

### **GRASS VALLEY**

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

Tuesday, September 27, 2022 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@cityofgrassvallev.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 Ben Aguilar, Vice Mayor Jan Arbuckle, Councilmember Bob Branstrom, Councilmember Hilary Hodge, Councilmember Tom Ivy

### **MEETING NOTICE**

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

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

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

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

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

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

<u>AGENDA APPROVAL</u> - 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. Waste Management Recycling and Services

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

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

2. Approval of the Regular Meeting Minutes of September 13, 2022.

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

3. Assembly Bill 361 Resolution

<u>Recommendation</u>: Adopt resolution R2022-75 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

4. Local Emergency Proclamation (COVID-19)

<u>Recommendation</u>: Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency

<u>5.</u> Local Emergency Proclamation (Drought Conditions)

<u>Recommendation</u>: Drought Conditions proclamation declaring a Local State of Emergency

6. Local Emergency Proclamation (Winter Storm of December 27th, 2021)

<u>Recommendation</u>: Winter Storm of December 27th, 2021 proclamation declaring a Local State of Emergency

Memorandum of Understanding between the City of Grass Valley and County of Nevada to memorialize funding commitments to support emergency services programs and projects.

Recommendation: That Council 1) review the attached Memorandum of Understanding (MOU) with the County of Nevada; 2) adopt Resolution No. 2022-xx approving the Memorandum of Understanding ("MOU") between the County of Nevada ("County") and the City of Grass Valley ("City"), contingent upon voter approval of the Nevada County Wildfire Prevention, Emergency Services, and Disaster Readiness Transactions and Use Tax ("Measure V"); and 3) authorize the Mayor execute MOU, subject to legal review.

8. Acceptance of donation from the Nevada County Law Enforcement & Fire Protection Council (NCLFC)

<u>Recommendation</u>: Approve the Police Department to accept the proposed donation by the NCLFC

9. New Job Description for Parks Senior Maintenance Worker

<u>Recommendation</u>: That Council approve the new job description for Parks Senior Maintenance Worker.

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

### REORGANIZATION RELATED ITEMS

### **PUBLIC HEARING**

### **ADMINISTRATIVE**

10. Downtown Streetscape Improvements Project - Update and Design Approval

<u>Recommendation</u>: That Council 1) receive an update on the project schedule and 2) review the proposed final design elements and provide direction to staff.

11. Baseline Tennis Club Proposal

<u>Recommendation</u>: That Council approves City staff to execute a Facility Use Agreement with Baseline Tennis Club for use of City tennis courts, subject to legal review.

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

### <u>ADJOURN</u>

### **POSTING NOTICE**

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, September 27, 2022 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Friday, September 23, 2022.

Taylor Day, Deputy City Clerk



### **GRASS VALLEY**

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

Tuesday, September 13, 2022 at 7:00 PM

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E-Mail: info@cityofgrassvalley.com Web Site: www.cityofgrassvalley.com

### **MINUTES**

### **CALL TO ORDER**

Meeting called to order at 7:02 pm.

### **PLEDGE OF ALLEGIANCE**

Jerry Cirino led pledge of allegiance.

### **ROLL CALL**

PRESENT
Council Member Bob Branstrom
Council Member Hilary Hodge
Council Member Tom Ivy
Vice Mayor Jan Arbuckle
Mayor Ben Aguilar

### **AGENDA APPROVAL -**

Motion made to approve agenda by Vice Mayor Arbuckle, Seconded by Council Member Hodge.

Voting Yea: Council Member Branstrom, Council Member Hodge, Council Member Ivy, Vice Mayor Arbuckle, Mayor Aguilar

### REPORT OUT OF CLOSED SESSION

### INTRODUCTIONS AND PRESENTATIONS

### **PUBLIC COMMENT** -

Virtual Public Comments attached.

In person Public Comments: Robin Davies, Lillie Pilland, Lindy Schasiepen, Ingrid Calanio, Sherri Bernadette, Greg Schasiepen

### **CONSENT ITEMS -**

Motion made to approve consent by Vice Mayor Arbuckle, Seconded by Council Member Hodge.

Voting Yea: Council Member Branstrom, Council Member Hodge, Council Member Ivy, Vice Mayor Arbuckle, Mayor Aguilar

1. Approval of the Regular Meeting Minutes of August 23, 2022.

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

2. Assembly Bill 361 Resolution

<u>Recommendation</u>: Adopt resolution R2022-71 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

3. Local Emergency Proclamation (COVID-19)

<u>Recommendation</u>: Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency

4. Local Emergency Proclamation (Drought Conditions)

<u>Recommendation</u>: Drought Conditions proclamation declaring a Local State of Emergency

5. Local Emergency Proclamation (Winter Storm of December 27th, 2021)

<u>Recommendation</u>: Winter Storm of December 27th,2021 proclamation declaring a Local State of Emergency

6. Out of State Travel - IACP Annual Conference

**Recommendation**: Approve out of state travel

7. Updated Job Description for Firefighter/Lateral Firefighter & Firefighter Paramedic/Lateral Firefighter Paramedic.

<u>Recommendation</u>: That Council 1) approve the updated job descriptions for Firefighter/Lateral Firefighter & Firefighter Paramedic/Lateral Firefighter Paramedic.

8. International Union of Operating Engineers, Stationery Engineers, Local 39 Memorandum of Understanding - Unit #2 (General Employees) and Unit #3 (Office Technical Employees) - September 1, 2022 - June 30, 2023

<u>Recommendation</u>: Adopt Resolution No. 2022-72 & 2022-73 approving the Labor Memorandum of Understanding for a ten-month period beginning September 1, 2022 through June 30, 2023 between the City of Grass Valley and the International Union of Operating Engineers, Stationery Engineers, Local 39 (Unit 2 and Unit 3).

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

REORGANIZATION RELATED ITEMS

**PUBLIC HEARING** 

### **ADMINISTRATIVE**

9. Second Reading of Ordinance No. 818 Amending the City's Development Code.

<u>Recommendation</u>: For Council to reconsider allowing food trucks in commercial zones and to hold a Second Reading, by Title only, of Ordinance No. 818, Amending the City's Development Code for 2022.

Lance Lowe, Principal Planner, gave presentation to the council

Council discussed the allowance of Food Trucks.

Public Comments: Jerry Cirino, Ray Beyers, Henry Ramos

Motion made to remove the allowance of Food Trucks and to hold a Second Reading, by Title only, of Ordinance No. 818, Amending the City's Development Code for 2022 by Vice Mayor Arbuckle, Seconded by Council Member Branstrom. Voting Yea: Council Member Branstrom, Council Member Hodge, Council Member Ivy, Vice Mayor Arbuckle, Mayor Aguilar

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

Councilmember Branstrom attended the Nevada City Arts Council, ERC meeting, and League of California Cities Conference. Councilmember Hodge attended the League of California Cities Conference. Councilmember Ivy had nothing to report. Vice Mayor Arbuckle attended the League of California Cities Conference. Mayor Aguilar attended the League of California Cities Conference.

### **ADJOURN**

Meeting adjourned at 7:56 pm.	
Ben Aguilar, Mayor	Taylor Day, Deputy City Clerk
Adoption Date	





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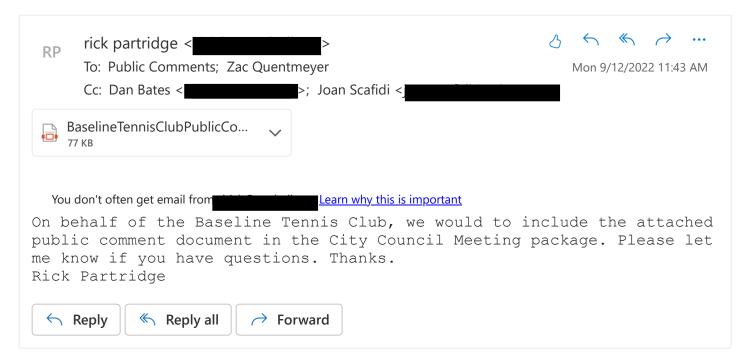


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## Public Comment from Baseline Tennis Club for September 13, 2022 GV City **Council Meeting**



Submitted via e-mail to public@cityofgrassvalley.com

# Comments from Baseline Tennis Club for submission to the Grass Valley City Council Meeting on September 13, 2022

Community. Whether you grew up in this beautiful area or moved here to enjoy our variety of year-round outdoor recreation opportunities, connecting with those with similar interests can be a challenge. The Baseline Tennis Club came about in part due to that challenge.

Access to public tennis facilities and opportunities for residents to connect with other players is quite limited in Nevada County. The City of Grass Valley has taken the lead in providing public courts and facilitating access for teaching professionals. The City has also worked with the Grass Valley Pickleball Club to formulate a successful court access schedule that accommodates all players interested in their sport.

The Baseline Tennis Club, a local community group open to all levels of tennis player, was created to work with the City to emulate that success. This group has been playing the past 2 years, growing from the original 4 or 5 players to more than 25, in part due to referrals from other players and local pros, as well as those who just show up at the courts to inquire about a tennis community. We are a microcosm of the community – retirees, working professionals, and busy community leaders representing all diverse groups. In recent months as the group grew and we had 8 or more players showing up for open play sessions, we have used 2 adjacent courts to be able to rotate in all players coming to the open session.

With two or three 2-hour reserved time slots on two courts per week, we can utilize a court reservation app and facilitate group play. Group texts will help players find others of their skill level for both singles and doubles play on their own schedules. Established doubles groups can find alternates when necessary and we can all meet some new people with a common love of the game.

With posted scheduled open play times at the courts and a link to our tennis community website, it gives the community an opportunity to showcase Grass Valley as a leader in supporting tennis in our area. Visitors come to hike, bike, boat, and enjoy the river, so let's add tennis with some scheduled times. Another great reason to come to Grass Valley!

We see this as a huge benefit for the community as a way for tennis players at all levels to connect with each other and find partners to play with.

### **Alena Loomis**

From: Kathy Tillett < > > Sent: Tuesday, September 13, 2022 12:33 PM

**To:** COGV General Voicemail Subject: Short term rentals/Airbnbs

You don't often get email from rainkat1@hotmail.com. Learn why this is important

Please limit the number of short term rentals in our community. We are in dire need of rentals for locals.

I am one of the tenants that was evicted due to the Olympia Hotel project and found it difficult to find a new home in our area. It took many months.

Amazingly I found many apartment complexes were also acting as short term rentals. I did not expect that. Many ADUs were also short term. Homes that have been traditionally rentals for locals are now short term rentals. These are in established neighborhoods. They should not be there.

When the hotel opens, I would like to see short term rentals reduced by the number of hotel rooms and homes taken. I believe that hotel will have 79 rooms and you took 11 single family homes out for this project. 90 less short term rentals would help!

I brought up the issue of short term rentals in the review process for the hotel and you, the city just ignored it. It is time you wake up and start helping the working people and seniors in our community! Enough money on tourism, help the people who make our community great!

Kathy Tillett 304 Sutton Wy Apt 38 Grass Valley, CA 95945

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You don't often get email from earn why this is important

Thank you for picking up the stacks of wood from the December storm that were at the City's vacant lot on Mill. However, no one has come out to take care of the overgrowth of weeds and the trash. I really wish the city staff would take pride in our city and manage the properties that they do have before looking to purchase more. For example, there is a matrtress that someone dumped in the lot over a years ago. The city workers have come out numberous times to hang up fences with no parking and no trespassing signs, but they don't pickup any of the trash or haul off that mattress.

I am not asking for anything out of the ordinary I am just asking the city to maintain their property as they would require private citizens and businesses to do.

Thank you, Jedidiah

From: Jedidiah Watson

Sent: Friday, August 19, 2022 11:58 AM

To: public@cityofgrassvalley.com < public@cityofgrassvalley.com >

Subject: City's Mill St Vacant lot

Please send someone out to maintain your vacant lot and please do so on a regular basis. It is an eye sore to the community and violates the city's own vegetation management codes. There are still stacks of sticks and branches from the December storm last year, overgrown weeds and shrubs, and because of the overgrowth we have seen people dump trash like a bathtub, people passed out in the bottom of the lot, and kids are going down there to hang out and access the back yards of neighboring properties.

Thank You, Jedidiah





Forward





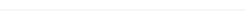
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You don't often get email from Learn why this is important

Grass Valley Public Comment,

Dear representative,

Do you understand the science of climate change yet? It is progressive. Each generation will suffer much more than the one before. Your children will never know the abundance your generation squandered. If you care about the very survival of your grandchildren, you must act NOW.

I am an elder ally of the Nevada County Sunrise chapter. They are requesting that the General Plan be updated to address the climate emergency. We ask that your board include and prioritize climate mitigation and climate responsible action in all relevant city and county policies and procedures.

This includes our request for the immediate halting of the Idaho Maryland Mine project, initiation of plans and strategy to reach carbon net neutrality, and the prioritization of the wellbeing of Nevada County's biodiversity and watershed.

We ask that Nevada County set precedence in climate action and we encourage the county to look toward leaders in sustainability such as Truckee's recent climate action and mitigation plans.

Thank you for your consideration, Sunrise Nevada County

Carol Kuczora



Grass Valley, California 95945



← Reply



Forward

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### Good evening

My name is Lindy Schasiepen (Greg Schasiepen) I live on Success Mine Loop in Grass Valley in the Morgan Ranch development.

The reason I am here this evening is to make the City Council aware of nuisance issues that are plaguing our neighborhood.

Our residence at 220 is adjacent to the open space at the lower section of Morgan Ranch. This area has an unobstructed view of the coastal range and sunsets. We are happy to share this scenery with neighbors and others who quietly enjoy the peace and loveliness of a beautiful vista.

Unfortunately, we are experiencing visitors who are not appreciative of this view.

For the past four years, as you can see from the innumerable calls to the Grass Valley Police Department, this area between 198 and 220 Success Mine Loop has been a gathering place for teenagers. Respectful young people in the past have been welcome and have not been a problem.

Sadly, these recent teens treat our neighborhood very badly. We have had instances of public urination and defecation, trespassing, littering, drug and alcohol use, drug dealing, loud music, illegal parking, obscenity, crudeness, lewd behaviors...and the final straw was on August 25 when teenagers had what appeared to be a rifle and were firing it on the hillside!

In each instance 911 or dispatch has been called and officers responded. As they are underage, their names and addresses are taken but there are no other consequences, apart from a stern lecture. In only one instance a parent was notified and they arrived to drive the offending drunk teenagers out of our area – leaving all their vehicles behind.

Night after night we are disturbed and threatened by these activities.

Thank you to the City Council for allowing us to voice our concerns and we look forward to some action being taken to alleviate our problem.

### **ISSUES TO RESOLVE:**

**TRESPASSING** 

**DESTRUCTION OF FENCES AND PROPERTY** 

**SMOKING OF CIGARETTES AND POT** 

DRUG DEALING

DRUG USE

UNDERAGE DRINKING

LITTERING - FOOD CONTAINERS, ETC.

**ILLEGAL PARKING** 

**SPEEDING OF VEHICLES** 

**PUBLIC URINATION** 

**RESTRICTION OF ROADWAY ACCESS FOR EMERGENCY VEHICLES** 

**LOUD MUSIC** 

MULTIPLE HOURS OF PARTYING

FIREARM USAGE

**GOLF PRACTICE** 

MOTORCYCLES IN THE CACHEMENT AREA

ARGUMENTATIVE AND CONFRONTATIONAL BEHAVIOR

LEWD AND CRUDE BEHAVIOR

NIGHTLY OCCURENCES

### **DETERRENT SOLUTIONS:**

NO PARKING OR LOITERING SIGNAGE

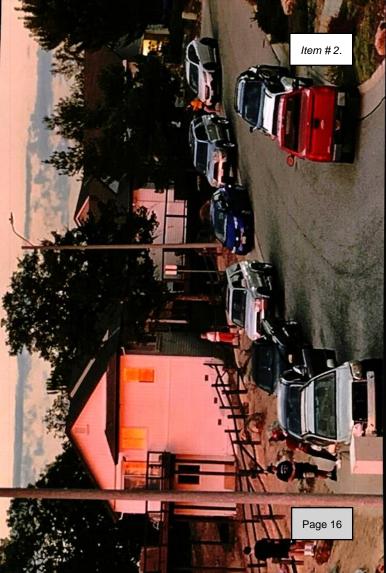
**CURB PAINTING** 

**REGULAR POLICE PRESENCE AFTER DUSK** 

GV POLICE TRAILER PARKED - RECORDING INFRACTIONS









<u>Title</u>: Assembly Bill 361 Resolution

Recommendation: Adopt resolution R2022-75 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to

government code section 54953(e)

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

Council Meeting Date: 9/27/2022 Date Prepared: 9/22/2022

**Agenda:** Consent

**Background Information:** On March 4, 2020, the Governor of California proclaimed a state of emergency pursuant to government code section 8625. Assembly Bill 361 went into effect October 1st, 2021, it allows legislative bodies to hold public meetings by teleconference without reference to otherwise applicable requirements in the Government Code section 54953(b)(3). The option for teleconferencing is allowed so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met: 1) State or local officials have imposed or recommended measures to promote social distancing. 2) The legislative body (City Council) is holding the meeting for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees. 3) The legislative body (City Council) has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees. This action will allow City Council and all other legislative bodies to continue with virtual meetings as has been done throughout the COVID-19 pandemic. Live streamed meetings will continue to be available via the City's website, as will the option to leave public comments in real time via voicemail or email.

<u>Council Goals/Objectives</u>: Approval of AB 361 Resolution executes portions of City Strategic Goal #6: Public Safety. The City of Grass Valley is devoted to providing a safe Place to Live, Work and Play.

Fiscal Impact: N/A

Funds Available: N/A Account #: N/A

Reviewed by: \_\_ City Manager

Attachments: R2022-75

#### RESOLUTION NO. 2022-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND OTHER LEGISLATIVE BODIES OF THE CITY PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

- 1. State or local officials have imposed or recommended measures to promote social distancing.
- 2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees.
- 3. The legislative body has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the City Council previously adopted Resolution No. 59 on October 26, 2021 finding that the requisite conditions exist for the City Council and other legislative bodies of the City, including the Planning Commission, Development Review Commission, and Historical Commission to conduct teleconference meetings under California Government Code section 54953(e); and

WHEREAS, Government Code section 54953(e)(3) requires the legislative body adopt certain findings by majority vote within 30 days of holding a meeting by teleconference under Government Code section 54953(e), and then adopt such findings every 30 days thereafter; and

WHEREAS, the City Council desires to continue holding its public meetings by teleconference consistent with Government Code section 54953(e), and to authorize other legislative bodies of the City, including the Planning Commission, Development Review Commission, and Historical Commission to do the same.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRASS VALLEY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. <u>Recitals</u>. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. <u>Conditions are Met</u>. The City Council hereby finds and declares the following, as required by Government Code section 54953(e)(3):

- 1. The City Council has reconsidered the circumstances of the state of emergency declared by the Governor pursuant to his or her authority under Government Code section 8625; and
- 2. The state of emergency continues to directly impact the ability of members of the City Council and other legislative bodies of the City to meet safely in person.

Section 3. <u>Meeting Requirements</u>. All meetings held pursuant to Government Code section 54953(e) shall comply with the requirements of that section and all other applicable provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).

Section 4. Regular Findings. Pursuant to Government Code section 54953(e)(3), if the Town Council desires to continue holding its public meetings by teleconference consistently with Government Code section 54953(e), it shall make findings not later than 30 days after the meeting at which this Resolution was adopted, and every 30 days thereafter, as required by that section.

Section 5. <u>Effective Date</u>. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of City of Grass Valley, this 27th day of September, 2022, by the following vote:

AYES: NOES: ABSENT: ABSTAIN:	
Ben Aguilar, Mayor	
ATTEST:	APPROVED AS TO FORM:
Taylor Day, Deputy City Clerk	Michael Colantuono, City Attorney



<u>Title</u>: Local Emergency Proclamation (COVID-19)

Recommendation: Continuance of Novel Coronavirus (COVID-19) proclamation declaring

a Local State of Emergency

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

**Agenda:** Consent

<u>Background Information</u>: On March 5, 2020 the City Manager, acting as the Director of Emergency Services for the City of Grass Valley and the Disaster Council (Vice Mayor Aguilar and Councilmember Arbuckle), declared a local State of Emergency to ensure emergency personnel can obtain equipment and resources in the most timely and effective manner. In accordance with the Emergency Services Act Section 8630 (b) the governing body must ratify the declared emergency within 7 days for it to remain in effect. On March 10, 2020, at the Grass Valley City Council Meeting, the City Council approved Resolution 2020-09, Proclamation of Local Emergency. The City Council shall review, at its regularly scheduled meeting until the local emergency is terminated, the need for continuing the local emergency.

<u>Council Goals/Objectives</u>: Continuance of the proclamation declaring a Local State of Emergency due to prepare against coronavirus COVID-19 executes portions of City Strategic Goal #6: Public Safety. The City of Grass Valley is devoted to providing a safe Place to Live, Work and Play.

<u>Fiscal Impact</u>: The changing variants of COVID19 make it very difficult to anticipate the Fiscal Impact moving forward. For FY 2022/23, it appears the impacts will be minimal compared to previous years, but due to the constantly changing impacts of COVID-19 the actual fiscal impact may change.

Funds Available: N/A Account #: N/A

Reviewed by: \_\_ City Manager

**Attachments:** None



<u>Title</u>: Local Emergency Proclamation (Drought Conditions)

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

Emergency

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

Council Meeting Date: 9/27/2022 Date Prepared: 9/22/2022

**Agenda:** Consent

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

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

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

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

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

Funds Available: N/A Account #: N/A

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



<u>Title</u>: Local Emergency Proclamation (Winter Storm of December 27<sup>th</sup>, 2021)

Recommendation: Winter Storm of December 27th, 2021 proclamation declaring a Local

State of Emergency

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

Council Meeting Date: 9/27/2022 Date Prepared: 9/22/2022

**Agenda:** Consent

<u>Background Information</u>: Due to conditions of extreme peril to the safety of persons and property have arisen within the City of Grass Valley, caused by the winter storm of December 26 and 27, 2021 which has cut power, downed trees, blocked roads and created other hazards to health and human safety commencing on or about 12:00 midnight on the 26th day of December, 2021, at which time the City Council of the City of Grass Valley was not in session. The city found it necessary to proclaim the existence of a local emergency throughout the city.

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

<u>Fiscal Impact</u>: The Fiscal Impact of the December 2021 Storm is being estimated at \$590,000 for City related property and public right of way. Hopefully, about 75% of these cost should be reimbursable due to the County of Nevada and the State of California declaring a State of Emergency for our area.

Funds Available: N/A Account #: N/A

Reviewed by: \_\_ City Manager



<u>Title:</u> Memorandum of Understanding between the City of Grass Valley and County of Nevada to memorialize funding commitments to support

emergency services programs and projects.

Recommendation: That Council 1) review the attached Memorandum of Understanding (MOU) with the County of Nevada; 2) adopt Resolution No. 2022-74 approving the Memorandum of Understanding ("MOU") between the County of Nevada ("County") and the City of Grass Valley ("City"), contingent upon voter approval of the Nevada County Wildfire Prevention, Emergency Services, and Disaster Readiness Transactions and Use Tax ("Measure V"); and 3) authorize the Mayor execute MOU, subject to legal review.

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

Council Meeting Date: 09/27/2022 Date Prepared: 09/21/2022

Agenda: Consent

<u>Background Information</u>: If Measure V is approved by voters at the November 8, 2022, General Election, funds would come from a one-half-percent transaction and use tax (i.e., sales tax). The County of Nevada estimates twelve million dollars to be generated annually for ten years through the sales tax to provide critical resources needed to save lives, reduce the threat of wildfires, and improve all-hazards disaster readiness and evacuation safety, and other general government services.

The purpose of the MOU would be to memorialize funding commitments to support programs and projects serving City and Supervisorial District III residents. The calculation would be based on an aggregate value that includes direct financial allocations to the City, direct benefits delivered and/or based in District III, and indirect benefits from shared services.

The MOU would memorialize the County's investment of thirteen-point-six percent (13.6%) of annual Measure revenues (or \$1,632,000 based on estimated total revenue of \$12 Million) held within the County's General Fund on programs and projects that directly benefit the City and District III.

The MOU's allocation methodology is described below:

The County will pay 7.5% of the total annual revenue (or \$900,000 based on estimated total revenue of \$12 Million) to the City to be spent on programs and projects that fall into the categories of preparedness, mitigation, response, and recovery, and are in alignment with approved local or regional plans and/or County plans such as the Community Wildfire Preparedness Plan, Local Hazard Mitigation Plan, evacuation plans, etc. These funds may be used to, without limitation, provide prevention and mitigation services such as fuels reduction on public properties and roadways (such as those of the City, County, schools, airport, special districts, and critical infrastructure including hospitals), implement defensible space programs, and other eligible uses within City limits or its sphere of influence.

The County will spend 6.1% of the total annual revenue (or \$732,000 based on estimated total revenue of \$12 Million) on programs, services and/or projects that are delivered and located in District III, as well as indirect programs and services such as but not limited to Countywide planning, emergency communications, outreach and education programs, etc. The projects and programs for 6.1% of Measure revenue shall be developed by the City in coordination with the Western Technical Advisory Committee pursuant to MOU, and implemented by the City, County and/or other eligible entity.

The allocation for District III shall require citizen oversight, mandatory financial audits, and reports to the public consistent with practices for the rest of the Measure V fund.

Attached is the MOU for Council review and information.

<u>Council Goals/Objectives</u>: This item executes portions of work tasks towards achieving / maintaining Community Safety.

<u>Fiscal Impact</u>: If Measure V is approved by voters in the November 8, 2022, General Election, funds would come from its one-half percent transaction and use tax (sales tax).

Funds Available: YES <u>Account #</u>: TBD

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

### **RESOLUTION NO. 2022-74**

RESOLUTION OF THE CITY COUNCIL 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"),
CONTINGENT UPON VOTER APPROVAL OF THE NEVADA COUNTY WILDFIRE
PREVENTION, EMERGENCY SERVICES, AND DISASTER READINESS
TRANSACTIONS AND USE TAX ("MEASURE V") TO MEMORIALIZE FUNDING
COMMITMENTS TO SUPPORT EMERGENCY SERVICES PROGRAMS AND
PROJECTS

WHEREAS, on August 9, 2022, the Board of Supervisors placed Measure V, the "Nevada County Wildfire Prevention, Emergency Services and Disaster Readiness Sales and Use Tax" ("Measure"), on the November 8, 2022, General Election ballot; and

WHEREAS, the Measure is a ½-cent Countywide general sales tax to provide critical resources needed to save lives, reduce the threat of wildfires, improve all-hazards disaster readiness and evacuation safety, and for general government use; and

WHEREAS, the County and the City of Grass Valley (the "City") wish to enter into a Memorandum of Understanding ("MOU") to memorialize funding commitments to support preparedness, mitigation, response, and recovery programs serving their residents, subject to voter approval of the Measure; and

WHEREAS, the MOU details the County's payment of 7.5% of the total annual revenue from Measure V to the City, as well as the County's commitment to spend 6.1% of the total annual revenue from the General Fund within Supervisorial District III, for programs and projects that fall into the categories of preparedness, mitigation, response, and recovery as further detailed in the MOU; and

WHEREAS, the MOU details the roles and responsibilities of the Technical Advisory Committee and the Citizens Oversight Committee; and that in order to provide oversight and transparency, these allocations for the City and Supervisorial District III require citizen oversight, mandatory financial audits, and reports to the public consistent with practices for the rest of the fund; and

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

1. The above recitals are true and correct and are a substantive part of this Resolution.

2. The City Council of the City of Grass Valley approves the attached Memorandum of Understanding with County of Nevada, contingent upon voter approval of the Nevada County Wildfire Prevention, Emergency Services, and Disaster Readiness Transactions and Use Tax ("Measure V"), to memorialize funding commitments to support emergency services programs and projects and authorizes the Mayor to execute the MOU.

**PASSED AND ADOPTED** as a Resolution of the City Council of Grass Valley at a meeting thereof held on the 27<sup>th</sup> day of September 2022 by the following vote:

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

	Ben Aguilar, Mayor
ATTEST:	APPROVED AS TO FORM:
Taylor Day, Deputy City Clerk	Michael G. Colantuono, City Attorney

### MEMORANDUM OF UNDERSTANDING

### BETWEEN THE COUNTY OF NEVADA AND THE CITY OF GRASS VALLEY FOR WILDFIRE PREVENTION, EMERGENCY SERVICES AND DISASTER READINESS PROGRAMS AND PROJECTS

THIS MEMORANDUM OF UNDERSTANDING, hereinafter referred to as "MOU," is made and entered into by and between the County of Nevada, hereinafter referred to as "COUNTY," and the City of Grass Valley, hereinafter referred to as "CITY," collectively, the "PARTIES" and shall be effective when signed by all the Parties ("Effective Date").

### Recitals:

WHEREAS, in January of 2022, the COUNTY Board of Supervisors reaffirmed "Emergency Preparedness" as a priority objective; and

WHEREAS, on August 9, 2022, the Board of Supervisors placed Measure V, the "Nevada County Wildfire Prevention, Emergency Services and Disaster Readiness Sales and Use Tax," ("Measure") on the November 8, 2022, General Election ballot; and

WHEREAS, the Measure is a ½ cent Countywide general sales tax to provide critical resources needed to save lives, reduce the threat of wildfires, and improve all-hazards disaster readiness and evacuation safety, and other general government services; and

WHEREAS, the PARTIES wish to memorialize funding commitments to support preparedness, mitigation, response, and recovery programs serving the residents of the CITY and Supervisorial District III, subject to voter approval of the measure; and

WHEREAS, the PARTIES intend to collaborate and work cooperatively to deliver projects and services to be funded by the Measure.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the PARTIES, and of the promises contained in this MOU, the PARTIES agree as follows:

**Section 1**. RECITALS. The recitals set forth above are incorporated into this MOU.

**Section 2.** PURPOSE. The purpose of this MOU is to set forth the obligations and responsibilities of each PARTY with respect to funding commitments for the proposed Measure held within the General Fund.

**Section 3.** COOPERATION. The PARTIES shall fully cooperate with one another to attain the purposes of this MOU.

**Section 4.** TERM. This MOU shall become effective to each PARTY on the date that PARTY signs this MOU, and upon passage of the Measure, on the Operative Date of the Ordinance, and shall remain in effect while the Measure remains in effect and until the City of Grass Valley has received final payment of its share of its proceeds under this MOU, unless earlier terminated as set forth in Section 11, below.

### **Section 5.** PLAN SCOPE.

- a. The plan anticipates direct allocations to the CITY and other eligible entities, to support fuels reduction, defensible space programs, and other eligible uses in the categories of preparedness, mitigation, response, and recovery as described in Section 5.c. below.
- b. The County has set target allocations of 10% for planning/preparedness/prevention, 65% for mitigation, 20% for response, and 5% for recovery. CITY shall consider these target allocations but shall have no obligation to expend any funds provided hereunder in accordance with the target allocations.
- c. Eligible projects and programs in each category may include, but are not limited to, the following:

<u>Planning</u>, <u>Preparedness</u>, and <u>Prevention</u> includes required Countywide, municipal, and regional emergency plan development with regular updates to guide evacuation and all-hazards programs and projects; public education and outreach to residents and visitors to foster self-reliance, emergency preparedness, and evacuation planning; support for Firewise communities and neighborhoods; coordinated outreach to reduce wildfire risk by navigating unhoused people to shelter and services; and training and advocacy.

<u>Mitigation</u> includes Countywide and local hazardous vegetation reduction projects using science-based treatment and maintenance best practices to remove flammable brush and other fuels along roads, around municipalities and residential communities, near critical infrastructure, in recreation areas and open spaces with

trails, parks, and camping areas; public safety capital improvements and infrastructure projects such as public safety buildings, fire suppression and water storage systems, and heavy equipment; green waste disposal facilities and programs; evacuation safety route improvements such as removing fuels removal and constructing turnouts, roadway/shoulder widening, signage, etc.; defensible space and home hardening programs including education, enforcement, and abatement; and grants for neighborhood projects and programs such as expanded chipping programs and training programs, and financial assistance to low-income seniors, people with disabilities, and other residents with access and functional needs.

<u>Response</u> includes support for wildfire prevention and response capabilities but not wildfire suppression; emergency services communications capabilities including early warning and alert systems; sheltering support and capability improvements for people and animals/livestock; and first responder evacuation logistics support, tools, and training.

Recovery includes recovery coordination; case management to help those impacted by disasters; a recovery fund to address survivors' immediate needs; and a cleanup/debris management program to support rebuilding efforts. In addition, and based on the principle of shared services, this MOU reflects a commitment to coordination and collaboration with Countywide partners. This includes convening partners for necessary all-hazards planning; advocating and seeking federal state, and regional funding; considering the contribution of matching funds to support prioritized projects and programs; and providing coordinated public outreach/education and PIO communications.

### **Section 6.** TECHNICAL ADVISORY COMMITTEE.

- a. The COUNTY will establish separate eastern and western Technical Advisory Committees (TAC) comprised of multi-disciplinary subject matter experts staffed by the County Office of Emergency Services (OES), which will recommend funding priorities, subject to approval by the Board of Supervisors, as part of the COUNTY'S annual budget cycle. The western TAC (WTAC) may meet jointly or separately with the eastern TAC.
- b. WTAC recommendations will be based on expertise, adherence to approved countywide, regional, or local plans, tactical needs arising from emergencies, and a commitment to cooperation and collaboration.

- c. WTAC membership will include two seats for CITY staff, appointed by the City Council.
- d. The CITY may submit recommendations or requests to the WTAC for the expenditure of funds as the WTAC develops its annual expenditure recommendations.

### **Section 7.** CITIZENS OVERSIGHT COMMITTEE.

- a. The Board of Supervisors will appoint a Citizens Oversight Committee (COC). The COC's roles and responsibilities shall include reporting annually to the Board of Supervisors and public on the receipt and expenditures of Measure revenue, reviewing revenue and expenditures for conformity to the text of the Measure, and reporting any inconsistencies.
- b. The COC will neither evaluate spending priorities nor direct public agency staff or officials.
- c. The COC shall consist of seven members, one appointed by each of the five COUNTY Supervisors, and two to be selected by the full Board.
- d. TAX proceeds will be subject to the Annual Comprehensive Financial Report (audit) performed annually by an independent auditor.

### **Section 8.** CITY OF GRASS VALLEY AND DISTRICT III FUNDING.

- a. The COUNTY will invest thirteen-point-six percent (13.6%) of the Measure revenue held within the General Fund (or \$1,632,000 based on estimated total revenue of \$12 Million) on programs and projects that directly benefit the City of Grass Valley and District III.
- b. Of the 13.6%, the COUNTY will pay 7.5 percent of Measure revenue (or \$900,000 based on estimated total revenue of \$12 Million) to the CITY for programs and projects within its limits and its sphere of influence.
  - i. These programs and projects will fall into the categories of Preparedness, Mitigation, Response, and Recovery as described in 5.c., and will be in alignment with approved local or regional plans and/or COUNTY plans such as the Community Wildfire Preparedness Plan, Local Hazard Mitigation Plan, evacuation plans, etc.
  - ii. These funds may be used to, without limitation, provide prevention and mitigation services such as fuels reduction on public properties and roadways (including those of the CITY, COUNTY, schools, airport, special districts, and critical infrastructure including hospitals).
  - iii. These moneys shall be used to enhance and not to supplant current service

delivery levels set for Fiscal Year 2022/23, and shall be used for eligible programs, services and/or projects. Costs allocated to this MOU will be reasonable within accepted allocation practices (for example, 2 CFR Part 200).

- iv. Payments shall be in four (4) quarterly installments. Payments will be made within thirty (30) days following the end of each quarter.
- v. At its discretion, CITY may enter in to separate Memoranda of Understanding or contracts with other parties in order to facilitate the implementation of programs, services and/or projects to be funded by this direct allocation and in accordance with the terms of this MOU.
- c. Of the 13.6%, the COUNTY will spend 6.1 percent of Measure revenue (or \$732,000 based on estimated total revenue of \$12 Million) on programs, services and/or projects, that are delivered and located in District III, as well as shared programs and services such as but not limited to Countywide planning, emergency communications, outreach and education programs, etc.
  - i. The COUNTY shall not spend more than 5% of this amount on program management.
  - ii. The COUNTY shall not fund shared programs or services from the District III allocation beyond the proportionate share of benefit to be received by District III from such programs, services and/or projects.
  - iii. The projects and programs for 6.1 percent of Measure revenue shall be developed by the City in coordination with the WTAC pursuant to Section 6 herein, and implemented by the City, County and/or other eligible entity.
  - iv. These funds may also be used to provide local match on state and federal grants, provided that COUNTY shall not fund the local match for any state or federal grant to be used for countywide programs or services from the District III allocation beyond the proportionate share of benefit to be received by District III from such programs, services and/or projects.
  - v. These projects, services and programs will be developed by the WTAC, subject to Board approval.
- d. Unspent funds annually and at the end of the Measure's term shall remain allocated to District III projects and programs.
- e. The CITY agrees to publicly acknowledge projects and programs funded by the Measure in coordination with the COUNTY. For example, large-scale visible projects may be recognized with an onsite sign, while programs may be acknowledged in printed and online communications with the "Ready Nevada County Measure V" brand to be developed.

### **Section 9.** JOINT OBLIGATIONS.

- a. Collaboration. The PARTIES will collaborate to provide additional resources to the CITY, especially by seeking state and federal funding. Whenever possible, Measure revenue shall be leveraged to provide matching funds to state and federal grants in proportion to the benefit to be received by District III from the programs, services and/or projects to be funded by such grants.
- b. Documentation. The PARTIES will make a good faith effort to cooperate with one another to achieve the purposes of this MOU by providing all requested information and documentation in their possession or otherwise available for release deemed necessary to comply with the terms of a grant or to complete an approved project, or as requested by the Citizens Oversight Committee, or as requested by the COUNTY during the annual audit process.
- c. Records. Each PARTY will retain all records and documents in its possession pertaining to the MOU for a period of three years following termination or expiration of this MOU.
- d. COUNTY shall establish accounting structures within the general fund that allow for the tracking of expenditures that apply to District III and reporting them annually to the COC.
- e. CITY will provide expenditure reports to the COUNTY with a mid-year report (expenditures through December 31<sup>st</sup>) due February 28<sup>th</sup> and a final year-end report due August 31<sup>st</sup>.

### **Section 10**. INDEMNIFICATION

- a. Each PARTY shall indemnify, defend, and hold harmless each other PARTY, including its elected and appointed officers, employees, agents, attorneys, and designated volunteers from and against any and all liability, including, but not limited to demands, claims, actions, fees, costs, and expenses (including reasonable and actual attorney's and expert witness fees), arising from or connected with the indemnifying PARTY's acts arising from or related to this MOU; provided, however, that no PARTY shall indemnify another PARTY for the indemnified PARTY'S own negligence or willful misconduct.
- b. In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the PARTIES hereto, pursuant to Sections 895.4 and 895.6 of that Code, shall assume the full liability imposed upon it or any of its officers, agents, or

employees by law for injury caused by any act or omission occurring in the performance of this MOU to the same extent such liability would be imposed in the absence of Section 895.2 of that Code. To this end, each PARTY shall indemnify, defend, and holds harmless each other PARTY for any liability, cost, or expense that may be imposed upon such other PARTY solely by virtue of Government Code Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part of this MOU as if incorporated herein.

c. This indemnification clause shall survive the termination of the MOU.

### **Section 11.** TERMINATION OR AMENDMENT

- a. This MOU may be terminated by either PARTY following a default, notice of that default, and a failure to cure. A default is the failure of either PARTY to comply with any of its obligations under this MOU. Notice of default is written notice to the defaulting party specifying the nature of the alleged default. Failure to cure is the failure to remedy the alleged default within 30 days, unless the default requires more than 30 days to cure, in which case the defaulting party must immediately commence to remedy the default and thereafter diligently proceed until the default is remedied.
- b. If the Measure is repealed, this MOU shall terminate without further action of the PARTIES, upon the receipt and distribution of the final Measure revenues in accordance with this MOU.
- c. This MOU may be terminated at any time by either PARTY upon four-fifths vote of that PARTY'S governing body.
- d. This MOU may be amended at any time upon the mutual agreement of the PARTIES.

### **Section 12.** GENERAL PROVISIONS

a. NOTICES. Any notices, requests, or other communication required or permitted hereunder shall be in writing and shall be delivered to the representatives of the PARTIES at the addresses set forth below. The PARTIES shall promptly notify each other of any change of contact information. Written notice shall include notice delivered via e-mail. A notice shall be deemed to have been received on (a) the date of delivery, if delivered by hand during regular business hours, or by an acknowledged e-mail; or (b) on the third (3rd) business day following mailing by registered or certified mail (return receipt requested).

City of Grass Valley
Tim Kiser, City Manager
Timk@cityofgrassvalley.com
125 East Main St.
Grass Valley, CA 95945
(530) 274-4312

County of Nevada
Alison Lehman, CEO
Alison.Lehman@nevadacountyCA.gov
950 Maidu Avenue
Nevada City, CA 95959
(530) 265-1290

- b. RELATIONSHIP OF THE PARTIES. The PARTIES are, and shall at all times remain as to each other, wholly independent entities. No PARTY to this MOU shall have power to incur any debt, obligation, or liability on behalf of any other PARTY. No employee, agent, or officer of a PARTY shall be deemed for any purpose whatsoever to be an agent, employee, or officer of another PARTY.
- c. BINDING EFFECT; NO THIRD PARTY BENEFICIARIES. This MOU shall be binding upon and shall be to the benefit of the respective successors, heirs, and permitted assigns of each PARTY; provided, however, no PARTY may assign its respective rights or obligations under this MOU without prior written consent of the other PARTY. The PARTIES hereby disclaim intent to benefit third parties or to allow any person other than PARTY to enforce or benefit from this MOU.
- d. SEVERABILITY. If any provision of this MOU is determined by any court to be invalid, illegal, or unenforceable to any extent, then the remainder of this MOU will not be affected, and this MOU will be construed as if the invalid, illegal, or unenforceable provision had never been contained in this MOU.
- e. Entire Agreement. This MOU constitutes the entire agreement of the PARTIES with respect to the subject matter hereof.
- f. WAIVER. Waiver by either PARTY to this MOU of any term, condition, or covenant of this MOU shall not constitute a waiver of any other term, condition, or covenant. Waiver by any PARTY of any breach of the provisions of this MOU shall not

constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this MOU.

- g. COUNTERPARTS; ELECTRONIC SIGNATURES. This MOU may be executed in counterparts, each of which shall be an original, but all of which taken together shall constitute one and the same instrument, provided, however, that such counterpart shall have been delivered to the other PARTY or PARTIES to this MOU. Signatures may be given by emailed pdf or other electronic means with the same force as original, wet signatures.
- h. CONSTRUCTION. Both PARTIES have been represented by counsel in the preparation and negotiation of this MOU. Accordingly, this MOU shall be construed according to its fair language. Any ambiguities shall be resolved in a collaborative manner by the PARTIES and shall be rectified by amending this MOU as described in Section 11.

IN WITNESS WHEREOF, the PARTIES hereto have caused this MOU to be executed by their duly authorized representatives and affixed as of the date of signature of the PARTIES:

City of Grass Valley	County of Nevada	
By:	By:	
Signature	Signature	
Printed:	Printed:	
Title:	Title:	
Date:	Date:	
Attest:	Attest:	
By:	By:	
City Clerk	Clerk of the Board	
Date:	Date:	

### Approved as to form:

By:
Michael G. Colantuono
City Attorney, City of Grass Valley
Date:
Approved as to form:
Approved as to form: By:
T
By:
By:  Katharine L. Elliott



# City of Grass Valley City Council Agenda Action Sheet

Title: Acceptance of donation from the Nevada County Law Enforcement & Fire

Protection Council (NCLFC)

**Recommendation:** Approve the Police Department to accept the proposed donation by

the NCLFC

**<u>Prepared by:</u>** Steve Johnson, Deputy Chief of Police

Council Meeting Date: September 27, 2022 <u>Date Prepared</u>: September 21, 2022

**Agenda:** Consent

<u>Background Information</u>: Pursuant to City of Grass Valley Administrative Policies and Procedures, City Council must approve the acceptance of donations of money, equipment and in-kind contributions or sponsorships that are greater than \$1,000 in value. The Nevada County Law Enforcement & Fire Protection Council has secured funding from private donations and has offered to purchase sound suppression devices for Police Department patrol rifles. The Police Department is asking for Council approval to accept this donation valued at \$20,196.28.

Currently, police vehicles utilized by sworn officer are outfitted with standard issue patrol rifles that can be deployed quickly to address critical incidents, active shooters, or other situations that require longer stand-off or tactical advantages offered by a patrol rifle. Although patrol rifles are tools we hope to never have to use, they are nevertheless a necessary piece of equipment for the modern-day police officer and are almost universally deployed by agencies across the nation to protect their communities.

A significant challenge with the deployment of patrol rifles has proven to be dealing with the exceedingly loud sound and high pressure created by the discharge of the rifle rounds. The typical sound level (measured in decibels) of a 5.56mm rifle round being fired is 165db of peak noise. According to the National Institute for Occupational Safety and Health (NIOSH), any exposure to noise over 140db can cause immediate and irreparable hearing loss. The sound suppressors proposed would decrease the decibel level of our rifles to 136db which is below the most dangerous level.

In 2009, the most common impairment for military veterans was hearing loss with annual payments that exceed \$1.1 billion, according to the January 2011 GAO Report to Congressional Committees. As the need for rifle use has increased over the years, the police profession has seen an increase in work comp claims and medical

retirements associated with hearing loss caused by exposure to rifle fire noise. Progressive police agencies have begun to deploy sound suppression devices to minimize the injury caused by exposure to the loud noise of rifle fire.

These sound suppression devices are an important measure that can be utilized to protect our officers from hearing injury should they need to deploy their patrol rifle during a critical incident. Patrol officers typically do not use range-type hearing protection when arriving at a call. If an officer must deploy their patrol rifle in an interior location such as a house, school, or building, there is the potential that the officer and the public around the officer could suffer irreversible hearing damage. In a confined space, the high-decibel sound is reflected and intensified. Placing a sound and pressure reduction device on the rifles will bring the volume and pressure of the rifle to OSHA-approved safe sound levels without adding significant weight or length to the rifle platform. Although these devices do not "silence" the rifle as is typically depicted in movies and TV shows, the sound of the rifle fire is decreased to be like that of a .22 caliber rimfire rifle.

In addition, the sound suppression devices will help minimize the noise disturbance caused by rifle training to the residents and businesses in proximity to the Grass Valley Police firearms training facility off Allison Ranch Road. Over the years, the Police Department has received complaints about the noise caused by firearms training at the facility at times of increased training activity. To mitigate this disturbance, the Police Department has significantly restricted the days, hours, and frequency of firearms training at the facility. Sound suppression devices would further help to alleviate any disturbance by reducing the noise level of the rifles which are the loudest firearms used during training.

The Nevada County Law Enforcement & Fire Protection Council has secured a private donation in order to purchase sound suppression devices for the Grass Valley Police patrol rifles. The devices chosen are the Dead Air Sandman S model. The total cost of the devices would be \$20,196.28 which would provide suppression devices for every GVPD rifle. This is a very generous donation and the Police Department asks for Council's approval to accept it as offered.

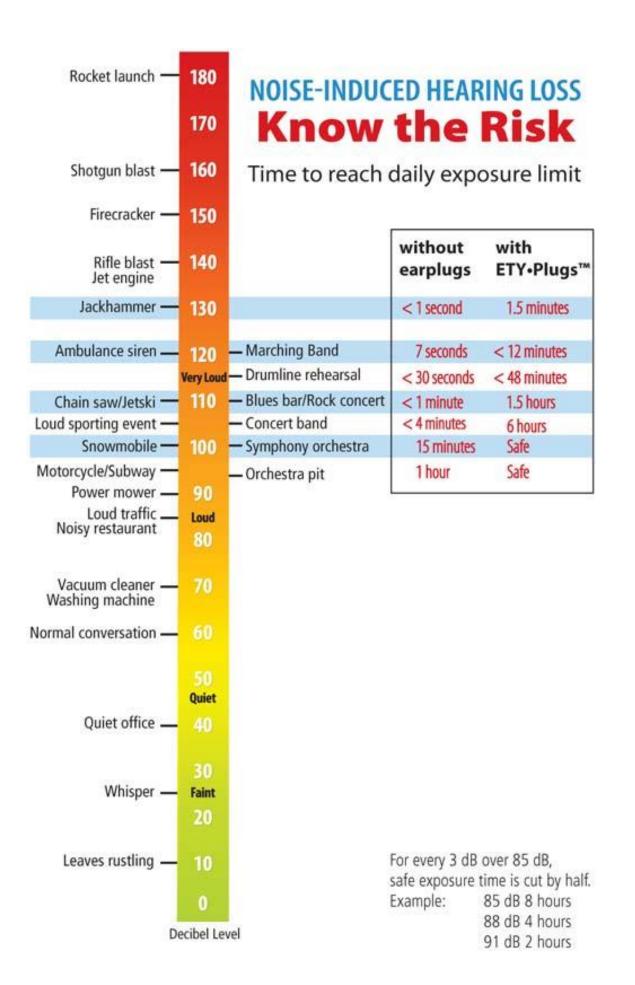
<u>Council Goals/Objectives</u>: This action is consistent with City Strategic Goals related to goal #6, Public Safety.

Fiscal Impact: None

Funds Available: N/A Account #: N/A

Reviewed by:

<u>Attachments</u>: Graphic/Chart detailing noise-induced hearing loss risk factors for reference regarding decibel levels





# City of Grass Valley City Council Agenda Action Sheet

<u>Title</u>: New Job Description for Parks Senior Maintenance Worker

Recommendation: That Council approve the new job description for Parks Senior

Maintenance Worker.

Prepared by: Timothy M. Kiser, City Manager

**Agenda:** Consent

<u>Background Information</u>: Job descriptions are routinely created and/or updated as part of the normal course of work to address change. The proposed new job description for Parks Senior Maintenance Worker is based upon the existing Senior Maintenance Worker job description. The major difference between the existing and new job descriptions is a Class B Driver's license is not required for the Parks Senior Maintenance Worker, but incumbents without a Class B Driver's License will not be eligible to progress beyond Step D of the salary schedule. Senior Maintenance Worker and Parks Senior Maintenance Worker will have the same salary schedule. A Class B license is not needed in Parks Maintenance due to the type of work activities, whereas a Class B license is needed in other areas of Public Works to operate the necessary equipment to perform work activities.

<u>Council Goals/Objectives</u>: This item executes portions of work tasks towards achieving/maintaining Recreation and Parks consistent with the City of Grass Valley Strategic Plan.

<u>Fiscal Impact</u>: The Parks Division of Public Works for this Budget Fiscal Year included the position of Parks Senior Maintenance Worker since the salary schedule for Parks Senior Maintenance Worker is the same as Senior Maintenance Worker.

Funds Available: Yes Account #: 100-504

**Reviewed by:** 

**Attachments:** Parks Senior Maintenance Worker Job Description.



#### **Parks Senior Maintenance Worker**

Department: Public Works Department FLSA Status: Non-Exempt

Reports To: PW Management Unit: 2/Classified FT Position

#### **SUMMARY OF JOB PURPOSE**

The Parks Senior Maintenance Worker is a supervisory-level position. Incumbents in this classification are expected to perform a variety of skilled work involving the construction, maintenance, operation, and repair of the city-owned and operated water distribution system, sewer collection system, associated storage facilities, and other related work as required.

Subject to the disciplinary process, management reserves the right to terminate an incumbent in the Parks Senior Maintenance Worker classification for lack of obtaining and maintaining the required certifications and/or licensure.

#### SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by the Public Works Chief TPO/Utilities Superintendent and/or the Public Works Director of Operations appointed designee. Responsibilities of the Parks Senior Maintenance Worker include the technical and functional supervision of Public Works Maintenance Workers I/II/III, Utility Maintenance Workers, and temporary employees, as well as training for semi-skilled maintenance personnel. Incumbents in this class will perform the full range of duties normally expected of the multi-level Maintenance Worker series. This position is distinguished from the Maintenance Worker III classification in that positions assigned to this class are expected to assume lead supervision over multiple crew(s) of varying size, performing multiple assignments of Maintenance Workers I/II/III's and Utility Maintenance Workers, and acts as a principal aide to the Public Works Management.

#### **ESSENTIAL FUNCTIONS (include but not limited to listed tasks)**

- 1. Acts as a supervisor for multiple crew(s) of varying sizes of Maintenance Workers on assigned projects;
- 2. Takes the lead in the scheduling of maintenance work, ordering, and purchasing of materials, performs maintenance of routine record keeping including, but not limited to staff utilization and tracking of budgetary items and projects;
- 3. Assists in the training and supervision of assigned crew members;
- 4. Ensures appropriate traffic control is in use during all phases of repair and construction projects;



#### **Parks Senior Maintenance Worker**

- Performs construction, maintenance, and repair of water mains, laterals, service meters, fire hydrants, valves, pumps, and other infrastructure associated with a water distribution system, under the direction of and in communication with personnel holding a minimum of a D2 certification;
- 6. Performs construction, maintenance, and repair of sewer mains, laterals, lift stations, valves, pumps, and other infrastructure associated with a sewer collections system;
- 7. Investigates and resolves water and sewer system related problems;
- 8. Reads and interprets water and sewer system maps and charts;
- 9. Operates specialized tools and equipment used in the maintenance and repair of water systems:
- 10. Assists with the City's snow removal operations in conjunction with the protection of all City facilities;
- 11. Serve as a City liaison to the City's sewer and water system customers and all Grass Valley constituents in keeping with the City's Customer Service Policy;
- 12. Participates in the rotation of the Mandatory Standby Program;
- 13. Takes chlorine residual and bacteriological samples;
- 14. Turns water service on and off, reports and distributes information on service disruptions;
- 15. May enter and work in a confined space;
- 16. Demonstrates the ability and willingness to work in a team environment during the course of daily activities:
- 17. Performs trench and street restoration activities as needed;
- 18. Performs related duties and responsibilities as required.

#### Knowledge of:

- 1. Methods, equipment, and materials used in street maintenance and repair;
- 2. Hazards associated with the assigned work and proper safety precautions including appropriate traffic control devices;
- 3. Traffic laws, ordinances and rules involved in truck and heavy equipment operations;
- 4. Principles of supervision and training;
- 5. American Water Works Association (AWWA), California Department of Public Health and City Standards;
- 6. Department organization policies and directives;
- 7. Safe working procedures;
- 8. Proper operation of a wide variety of power and hand tools;
- 9. Pertinent Federal, State, and local laws, codes, and regulations.



#### **Parks Senior Maintenance Worker**

#### Skills in:

- 1. Inspecting assigned areas for a wide variety of maintenance, repair, and risk management issues:
- 2. Applying laws, regulations, codes, and departmental policies governing the water distribution and storage;
- 3. Applying laws, regulations, codes, and departmental policies governing the sewer collections systems;
- 4. Recognizing, prioritizing, and accomplishing needed tasks;
- 5. Maintaining accurate logs, records, and basic written records of work performed;
- 6. Using and operating hand tools, mechanical equipment, power tools, and equipment required for the work in accordance with safety standards;
- 7. Understanding and following oral and written instructions;
- 8. Maintaining routine records;
- 9. Supervising and training less experienced personnel;
- 10. Interacting effectively and courteously with the public;
- 11. Implementing new and existing construction and maintenance work procedures and practices:
- 12. Using English effectively to communicate in person, over the telephone, and in writing;
- 13. Establishing and maintaining effective working relationships with those contacted in the course of work.

#### Ability to:

- 1. Comply with OSHA and City safety rules and policies;
- 2. Perform heavy manual labor and maintenance work:
- 3. Serve as a key customer service representative when interfacing with the public and/or others by responding to public service calls and complaints;
- 4. Serve in standby status after regular working hours and respond to emergency call-outs;
- 5. Assist in the evaluation of operations, personnel, and activities and make recommendations for improvements, modifications, and purchases;
- 6. Perform all work activities in a safe manner;
- 7. Operate Public Works Department equipment;
- 8. Climb stairs and ladders:
- 9. Demonstrate a willingness and ability to work as a team member;
- 10. Drive and operate standard and automatic drive motor vehicles, operate power generator and other related power and hand tools necessary to perform job functions;
- 11. Follow oral and written instructions;
- 12. Communicate clearly, concisely, and effectively, both orally and in writing;
- 13. Maintain cooperative working relations with the general public and employees;
- 14. Develop and maintain positive public relations with emphasis on customer service;



#### **Parks Senior Maintenance Worker**

- 15. Carry out the mission of the City and the department and adhere to the City's and department's organizational values;
- 16. Ability to work out of doors in all weather conditions and near traffic with varying noise levels.

#### QUALIFICATIONS

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

#### **EDUCATION AND EXPERIENCE**

Any combination of education and experience that would demonstrate the knowledge, skills, and abilities as outlined above is qualifying. A typical way to obtain the knowledge and skills is:

1. High School Diploma or General Education Degree (GED) and two years of experience performing duties comparable to those of a Maintenance Worker III with experience in water distribution system maintenance; OR an equivalent combination of education and experience that would provide the necessary knowledge, skills, and abilities.

#### CERTIFICATES, LICENSES, REGISTRATIONS

- 1. A valid Class B California Driver License with an acceptable driving record is preferred, but not required. Incumbents without a valid Class B California Driver License will be ineligible to progress beyond step D of the salary schedule.
- 2. Incumbents are preferred, but not required, to have and maintain a Grade II certification as a Distribution Operator issued by the California State Water Resources Control Board.
- 3. Subject to the disciplinary process, management reserves the right to terminate an incumbent in the Parks Senior Maintenance Worker classification for lack of obtaining and maintaining the required certifications and/or licenses.

#### LANGUAGE SKILLS

Ability to read, write and communicate in English at a level required for successful job performance.

#### MATHEMATICAL SKILLS

Ability to use and understand basic mathematical concepts such as: adding, subtracting, multiplying, dividing, simple fractions, and percentages.



#### **Parks Senior Maintenance Worker**

#### REASONING ABILITY

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form; analyze and resolve problems involving circumstances and/or events using standardized methods or procedures.

#### PHYSICAL DEMANDS

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

While performing the duties of this job the employee is regularly required to stand, walk, sit, drive, use hands and fingers, handle or feel, reach with hands and arms, grasp, hold, and manipulate tools, talk, and hear. The employee is routinely required to climb, balance, stoop, kneel, crouch, or crawl and must frequently lift and/or carry up to 50 pounds alone, up to 100 pounds with assistance, and operate a jackhammer weighing up to 90 lbs. Specific vision ability required by this job includes close vision, color vision, peripheral vision, depth perception, and the ability to adjust focus with or without ocular aids. The employee must be able to work in variable temperatures and weather conditions and have the ability and willingness to work around and tolerate unpleasant odors and objectionable substances common to the field.

#### WORKING ENVIRONMENT

While performing the duties of this job the employee is regularly exposed to outside conditions, wet and/or humid conditions, rain, snow, and heat; moving mechanical parts; fumes or airborne particles, and toxic or caustic chemicals. The employee is occasionally exposed to the risk of electrical shock and vibration, as well as a frequently high noise level.

#### **GENERAL**

The city reserves the right to revise or change classification duties and responsibilities as the need arises. This description does not constitute a written or implied contract of employment.

I have read and understand the contents of this job description, and I have received a copy of this job description for my records.

Print Name:	
Signature:	Date:
Adopted: September 27, 2022 Revised:	



# City of Grass Valley City Council Agenda Action Sheet

<u>Title</u>: Downtown Streetscape Improvements Project - Update and Design Approval

<u>Recommendation</u>: That Council 1) receive an update on the project schedule and 2) review the proposed final design elements and provide direction to staff.

Prepared by: Bjorn P. Jones PE, City Engineer

Council Meeting Date: 09/27/2022 Date Prepared: 09/22/2022

**Agenda:** Administrative

<u>Background Information</u>: On April 26, 2022, Council authorized award of a Design-Build Contract with Sierra Foothills Construction Company for the Downtown Streetscape Improvements Project. The project involves the transformation of Mill Street (from Neal to West Main Street) and portions of Main Street (from Church Street to Richardson Street) to create a pedestrian friendly, town square atmosphere, allowing restaurants and retail businesses to expand operations into the city right of way.

Last month, construction began on the water line replacement work on Mill Street and is proceeding on schedule. Over the remainder of the year, construction is planned to install bollards at the limits of Mill Street and to construct parklets on Main St, in an effort to eliminate the temporary concrete barriers in place at these locations prior to the winter holiday festivities. The proposed construction schedule for the remainder of the Mill Street work is attached and will be discussed at the meeting.

Additionally, over the past several months, City staff have worked with Sierra Foothills Construction Company and their team to finalize the layout and major design components of the project. As discussed at the initial meeting in April, Staff proposed to return to Council for consideration of key architectural elements before completing the final design and product selections.

Attached for Council review are conceptual layout plans, design examples, and product specifications and pictures of the primary design elements under consideration at this time, including:

- Final layout of planters and lighting
- Tree well grates on Main Street
- Tree Selections
- Street furniture concepts
- Stacked rock planters

• Cobble stamped concrete

<u>Council Goals/Objectives</u>: The Downtown Streetscape Improvements Project executes portions of work tasks towards achieving/maintaining Strategic Plan Goal #1 - Community and Sense of Place, Goal #4 - Economic Development and Vitality and Goal #7 - Water & Wastewater Systems & Underground Infrastructure.

<u>Fiscal Impact</u>: The Downtown Streetscape Improvements Project is fully funded in the 22/23 FY CIP Budget with a combination of Measure E funds, American Rescue Plan Act (ARPA) Funding, Water Rate Funds, Local Transportation Funds and General Funds.

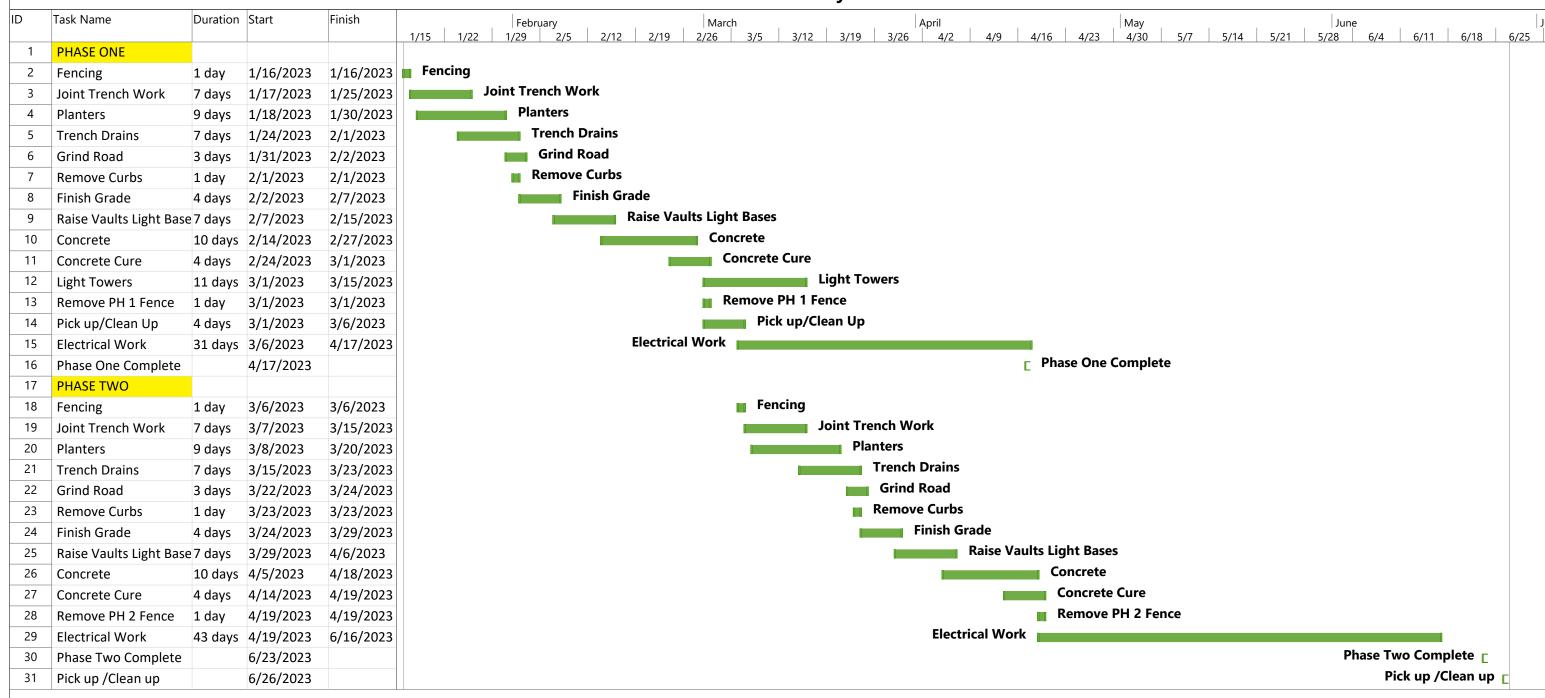
Funds Available: Yes Account #: 300-406-66005

Reviewed by: City Manager

PROJECT SCHEDULE

# Mill Street Project Preliminary Schedule Mill Street Only





SHEET NOTES

REMOVABLE SUSPENDED STRING LIGHTS (50-72' AS REQUIRED)

BASE PLATE ON POST TO ANCHOR INTO CONCRETE

---- POWDER COATED FENCE ASSEMBLY, 36" H WITH 96" MAX. SPACING ON POST PROVIDE

SUSPENDED STRING LIGHTS (50-72' AS REQUIRED), WITH WET LOCATION RATED LAMP

SOCKETS AT 24" OC WITH S14 LED LAMPS AND TERMINATION HARDWARE

WALLIS DESIGN STUDIO ARCHITECTS, INC.

415 W Main St. Garass Valley, Ca 95945 (530) 264-7010 WallisDesignStudio.com

5" LINEAR CONT DRAIN BETWEEN (E) CURB AND (N) STAMPED CONCRETE (USE

LONDON COBBLE PATTERN COLORED CONCRETE).

CONDUIT PATH FOR PA CHORD AND PEDESTAL FOR CHRISTMAS TREE POWER.

TRUCK / DROP OFF LOCATION.

ART SCULPTURE LOCATION.
BENCH LOCATIONS.
STRING LIGHTS TO BE REMOVABLE FOR ANNUAL CHRISTMAS TREE PURPOSES.

2'-5" VALLEY GUTTER WITH 5" LINEAR CONT. DRAIN. SLOPE VALLEY AT 5%

MAXIMUM. SET TOP OF DRAIN 1/4" DOWN FROM CONCRETE SURFACE.

(E) PGE VAULT.

SERVICE PEDESTAL.

MILL STREET, GRASS VALLEY, CA 95945

These drawings are the sole property of Wallis Design Studio Architects, Inc.
Any reproduction or reuse in whole or in part without written approval is strictly forbidden.

No. Description

oj. No.: 2022004 tte: 09/07/2022

Scale: 1" = 20'-0"

Drawn By: Al

Drawing Title:

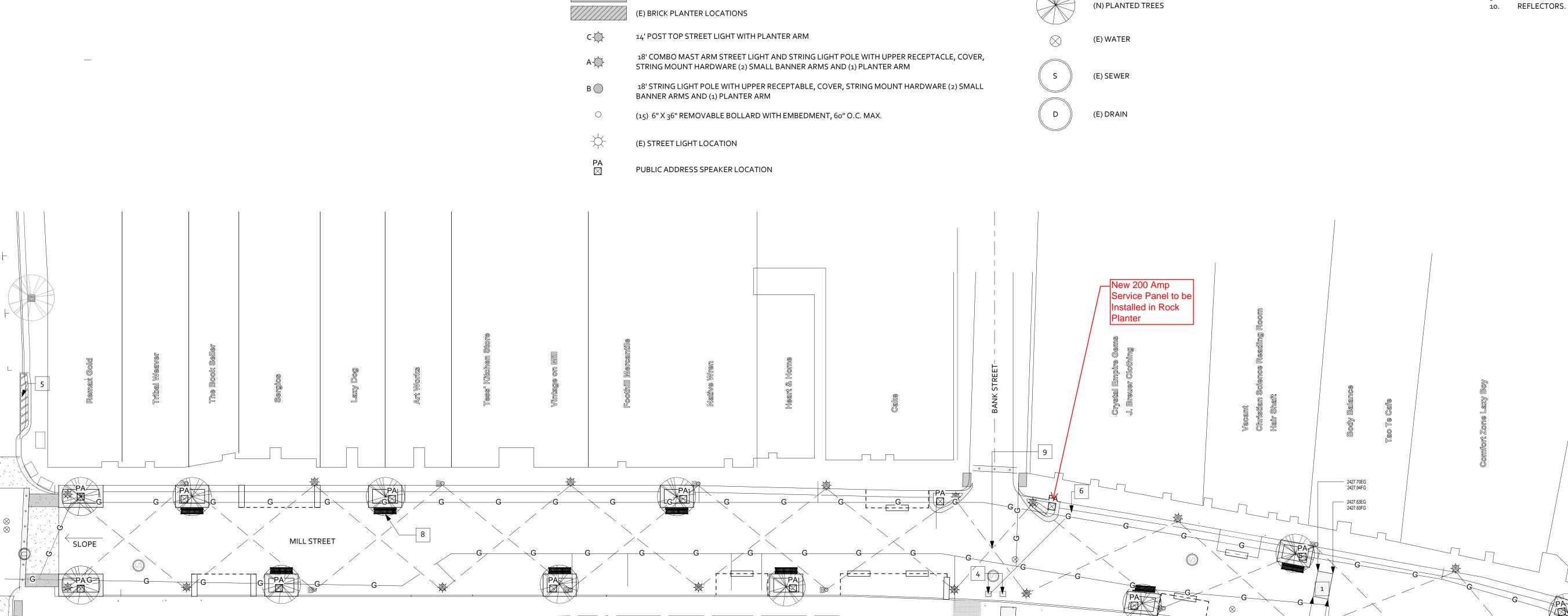
MILL STREET

PLAN

Drawing Number

A1.3

1 MILL STREET - SITE PLAN
1" = 20'-0"



**LEGEND** 

(E) SIDEWALK

(N) CONCRETE PATH

TRUNCATED DOMES

(N) STAMPED CONCRETE

(N) 2' X 8' X 2' CORTEN STEEL PLANTER

(N) 8' X 12' X 2' ROCK PLANTER WITH 4" EMBEDMENT

STREET TREES

| Item # 10.

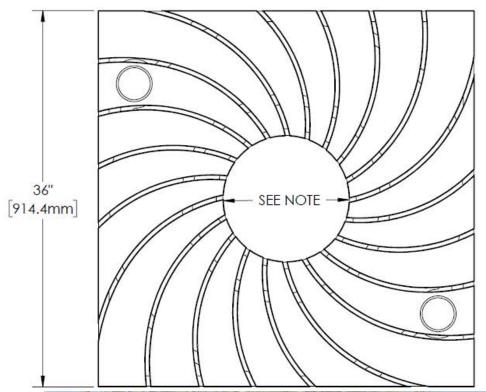




STREET TREES Item # 10.









**PUBLIC BENCHES** 

Item # 10.





#### PRIVATE TABLES AND CHAIRS

















# City of Grass Valley City Council Agenda Action Sheet

Title: Baseline Tennis Club Proposal

**Recommendation**: That Council approves City staff to execute a Facility Use Agreement

with Baseline Tennis Club for use of City tennis courts, subject to legal review.

Prepared by: Zac Quentmeyer, Community Services Analyst II

Agenda: Administrative

<u>Background Information</u>: In August of 2022, City staff received a request from a group of individuals inquiring about establishing a tennis club and requesting reserved use of City tennis courts. The group was seeking reserved club court time to allow members to utilize a court reservation app and facilitate group play. Upon receiving the request, City staff provided direction to establish an official club for the group's request to be considered formally by the city. The group proceeded to identify a club name, elect a board, and adopt club bylaws. Staff then posted flyers at all city tennis court gates to solicit comments from court users on the new club's proposal. Over the next three weeks, staff fielded many comments and inquiries from supporters and non-supporters of the proposal via email, phone, and in person.

Baseline Tennis Club supporters promote the community benefit potential from a club structure and reserved court time. Projected benefits include options for members to better coordinate scheduled play, new opportunities to connect with similarly skilled players, and opportunities for those new to the area or new to the sport to connect with players. The club also proposes a play format where participants rotate on and off the courts more frequently than traditional play, creating increased user activity compared to standard play.

Users who object to the City approving reserved court times for club play voiced concern about restricting the courts' open public use. Long-time court users expressed that there is no need to try and fix a system that is not broken. Users stated that historically players found other players to play with organically and get a feel for when courts are typically available. Another common concern is that the tennis club is attempting to model its club structure on the Grass Valley Pickleball Club and tennis and pickleball are not comparable. Pickleball games are short, tennis games tend to be much longer, and rotating multiple players on and off the courts is challenging.

After analyzing Baseline Tennis Club's proposal and comments received from the public,

staff identified 3 options for consideration.

- 1. Deny Baseline Tennis Club's Request for a Facility Use Agreement.
- 2. Approve Baselines Tennis Club's request for a Facility Use Agreement and approve the use of the courts during peak use hours (typically early morning and evenings). Two courts for two hours during one weekday and two courts for two hours during one weekend day each week.
- 3. Approve Baselines Tennis Club's request for a Facility Use Agreement and approve the use of the courts during non-peak use hours (typically late morning and early afternoon). Two courts for two hours during one weekday and two courts for two hours during one weekend day each week.

Staff recommends council approve option 3, allowing staff to execute a Facility Use Agreement with Baseline Tennis Club for use of tennis courts at Memorial and Dee Mautino Park during non-peak hours. Staff also suggest establishing a monitoring program to ensure the club is actively recruiting new members and expanding club programming. Staff also suggest the following fee structure:

\$3 per court per hour (30% reduction to account for non-playable conditions including rain, snow, and smoke)

4 hours per week X 2 courts = 8 hours 8 hours X 52 weeks per year = 416 hours 416 hours X \$3 per hour = \$1,248 \$1,248 reduced by 30% = \$873.60 Proposed Yearly fees = \$873.60

<u>Council Goals/Objectives</u>: Executing a Facility Use Application with Baseline Tennis Club fulfills Recreation and Park's objectives outlined in the adopted Grass Valley Strategic Plan.

Fiscal Impact: N/A

Funds Available: N/A Account #: N/A

Reviewed by: City Manager

<u>Attachments</u>: Baseline Tennis Proposal, Baseline Tennis Bylaws, comments received by staff.

Submitted via e-mail to public@cityofgrassvalley.com

# Comments from Baseline Tennis Club for submission to the Grass Valley City Council Meeting on September 13, 2022

Community. Whether you grew up in this beautiful area or moved here to enjoy our variety of year-round outdoor recreation opportunities, connecting with those with similar interests can be a challenge. The Baseline Tennis Club came about in part due to that challenge.

Access to public tennis facilities and opportunities for residents to connect with other players is quite limited in Nevada County. The City of Grass Valley has taken the lead in providing public courts and facilitating access for teaching professionals. The City has also worked with the Grass Valley Pickleball Club to formulate a successful court access schedule that accommodates all players interested in their sport.

The Baseline Tennis Club, a local community group open to all levels of tennis player, was created to work with the City to emulate that success. This group has been playing the past 2 years, growing from the original 4 or 5 players to more than 25, in part due to referrals from other players and local pros, as well as those who just show up at the courts to inquire about a tennis community. We are a microcosm of the community – retirees, working professionals, and busy community leaders representing all diverse groups. In recent months as the group grew and we had 8 or more players showing up for open play sessions, we have used 2 adjacent courts to be able to rotate in all players coming to the open session.

With two or three 2-hour reserved time slots on two courts per week, we can utilize a court reservation app and facilitate group play. Group texts will help players find others of their skill level for both singles and doubles play on their own schedules. Established doubles groups can find alternates when necessary and we can all meet some new people with a common love of the game.

With posted scheduled open play times at the courts and a link to our tennis community website, it gives the community an opportunity to showcase Grass Valley as a leader in supporting tennis in our area. Visitors come to hike, bike, boat, and enjoy the river, so let's add tennis with some scheduled times. Another great reason to come to Grass Valley!

We see this as a huge benefit for the community as a way for tennis players at all levels to connect with each other and find partners to play with.

#### BASELINE TENNIS CLUB ARTICLES OF ASSOCIATION

(Revised and approved as of August 2022)

Item # 11.

These Articles of Association (also known as "Bylaws") supersede and replace all prior approved versions of the BASELINE TENNIS CLUB Bylaws.

#### ARTICLE 1. NAME

The name of the unincorporated non-profit association is BASELINE TENNIS CLUB ("CLUB")

#### ARTICLE 2. GOALS

The goals of the CLUB are as follows:

- To further public interest and participation in the game of tennis;
  - To facilitate coordination of players of all abilities
- To promote tennis related activities in Nevada County, including player development in coordination with local tennis teaching professionals;
- To work with the City of Grass Valley, the City of Nevada City, County of Nevada, departments of them and other persons, clubs and firms to develop and maintain tennis facilities.

#### ARTICLE 3. STATUS

The CLUB is a not-for-profit association. The primary purpose and activities of the CLUB are for the pleasure and recreation of its members. The CLUB shall have an established membership, with opportunities for personal contact and fellowship among members. No funds or assets of the CLUB may be used for the personal benefit of any particular person(s). The CLUB will be primarily supported by membership dues. It is intended that the CLUB will qualify as tax-exempt under Federal and California law.

#### ARTICLE 4. MEMBERSHIP

Membership is limited to players in full compliance with rules of play, and up to date with annual dues payments. The Board of Directors shall have the power to suspend or expel any member with or without cause. Each member is entitled to one vote on CLUB matters which are submitted to a vote to the general membership.

#### ARTICLE 5 ORGANIZATIONI

A. Officers: The Officers of the club are: President, Vice President, and Secretary/Treasurer.

#### B. Board of Directors: The Board of Directors is composed of the Officers designated above.

The duty of the Board of Directors is to carry out the objectives of the club, including, but not limited to, filling vacancies on the Board, setting annual dues, establishing rules for play, organizing an annual meeting of all members and establishing criteria and rules for new applicants.

The Board of Directors is elected at the annual meeting by a majority vote of the General Membership. Board posts are transferred at the first Board meeting in January. The immediate past Vice President serves as President.

#### C. DUTIES OF OFFICERS

#### a. President

The President calls and presides over Board and General Membership meetings and is the chief executive officer of the club. The President is responsible for all club correspondence.

#### b. Vice President

The Vice President assumes all duties of the President in their absence and assumes the position of President the following year without standing for election.

#### c. Secretary/Treasurer

The Secretary/Treasurer writes and maintains a file of minutes of all meetings, maintains the files containing bylaws, policies, rules and history of the club. The Secretary/Treasurer collects dues, keeps a current record of all monetary collections and disbursements and disburses all funds. The Treasurer shall maintain the CLUB bank account with a Signature Card including the Secretary/Treasurer and at least one other board member.

Any vacancies on the Board shall be filled by majority vote of the remaining members of the Board

#### ARTICLE 6 MEETINGS AND ELECTIONS

At least one General Membership meeting will be held each year. The meeting is called by the President with at least a 15-day notification to all voting members. Three members constitute a quorum for voting purposes. Members may appear in person or vote by proxy.

#### ARTICLE 7 DUES

The annual dues are reviewed and specified by a majority vote of the Board. They are announced to the membership at least 30 days before the November 1 due date. Membership dues are due by annual General Membership meeting. A member who has not paid dues by January 1 is dropped from the club.

#### ARTICLE 8 AMENDMENTS TO BYLAWS

Substantive changes and/or additions to the Bylaws require a two-thirds vote of approval by the General Membership.

#### ARTICLE 9. NO LIABILITY

No member, board of directors member, officer, committee member or other agent or volunteer of services relating to the CLUB shall be personally liable for any debts, liabilities, claims or other obligations of the CLUB.

#### ARTICLE 10. INDEMNIFICATION

If any claim is asserted against any individual member of the board of directors, officer or member of an appointed committee, the CLUB shall indemnify, defend and hold harmless such individual against such claim, including attorney fees. Such indemnification, defense and hold harmless obligation shall apply to the fullest extent allowable under the law.

# COMMENTS RECEIVED IN SUPPORT OF BASELINE TENNIS CLUB'S PROPOSAL

From:

Monday, August 29, 2022 4:32 PM

Sent: To:

Zac Quentmeyer

Subject:

Baseline Tennis Club

Zac - I just wanted to give my support for the Baseline Tennis Club in their effort to reserve tennis court(s) - I hope a suitable agreement can be reached.

Thank you,



From:

Sunday, August 28, 2022 1:25 PM

Sent: To:

Zac Quentmeyer

Subject:

**Baseline Tennis** 

[You don't often get email from

Learn why this is important at

https://aka.ms/LearnAboutSenderIdentification ]

#### HI Zac

I'm writing in support of Baseline's request for a facility use agreement. The reason I support it is because I believe it will encourage tennis players to come out to play! It's an inclusive request from my point of view as it will allow tennis players to know when and where they can go to meet new players and catch up with those they may have met previously. Thank you for considering this!



From:

Sent:

Monday, August 29, 2022 6:25 PM

To: Subject: Zac Quentmeyer Baseline Tennis Club

Follow Up Flag:

Follow up Flagged

Flag Status:

Hi Zac -

Please add my name to the list of people that think the Baseline Tennis Club arrangement currently being considered would be a big plus for the community.

Many thanks,



From:

Sent:

Sunday, August 28, 2022 1:30 PM

To:

Zac Quentmeyer

Subject:

**Baseline Tennis Proposal** 

[You don't often get email from

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https://aka.ms/LearnAboutSenderIdentification]

Hello Zac,

Baseline Tennis club is a growing group of community players who have come together by word-of-mouth, and by meeting each other on public and private courts. We have become a social group as well as a group who enjoys the game and the exercise. We use text messaging in an effort to organize days, times, and locations for play, and when the group was small, that worked well much of the time. But as we include more and more players in the group, it has become increasingly difficult to find courts to accommodate us. Imagine ten people meeting at Memorial Park at the planned time, only to discover that all the courts are full for the next hour or so. The group then piles in ten separate automobiles and drives to Pioneer Park only to discover that those courts are also full, and so on. Or maybe we get lucky, and one court is open, but now we must decide how to rotate ten players in and out of a four person game. You get the idea.

Then we realized that Pickleball players can reserve courts by virtue of having formed a club, and that is what we are striving for as well, the ability to reserve courts to accommodate our group. It is in no way our intention to exclude "the public" from the city's public courts. We are the public, and our group is open to all. We feel that the ability to reserve courts for Baseline Tennis club is simply the most efficient, best use arrangement given the limited facilities. Thank you for your consideration.

Sincerely,

Sent from my iPad

From:

Sent:

Sunday, August 28, 2022 8:29 PM

To:

Zac Quentmeyer

Subject:

Baseline Tennis Club

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I love this idea!

I'm a tennis player and to have the ability to sign-up to see others scheduled to play will give me the opportunity to to play with new players and make new friends. If we could use the same format as Pickleball with PlayTime Scheduler, which I believe has been successful, that would be a real win for tennis. With posted scheduled times it gives the community an opportunity to showcase Grass Valley as a leader in supporting tennis in our town. A real win if we could post scheduled times in any sort of welcoming tourist information. Visitors come to hike, bike, boat, enjoy the river etc., so let's add tennis with some scheduled times. Another great reason to come to Grass Valley!

Kind Regards,

From:

Sent:

Sunday, August 28, 2022 6:27 PM

To: Subject: Zac Quentmeyer Baseline Tennis Club

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Learn why this is important

Zac,

I would like to submit my support for the Baseline Tennis Club. I believe it would be a great benefit for the GV/NC tennis community. I am fairly new to the Community and just getting back into tennis after 10 years. I was welcomed by the group and encouraged to attend clinics and get private lessons from John Hendrickson. Through the lessons and connection with a great group of people encouraging me in my tennis development I am now playing several times a week. Having a scheduled time to meet up would allow more people like me to connect and play. They are only asking for 2 two hour reserved times per week - this should not affect lessons or private play. I hope you will approve the application for this club.

Thanks,



From:

Sent:

Friday, August 26, 2022 8:17 AM

To:

Zac Quentmeyer

Subject:

Support for Baseline Tennis Club

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Learn why this is important

Dear Zac,

We are writing in support of the proposal submitted by Baseline Tennis Club. There is clearly a shortage of tennis court availability in Western Nevada County.

The few courts that have been available to local tennis players have been encroached upon by the increase of pickleball players in our area. SYC, a private club, now only offers one court for reservation by its members.

Tennis is a sport that should be supported, as other sports are in the community. Tennis players should have the opportunity to be able to gain access to the few courts remaining in our community in an organized manner and not always have to spend time driving/walking from court to court in the hopes that one will come open. Additionally, Baseline Tennis Club focuses on doubles play in order to accommodate more players at one time.

Pickleball players have many more courts available to them now, and one of the reasons for the growth of the sport is the support that they have received both from public and private properties. The Baseline Tennis Club has a "welcome all" institutional attitude, and we are confident that the association will grow if it is successful in breaking through the challenges that are frustrating local players.

As lifelong tennis players now in our late 60's, we wholeheartedly support the Baseline Tennis Club in its efforts to be recognized by the City as an avenue by which local tennis players can continue healthy exercise and continue to play a sport that they love.

Sincerely,



From:

Sunday, August 28, 2022 11:52 AM

Sent: To:

Zac Quentmeyer

Subject:

-+++++++Baseline Tennis Club

You don't often get email from

rascaffe(@spi-ind.cae)

Learn why this is importan

Good afternoon Zac,

I'm writing in support of the Baseline Tennis Club's efforts to work with the city of Grass Valley to encourage participation in organized tennis. Public courts are very limited in this area, so it's been difficult to find 2 courts side by side that will accommodate our players (we have at least 20). It seems like every week new people are connecting with us and joining in, so

it's not getting any easier. My wife and I just started getting back into tennis and this group was so welcoming and fun, we've been with them ever since. Several of the private courts have gone to pickle ball, so we have even less access. It seems to me, that if the pickle ball club can have the right reserve courts, we should too. We are not a threat to the public wanting to play tennis. If anything, we're quite the opposite. I ask that you approve Baseline's request and thank you for your consideration.



From:

Sent:

Sunday, August 28, 2022 4:30 PM

To:

Zac Quentmeyer

Subject:

Baseline Tennis club

[You don't often get email from

. Learn why this is important at

https://aka.ms/LearnAboutSenderIdentification

#### Good afternoon,

My name is Rachel Peña and I have lived and worked in Western Nevada County since 1999. I am writing in support of the Baseline Tennis Club and it's ability to reserve courts a few times a week for open play for its members. I am a new tennis player and have wanted to get more involved in the sport for years. Unfortunately, the prices at both SYC and the tennis club on Ridge have been prohibitive for me. I have recently started playing with the Baseline group and I have been loving it. Since I'm only able to play on Sundays, it has been hard to spend that time driving around looking for open courts. I would be incredibly grateful for the opportunity to reserve the tennis courts in the same way that the pickleball club is able to reserve for drop in play. I also think that it will be an overall benefit to our community and to other players looking to get involved but unable to join a private club. Thank you for your time and consideration. Warmly,

Sent from my iPhone

From:

Sent:

Sunday, August 28, 2022 10:13 AM

To: Subject: Zac Quentmeyer tennis input

You don't often get email from

Dr. Mary Blanch

Learn why this is important

Hello Grass Valley staff,

My name is Steve Elias, I live in Grass Valley and I am a member of the Baseline Tennis Club. Thanks for this opportunity to provide input on whether or not our club should be able to reserve tennis court time. As I understand the existing policy regarding reservations (please correct me if I am wrong), the Grass Valley Pickleball Club is currently allowed to reserve time on pickleball courts at Memorial. The 18 member Baseline Club (and we continue to grow in numbers) is only asking for equity in relation to current policy. I would add that it's really hard for our members to find places to play because there aren't that many tennis courts in our area and, moreover, tennis courts continue being converted to pickleball courts because of growing interest in this new sport.

Finally, my understanding is (and please correct me if I am wrong) that those who don't want the Baseline Club to be able to reserve courts argue that because these are PUBLIC courts no reservations should be allowed; Reservations at PRIVATE clubs are fine but we shouldn't be privatizing a public facility. My question/comment is that there doesn't seem to be any objection from those opposing the Baseline Club request to allowing the Grass Valley Pickleball Club to continue being able to reserve courts. Maybe I am misinformed on this point and I would appreciate clarification from staff. Has there been any opposition to Grass Valley's Pickleball Club being allowed to reserve courts at a PUBLIC facility and if there has been opposition how did the city respond?

Thanks Steve Lhas

From:

Sent:

Tuesday, August 30, 2022 9:15 PM

To:

Zac Quentmeyer

Subject:

Baseline Tennis Club proposal

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. Learn why this is importan

Dear Zac,

I am fully supportive of the initiative to allow this community based group to be allocated regular playing times on the Grass Valley public courts.

My reasons being, unless you join a private club, it is hard to find tennis partners to play with and the Baseline Tennis Club enables this and provides a great social environment to enjoy the game and to meet new people.

The success of the pickleball club that plays down in Memorial Park is a testimony to this model of sports engagement and I commend the City of Grass Valley for enabling their success.

Encouraging and supporting groups such as the Baseline Tennis Club will reflect well on the City Council and enhances the health and social well-being of this great community we all share.

Thank you for your time and efforts with this proposal.

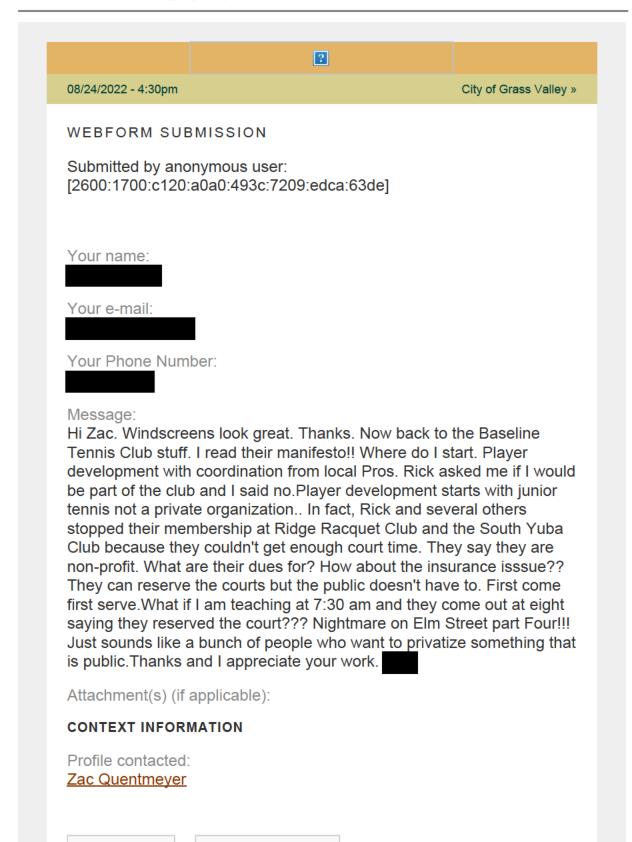
Kind regards,



# COMMENTS RECEIVED IN OBJECTION TO BASELINE TENNIS CLUB'S PROPOSAL

From:
To: Zac Quentmeyer

Subject: Form submission from: Contact us
Date: Wednesday, August 24, 2022 4:31:29 PM



From:
To: Zac Quentmeyer
Subject: Fwd: Baseline

**Date:** Thursday, August 25, 2022 8:56:00 AM

Attachments: flyer.jpg

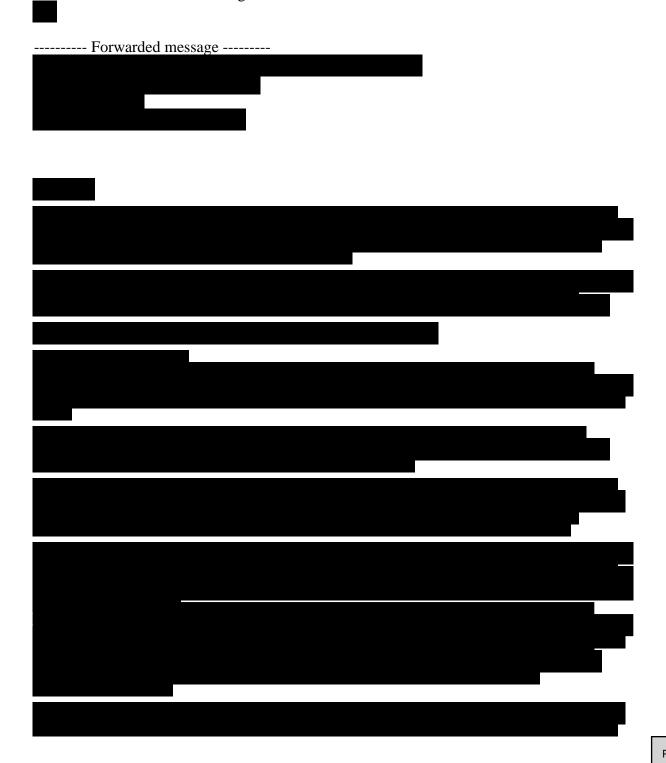
baseline bylaws 2022.pdf

I guess the way I look at it is, if it's not broke, don't fix it.

I have lived here 23 years and never have had a problem getting a tennis court.

It's courtesy to play 1 hour with singles and 2 hours with doubles.

Then leave if someone is waiting.



From:
To: Zac Quentmeyer

Subject: I read the laughable bylaws

Date: Wednesday, August 24, 2022 1:24:21 PM

You don't often get email from greta\_watson@alumni.stanford.edu. Learn why this is important

Hi again Zac,

Their second bylaw is laughable. They do <u>not</u> have the support of tennis professionals in the area. Tennis <u>isn't</u> played by people of vastly different skill levels. They don't have members who are teaching professionals as far as I know. Their tennis isn't going to promote tennis in the area, just alienate other players. They are just doing a time grab that's currently against the rules as put forth on the rules boards at both parks.

 From:
 Zac Quentmeyer

 Cc:
 Subject:

 RE: Tennis

Date: Thursday, September 1, 2022 12:32:54 PM

You don't often get email from . Learn why this is important

Former Parks and Recreation Commission Chair.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: com>

Date: 9/1/22 11:34 AM (GMT-08:00) To: zacq@cityofgrassvalley.com

Cc:

Subject: Tennis

I have been playing tennis at Memorial Park since the 1980s. There has been an ebb and flow of activity and community of players. There has never been a reservation system and players have always found a time they could access a court. The mornings are the busy time, but with all 6 courts open for use I can't remember a time I couldn't get on a court. When there is ice and snow and GV courts are unplayable I've gone to Penn Valley at Western Gateway Park. I am opposed to a reservation system and I play twice a week at pretty much the same time. I would rather the City invest resources in increasing the frequency of blowing down and washing the courts. Why add a reservation system to fix a problem that doesn't exist? There are private tennis clubs in town that have reservation systems. If folks need the certainty of an open court they can join one. The pickleball club has reserved court club play times because they have organized and recruited a large membership group. They charge \$60 a year, schedule clinics, provide rules and oversight, and leadership is active during club hours. Does GV propose to provide this level of management and programing parallel to a reservation system?



Sent from my Verizon, Samsung Galaxy smartphone

From:
To:
Zac Quentmeyer

Subject: Tennis

**Date:** Friday, August 26, 2022 1:47:10 PM

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

### Hi Zac,

I would appreciate seeing,/ having a copy of the Baseline tennis group proposal and how this will affect tennis players. These are public courts and unlike the pickleball courts, baseline did not contribute to setting up courts or maintaining them. What would dues be for if baseline is non profit!

Personally I feel that is becoming for the 'privileged'!!

Respectfully submitted



From:

To: Zac Quentmeyer
Subject: Tennis Courts

**Date:** Tuesday, August 30, 2022 11:40:46 AM

To: Zac Quentmeyer, City of Grass Valley

### Good Morning Zac,

It has come to our attention that the City of Grass Valley is considering to allow a newly formed tennis group to have private use/control of the Memorial Park and Dee Martino tennis facilities. It has also been mentioned that this group would take the "preferred" hours leaving others to play in the heat of the day and/or cold of the morning. These are the only "public" tennis courts available to those who cannot afford to, or prefer not to, join a private club. All taxpayers have paid for the upgrading and maintenance of these facilities as public use. We are in opposition to this proposal and would appreciate the City of Grass Valley leaving their use on a first-come first-serve basis.

Also, please provide us with a copy of City policies for use of the these courts.

Thank you, Grass Valley From:
To:
Zac Quentmeyer

Subject: Voice Mail (1 minute and 18 seconds)

Date: Friday, August 26, 2022 2:11:55 PM

Attachments: audio.mp3

Hello, Zach, my name is a live in downtown Grass Valley. And I noticed the green notice on the tennis courts. And I'm calling to give you some feedback and which consists of a frustration, because they're public courts, that my taxes have paid for close to thirty years and I don't wanna have to compete with a private club requiring membership for that. I don't think that's right. I think that the pickleball association has taken over those courts, and it's not the same as it used to be. And I think that a public court should be public, and I don't think that the priority should be given to a private club. I think if private club wants to be active up here, they could talk to Ridge or they could build their court somewhere else. But I don't think it's appropriate for public courts to be taken over by private enterprise. So that's my feedback. I'll probably be writing you an e-mail. I'd also like to know why you'd be doing this and what kind of membership and reservation system it would be. But I really do oppose the idea altogether. As a taxpaying citizen that likes to play tennis, goodbye.

You received a voice mail from

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

From:

Sent:

Wednesday, August 24, 2022 11:08 AM

To:

Zac Quentmeyer

Subject:

Question about Baseline Tennis Club

You don't often get email from

Learn why this is important

Hi Zac,

We apparently lost the connection when the four of us were talking with you earlier. We would all like to know how big this "club" is, and who leads it.

It is my opinion that the overwhelming majority of tennis players see no need to have to sign up for a court. Whom does it benefit? If the Baseline Club members feel such a need, they can join Ridge Racquet Club or South Yuba Club, where one can sign up for a court ahead of time. We don't need an additional level of bureaucracy, let alone all the divisiveness and conflict that it will cause in a public park. Tennis is about as different from pickleball as is possible and does not nor should not have the same rules.

The four of us, and others as well, will be sending you e-mails in addition to the talk we had this morning.

Please let me know who are in this Baseline group so we four and others can figure out what Baseline members need and maybe help them solve them without changing the way public courts are handled.

Thank-you.



From:

Sent:

Wednesday, August 24, 2022 12:56 PM

To:

Subject:

Please provide a list

You don't often get email from the state of the state of

So that the rest of us tennis players can try to find some middle ground, please give me a list of the players in your club.

For as long as I have lived here, there has been no such proposal, nor has there been a need for such. We all have to abide by the rules, and want to know what makes you so special that you need to change the rules, which will negatively impact most of the tennis players in this community.

From:

Sent:

Wednesday, August 24, 2022 1:11 PM

To:

Zac Quentmeyer

Subject:

No group

You don't often get email from

Learn why this is important

Hi Zac,

I don't have a group. Most tennis players don't. We arrange individual sessions of from 60-90 minutes, with the opponent(s) of our choice. The mere idea of a large group is alien to tennis. It is more in keeping with pickle ball.

In tennis, one tries to hit with and against players of a similar skill level. ] play usually five mornings a week. Others play more or less. I can't speak for the rest of the tennis community.

A large group of tennis players would disrupt those of us who take our game seriously, with noise and with constant comings and goings. I don't see why they are special and need special rules of any kind. These are public courts, and should be open to the public and not favor any one group.

Bylaws schmylaws. This is a naked grab for tennis court time because they're so special. This will result in many hard feelings, and all out conflicts. If we can't be on the court more than 60-90 minutes (singles vs doubles), why should they? Let them find and rent a private court if they want to do this!

From:

Sent:

Wednesday, August 24, 2022 1:24 PM

To:

Zac Quentmeyer

Subject:

I read the laughable bylaws

You don't often get email from

Learn why this is important

Hi again Zac,

Their second bylaw is laughable. They do <u>not</u> have the support of tennis professionals in the area. Tennis <u>isn't</u> played by people of vastly different skill levels. They don't have members who are teaching professionals as far as I know. Their tennis isn't going to promote tennis in the area, just alienate other players. They are just doing a time grab that's currently against the rules as put forth on the rules boards at both parks.



From:

Sent:

Wednesday, August 24, 2022 6:07 PM

To: Zac Quentmeyer

**Subject:** Baseline Club should be banned!

You don't often get email from

earn why this is important

Hi Zac,

Quite a number of tennis players are up in arms about the Baseline proposal. We all feel that they are out to make an end run around the rules, and have no regard for anyone not in their little club. There is no need for what they are requesting. They are not more special than the other tennis players. Here's what I came up with:

Giving preferential treatment to a private group sets a dangerous precedent in a community. What's to stop ten other private groups to ask for the same preferential treatment? And, what about Greg Cicatelli, who can't even reserve his teaching court? Is this small private group entitled to special treatment? No! They can follow the rules of the courts which have been in effect since long before I moved here 23 years ago. The rules as they stand work well.

This group, contrary to their claims in their bylaws, have no support from the certified teaching pros in the area. How do they plan for the betterment of tennis? They don't! They plan only for the betterment of their members, at the expense of everyone else. According to their bylaws, they can get rid of any member at any time. And their bylaws make no mention on how they are going to make tennis better. As far as I know, none of their members is a certified teaching pro, and they have no experience in teaching tennis.

Tennis is played by those of similar skill levels. It takes a long time to develop tennis skills, and those who are skilled have no interest in playing with beginners. The club's purported ideals are neither practical nor true. They just say that to give a good impression, if not a true one.

Football and soccer are both played with balls on grass. Saying that tennis should allow this Baseline group to have special rules because pickleball does is the same as saying that football and soccer should have the same rules. It makes no sense!

Finally, the rules of tennis as posted on the boards at the courts have worked well not only here but in public tennis courts across the nation. It is expected that "first come first served" is the way public courts are and should be run. To have a privileged group with a different set of rules just isn't right, and is unfair to those of us who follow the rules.



From:

Sent:

Thursday, August 25, 2022 12:14 PM

To: Subject: Zac Quentmeyer Need & benefit

What is the need for the proposal, who benefits, and who is hurt? There's no need--tennis rules work just fine the way they are. The only ones who benefit are the members of the group, and it hurts everyone else, who is being denied court time when this group has grabbed it.

This is sufficiently different from any of the items you listed to make it stand out as a very dangerous thing to do. One could definitely cite discrimination against all other players by this group that wants special privileges.

From:

Sent:

Friday, August 26, 2022 11:59 AM

To: Subject:

Zac Quentmeyer Is there a need?

Hi Zac,

Does the Baseline group fulfill a need in the city, like many of the other groups you mentioned, such as scouting, baseball, softball, etc. do?

To grow tennis, one needs to have a junior development program. The current professionals do this, and are qualified to do so. They have clinics, not only for juniors, but also for adults who are trying to improve their tennis. They are the ones certified to do so. They will teach good habits in tennis.

The Baseline group does not fulfill this need. Nor does it have an exclusive on getting people set up with comparable players, with professionals who give lessons, or anything else. All tennis players who have any experience know the pros and know how people can get hold of them. If this does not seem to be enough, the city could put up a flyer listing the names and contact information for all the certified teaching pros. Baseline group is superfluous.

So, the Baseline group does not fulfill any city need. Does the tennis community need a group of privileged players who can reserve courts while others cannot? Absolutely not! What's fair for the rest of us is fair for the Baseline group.

For instance, this morning they were on three courts from about 8:30 on. They did not need reservations, nor should they need reservations for other times. The solution I sent you before should apply to them the same as they apply to the rest of us.



From:

Sent:

Friday, August 26, 2022 1:52 PM

To:

Zac Quentmeyer

Subject:

Winter

In winter, courts 3 & 4 at Memorial are unplayable for days on end. Sometimes, the creek floods, and the courts at Pioneer are also unplayable. If the "club" takes two courts, that leaves only two courts for the remaining players. Not fair at all!

From:

Sent:

Sunday, September 11, 2022 8:18 AM

To: Subject: Zac Quentmeyer Reservations

Hi Zac,

I have never heard of a tennis facility, whether private or public, allowing a permanent reservation by a player or group of players. Reservations have been possible only if that player or group did not have any other reservations pending, and only up to a few days ahead of the reservation date. In addition, players reserving on public courts have had to pay a fee.

For example, public facility Cuesta Park in Mountain View accepts reservations on two courts (of the 35 public courts in Mountain View). Court fees for reservations depend on whether one lives in Mountain View and upon time of day, and range from \$11/hour to \$15/hour, with light fees an additional \$5, and can be made up to a week in advance.

In every public facility that I have played on across the USA, if reservations are possible and a fee charged, that facility has had an employee on site at all times the courts were open for play.



# Petition against "Baseline Tennis Club"

We, the tennis players of Nevada County, petition to the City of Grass Valley, to not cater to the private group calling themselves "Baseline Tennis Club" by granting them preferential treatment in letting them have guaranteed, reserved tennis court time for the following reasons:

- 1) This is a small group of friends that do not represent the majority of the tennis community in Nevada County.
- 2) The first come, first serve rule of 60 minutes for singles and 90 minutes for doubles has served this community for the pubic courts without conflict since the courts were built. Giving this group special privileges will create conflict among the tennis community...and who will enforce their reservation when someone refuses to yield the court?
- 3) If they want to reserve courts, there are two private clubs in the city where they can do that...South Yuba Club and Ridge Racquet Club.
- 4) Contrary to what they state as their goals in Article 2 of their bylaws:
  - a) They do not have the knowledge, resources, or any type of specific plan to "further public interest and participation in tennis"
  - b) They do not have a certified USPTA instructor as part of their group in order to teach tennis.
    - c) They state they will facilitate coordination of players of all abilities. How would they do this? You cannot put different levels of tennis players on the same court; it is frustrating and non-conducive to a productive game of tennis or any manner of improvement. Also, their desire to play in a round robin fashion is not how the majority of the tennis community wants to play tennis. We arrange matches of singles or doubles with people of our own skill level and play 2 out of 3 sets.
- 5) You cannot compare the style of play and use of a tennis court to other sports...specifically pickle ball, in which matches only last 15 minutes and round robin play is the norm where players rotate between courts to play different individuals each match. As stated above, tennis is not played in this manner
- 6) Lastly, on a slightly different note...their bylaws state they are a Non Profit organization, yet they will be charging dues. What are the dues for? How will they account for them and will their Financial Statements be made public, as all Non Profit organizations are required to do by law? Who will monitor this?

For all of the above reasons, we think it would be highly unfair to grant this small group of people, who merely do not want to have to wait for a court like the rest of us, the special privilege of getting to reserve courts when the rest of us cannot.

See attached pages for signatures:

	Petition Ag	gainst "Baseline Tennis	Club <sup>2</sup> 1	
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# Petition Against "Baseline Tennis Club"

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# Petition Against "Baseline Tennis Club"

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# Petition Against "Baseline Tennis Club"

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