



GRASS VALLEY

Special City Council Meeting

Monday, October 16, 2023 at 6:00 PM
Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California
Telephone: (530) 274-4310 - Fax: (530) 274-4399
E-Mail: info@cityofgrassvalley.com Web Site: www.cityofgrassvalley.com

AGENDA

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

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.

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PUBLIC COMMENT - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 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.*

ADMINISTRATIVE

1. Fire Resiliency and Vegetation Management approving an expenditure plan and Resolution No. 2023-57 of the City Council of the City of Grass Valley declaring a Fiscal Emergency relating to combating wildfires and extreme weather conditions.

CEQA: Not a Project.

Recommendation: That Council 1) review and approve the draft expenditure plan; 2) declare a fiscal emergency due to the lack of necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions as stated in Resolution No. 2023-57; and 3) discuss next steps with City Council.

BRIEF REPORTS BY COUNCIL MEMBERS

ADJOURN

POSTING NOTICE

This is to certify that the above notice of a Closed meeting of The City Council, scheduled for Monday, October 16, 2023 at 6:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, October 12, 2023.

Taylor Day, City Clerk



City of Grass Valley City Council Agenda Action Sheet

Title: Fire Resiliency and Vegetation Management approving an expenditure plan and Resolution No. 2023-57 of the City Council of the City of Grass Valley declaring a Fiscal Emergency relating to combating wildfires and extreme weather conditions.

CEQA: Not a Project.

Recommendation: That Council 1) review and approve the draft expenditure plan; 2) declare a fiscal emergency due to the lack of necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions as stated in Resolution No. 2023-57; and 3) discuss next steps with City Council.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: October 16, 2023

Date Prepared: October 11, 2023

Agenda: Administrative

Background Information: The purpose of this special meeting is to discuss Fire and Vegetation Mitigation and managing the risks that Grass Valley may face due to extreme weather events and wildfires.

Council is being asked to review and approve the draft expenditure plan for the proposed general sales tax of 3/8% (.00375). Please note the proposed sales tax will include a sunset clause of 7 years and a citizen oversight committee. The draft expenditure plan is attached for the Council's information.

In order for the Council to put a proposed general sales tax on the March 2024 Election, the Council must declare a fiscal emergency and adopt the proposed resolution by a unanimous vote. Without the unanimous vote from the Council, the Council would have to wait until the November 2024 Election to place a measure on the ballot for consideration of the voters. Thus, staff will also be asking the Council to vote on declaring a Fiscal Emergency as stated in Resolution 2023-57. The proposed resolution is attached for Council's information.

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

Fiscal Impact: At this point, there is little fiscal impact. The Fiscal Impact would come about if the Council decides to move forward with a Special Election in March 2024, which could easily exceed \$100,000, but there are sufficient funds in City reserves if the City Council deems this issue to be a fiscal emergency.

Funds Available: Yes

Account #: General Fund Reserves

Reviewed by: Tim Kiser, City Manager

Attachments: Resolution 2023-57
Draft Expenditure Plan

RESOLUTION No. 2023-57**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY DECLARING A FISCAL EMERGENCY DUE TO LACK OF FUNDS FOR FIRE PERSONNEL AND LAND MANAGEMENT REQUIRED TO COMBAT WILDFIRES AND EXTREME WEATHER CONDITIONS**

WHEREAS, the City Council desires to submit a general transactions and use tax ordinance for voter approval; and

WHEREAS, for the Council to call a special election on the proposed general sales tax for March 2024, it must declare the fiscal emergency and adopt the proposed resolution by a unanimous vote of the City Councilmembers present.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

1. **FISCAL EMERGENCY.** The Council finds that unless it takes urgent action by placing this general tax measure on the ballot at the March 5, 2024 special election, the Grass Valley Fire Department will lack the necessary funding for fire personnel and land management required to combat wildfires and extreme weather conditions and to fund other City services. Accordingly, the City Council hereby declares an emergency pursuant to the California Constitution, article XIII C, section 2, subdivision (b).

2. **CEQA.** The adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq. (“CEQA”) and 14 Cal. Code Reg. §§ 15000 et seq. (“CEQA Guidelines”). The calling of a Special Municipal Election is not a project within the meaning of CEQA Guidelines section 15378, subsection (b)(4) [funding of unspecified projects] and section 15061, subsection (b)(3) [common sense exemption]. While some expenditures of the proceeds of the tax might have impacts on the environment, it would be unduly speculative to identify and evaluate those impacts now. That analysis will be more usefully done when the projects to be funded are selected and defined.

3. **CERTIFICATION.** The City Clerk of the City of Grass Valley shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

4. **SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Resolution or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or its application to other persons and circumstances. The City Council of the City of Grass Valley hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that

any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

5. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption as a measure affecting an election.

PASSED AND ADOPTED by a unanimous vote of all members of the City Council of the City of Grass Valley present as required by California Constitution, article XIII C, section 2, subdivision (b) and by a two-thirds vote of all its members as required by Revenue & Taxation Code section 7285.9, on this October 16, 2023, by the following vote:

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

Jan Arbuckle, Mayor

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney

Below is a staff summary of a draft expenditure plan to move a general sales tax forward to a March 2024 ballot for Council consideration. Please note this tax would have a sunset at 7 years, be a general tax, a citizen oversight committee, and an expenditure plan approved by the resolution of the City Council.

Expenditure Plan 3/8 Percent (.00375) Sales Tax increase

50%/50% Split between Resiliency and Vegetation Mitigation (\$2.55 Million+/- to be generated annually)

- Resiliency – 50% of \$2.55 M or \$1.25+/- M Annually
 - Move Closer to National Standards by increasing from two to three Firefighters per engine (\$900K+/-)
 - \$250k to Operate a Veg. Management, Education& Inspection Program (up to 3 Personnel)
 - \$100K Annual Fire Vegetation / Green Waste Pickup/Drop-off
- Vegetation Mitigation - \$1.26+/- M* (Contracted Work and Grants)
 - \$1 M – Fuel Reduction (140+/- Acres of Fuel Reduction around the City)
 - \$250K Creating Grants for residences/ businesses for assistance in Fuel Reductions (Priority on hardships and low income)
 - \$50k/yr. for long-term green waste solutions