or before July 1, 2011, who retire from the City in good standing, who have at least five years of Grass Valley service, who elect to retain CALPERS medical coverage and who are of full retirement age shall be entitled to payment of up to \$800 towards the CALPERS premium for a single party until such time as the Employee is eligible to receive Medicare or is hired and has healthcare coverage available from the new employment.”

4. All other terms, conditions, and provisions of the Original Agreement, and Amendments thereto, to the extent not modified by this Agreement, shall remain in full force and effect.

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

CITY  
City of Grass Valley

EMPLOYEE  
Tim Kiser

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Tim Kiser

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

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

Attest:

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

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

Approved as to form:

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

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



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

**Title:** Public Works purchase of WWTP grit removal equipment at a total cost of \$152,300.14

**CEQA:** Not a project

**Recommendation:** Council to authorize the Utilities Director to purchase WWTP grit removal equipment from MISCOwater

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

**Council Meeting Date:** 11/14/2023

**Date Prepared:** 11/8/2023

**Agenda:** Consent

**Background Information:** The City's wastewater treatment plant currently uses Smith & Loveless equipment installed in 1985 for removing grit from influent flow. This equipment has incurred increasing maintenance costs in recent years and is due for replacement.

MISCOwater is the sole-source regional supplier of Smith & Loveless.

**Council Goals/Objectives:** The execution of this action attempts to achieve portions of work tasks towards achieving/maintaining Strategic Plan - City Infrastructure Investment.

**Fiscal Impact:** Funds in the amount of \$152,300.14 are available in the Sewer Plant Division - Other Machinery & Equipment Budget. Budgeted funds for FY 2023-24 are available.

**Funds Available:** Yes

**Account #:** 510-802-52050

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

**Attachments:** MISCOwater Quote



October 31, 2023

Mr. Trevor Van Noort  
City of Grass Valley

Subj: MISCOwater Quote #MW-32254  
Ref: Smith & Loveless

Trevor,

It is our pleasure to submit the following quotation for the Smith & Loveless grit system equipment for your review.

QTY	DESCRIPTION	UNIT PRICE	TOTAL
LS	One (1) Model 15 Screw Conveyor in carbon steel with concentrator One (1) Panel Board with controls for grit pump and screw conveyor One (1) NEMA 4 Vacuum Priming Panel One (1) Sonic Start Upgrade Kit	137,200.00	137,200.00
	Freight Estimate – to be billed at actual		3500.00
	Tax @ 8.50%		11,657.14
	Total		152,300.14

**Notes:**

- Payment terms: Net 30 days
- F.O.B.: Lenexa, KS (freight is an estimate only, billed at actual)
- Delivery: 28-30 weeks from receipt of order

Purchase order to be addressed as follows:

MISCOwater  
3825 Hopyard Road, Suite 195  
Pleasanton, CA 94588

Please let me know if you have any questions.

Thank you,  
Todd Jordan



## City of Grass Valley City Council Agenda Action Sheet

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

**CEQA:** Not a Project

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

**Prepared by:** Zac Quentmeyer, Deputy Public Works Director

**Council Meeting Date:** November 14, 2023

**Date Prepared:** November 7, 2023

**Agenda:** Consent

**Background Information:** Senate Bill 1383 Regulations require cities and counties, among other things, to implement programs requiring organic waste generators and waste haulers to meet minimum standards for organic waste collection services, inspect waste containers for prohibited contamination of materials, provide education and outreach information to organic waste generators, report to CalRecycle on compliance with the SB 1383 Regulations, and maintain records of compliance with the SB 1383 Regulations. Nevada County Environmental Health Department currently performs annual health inspections Commercial Edible Food Generators and food recovery organizations within City limits. The purpose of the MOU would be to allow the Nevada County Environmental Health Department to inspect for SB 1383 compliance requirements during their annual health and safety compliance inspections of commercial business within the City.

Attached is the draft MOU for Council review and information.

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

**Fiscal Impact:** Execution of MOU will result in a cost savings by reducing staff time required to meet SB1383 compliance requirements.

**Funds Available:** N/A

**Account #:** N/A

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

**Attachments:** Resolution 2023-63

**Resolution Number: 2023-63**

**RESOLUTION OF THE CITY OF GRASS VALLEY ADOPTING A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE COUNTY OF NEVADA (“COUNTY”) AND THE CITY OF GRASS VALLEY (“CITY”) REGARDING IMPLEMENTATION OF SB 1383**

**WHEREAS**, SB 1383 (Chapter 395, Statutes of 2016) requires the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025, which regulations have been finalized and are now in effect (Division 7 of Title 14 of the California Code of Regulations) (the “SB 1383 Regulations”); and

**WHEREAS**, the SB 1383 Regulations require cities and counties, among other things, to implement programs requiring organic waste generators and waste haulers to meet minimum standards for organic waste collection services, inspect waste containers for prohibited contamination of materials, provide education and outreach information to organic waste generators, report to CalRecycle on compliance with the SB 1383 Regulations, and maintain records of compliance with the SB 1383 Regulations; and

**WHEREAS**, Section 18981.2(b)(2) of the SB 1383 Regulations authorizes the City to enter into a Memorandum of Understanding (“MOU”) with the County to fulfill its responsibilities under SB 1383; and

**WHEREAS**, pursuant to Section 18981.2(c), the City remains ultimately responsible for compliance with the requirements of the SB 1383 Regulations as to the City’s territory; and

**WHEREAS**, the Environmental Health Department of Nevada County is authorized to annually inspect commercial businesses in the City pursuant to Health & Safety Code sections 25511, 26250, 112040, and 114390; and

**WHEREAS**, the Parties wish to enter into this MOU to establish roles and responsibilities to implement the SB 1383 Regulations the County will assume on the City’s behalf under this MOU’s terms and conditions.



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

- 1. The above recitals are true and correct and are a substantive part of this Resolution.
- 2. The City of Grass Valley approved the attached Memorandum of Understanding with County of Nevada regarding implementation of SB 1383.

Approved and adopted the 14th day of November 2023.

I, the undersigned, hereby certify that the foregoing Resolution Number 2023 - 63 was duly adopted by the City Council following a roll call vote:

AYES: Councilmember  
 NOES: Councilmember  
 ABSENT: Councilmember  
 ABSTAIN: Councilmember

ATTEST:

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

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

APPROVED AS TO FORM:

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



## City of Grass Valley City Council Agenda Action Sheet

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

**CEQA:** Not a Project

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

**Prepared by:** Zac Quentmeyer, Deputy Public Works Director

**Council Meeting Date:** November 14, 2023

**Date Prepared:** November 7, 2023

**Agenda:** Consent

**Background Information:** In May of 2023, Northern Sierra Air Quality Management District solicited grant applications for AB 2766 DMV Surcharge Funds. The City submitted a successful application requesting \$50,000 for a project to purchase a tractor to be utilized by the Public Works Department. This project consists of replacing two John Deere tractors (JD955 and JD301-A) with a new 4052M Heavy Duty John Deere tractor. The primary objective of the project is to reduce emissions and increase staff efficiencies by replacing two outdated tractors with a new tractor capable of performing the same task as both replacement tractors. This project would include retiring one John Deere 301A diesel tractor, approximately 45 years old, and one John Deere 955 diesel tractor, approximately 30 years old. One John Deere 4052M Heavy Duty Compact Utility tractor would be purchased to replace the functionality of the retired tractors. The city utilizes tractors for leveling, aerating turf, spreading seed and fertilizer, snow removal, post hole digging, trenching and material mobilization. Attached is the contract for Council review and information.

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

**Fiscal Impact:** \$50,000 of the total project cost (\$61,976.57) will be covered by grant funds. City funds will cover the remaining cost (\$11,976.57).

**Funds Available:** Yes

**Account #:** 100-501-51020

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

**Attachments:** Resolution 2023-64

**Resolution Number: 2023-64**

**RESOLUTION OF THE CITY OF GRASS VALLEY APPROVING A CONTRACT BETWEEN NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT (“DISTRICT”) AND THE CITY OF GRASS VALLEY (“CITY”) TO ACCEPT SB 2766 DMV SURCHARGE FUNDS**

**WHEREAS**, the California Clean Air Act requires local air pollution control districts to reduce emissions from motor vehicles; and

**WHEREAS**, AB 2766, codified in California Health and Safety Code §44223, authorizes districts to impose a fee of up to four dollars upon certain registered motor vehicles within the district, and the Governing Board of the DISTRICT has imposed said fee (\$4 per vehicle in Nevada and Plumas Counties and \$2 per vehicle in Sierra County); and

**WHEREAS**, said legislation requires the DISTRICT to use said funds for activities to reduce air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988; and

**WHEREAS**, CITY has proposed a project that meets the eligibility criteria for funding approved by the DISTRICT, which is consistent with the goals of Health and Safety Code §44220 through §44247; and

**WHEREAS**, CITY represents that it is willing and able to perform the activities set forth herein.

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

1. The above recitals are true and correct and are a substantive part of this Resolution.
2. The City of Grass Valley approves the attached contract with Northern Sierra Air Quality Management District accepting SB 2766 DMV Surcharge Funds.

Approved and adopted the 14th day of November 2023.

I, the undersigned, hereby certify that the foregoing Resolution Number 2023 - 64 was duly adopted by the City Council following a roll call vote:

AYES: Councilmember

NOES: Councilmember

ABSENT: Councilmember

ABSTAIN: Councilmember

ATTEST:

---

Jan Arbuckle, Mayor

---

Taylor Day, City Clerk

APPROVED AS TO FORM:

---

Michael G. Colantuono, City Attorney