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## GRASS VALLEY

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

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Tuesday, November 08, 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@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com)

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

## AGENDA

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

**Mayor 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](http://www.cityofgrassvalley.com), or on the City of Grass Valley YouTube channel at <https://www.youtube.com/channel/UCdAaL-uwdN8iTz8bI7SCuPQ>.

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

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

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

## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

## ROLL CALL

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

## REPORT OUT OF CLOSED SESSION

## INTRODUCTIONS AND PRESENTATIONS

1. National Hospice Month Proclamation
2. Resolution recognizing the Nevada City Rancheria Nisenan Tribe

**PUBLIC COMMENT** - *Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to public@cityofgrassvalley.com. Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after 5pm will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. There is a time limitation of three minutes per person for all emailed, voicemail, or in person comments, and only one type of public comment per person. 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.*

3. Approval of the Regular Meeting Minutes of October 25, 2022

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

4. Assembly Bill 361 Resolution

**Recommendation:** Adopt resolution R2022-83 authorizing remote teleconference meetings of the City Council and other legislative bodies of the City pursuant to government code section 54953(e)

5. Local Emergency Proclamation (COVID-19)

**Recommendation:** Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency

6. Local Emergency Proclamation (Drought Conditions)

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

7. Second Reading of Ordinance No. 820 Amending the Whispering Pines Specific Plan and Rezoning the property at 125 Crown Point Court to create a new Subarea - SP-1A.1 - Public Assembly Uses for InConcert Sierra.

**Recommendation:** Hold a Second Reading, by Title only, of Ordinance No. 820, which finalizes the Rezoning for the InConcert Sierra Project as adopted by the City Council on October 25, 2022.

8. Colfax Avenue Repaving Project - Authorization to Award Contract

**Recommendation:** That Council authorize the City Engineer to execute a construction contract with Hansen Bros. Enterprises for the repaving of Colfax Avenue and Central Avenue, for an amount not to exceed \$150,000.

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

**REORGANIZATION RELATED ITEMS**

**PUBLIC HEARING**

9. Regional Transportation Mitigation Fees - Fee Increase Correction

**Recommendation:** That Council: 1) hold a public hearing; and 2) adopt a Resolution approving a correction to the existing regional transportation mitigation fees.

**ADMINISTRATIVE**

**BRIEF REPORTS BY COUNCIL MEMBERS**

**ADJOURN**

**POSTING NOTICE**

This is to certify that the above notice of a meeting of The City Council, scheduled for Tuesday, November 8, 2022 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, November 3, 2022.

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



## PROCLAMATION

NATIONAL HOSPICE MONTH  
NOVEMBER 2022

**Whereas**, hospice and palliative care is a specialized form of healthcare for people with serious and life-limiting illnesses. Provided by an interdisciplinary team of physicians, nurses, social workers, pharmacists, allied therapists, psychological and spiritual counselors, and trained community volunteers, hospice and palliative care is person-centered, individualized treatment to accommodate the needs and wishes of a patient and their family. At the center of hospice and palliative care is the belief that each of us has the right to live and die pain-free and with dignity, and that our families will receive the necessary support to allow us to do so.

**Whereas**, the Medicare Hospice Benefit was signed into law in 1982, and now almost 1.5 million Americans are served by hospice annually. Hospices operate in all 50 states, and there are over 4,500 Medicare-certified hospices nationwide. Perhaps most importantly, hospice care is available to all Medicare Beneficiaries in their homes or place of residence, and provides care not only for the patient, but also for their families during the illness and after, helping them cope with the grief of losing a loved one.

**Whereas**, palliative care is specialized medical care for people with serious illness, focusing on providing relief from the symptoms and stress of a serious illness and to improve the quality of life for both the patient and the family. It is similar to hospice care, in that it is a person-centered, interdisciplinary approach to treating serious illness. But there remains a great need to increase public awareness about the benefits of hospice and palliative care, and to assure access to all Americans regardless of their diagnosis, prognosis, or place of residence.

**Whereas**, all American patients and their caregivers deserve access to the important care and support that hospice and palliative care provide. Unfortunately, just as the baby boomer generation is reaching their senior years, the hospice and palliative care workforce is struggling to keep up with demand. If action is not taken, there will be only one physician for every 26,000 seriously ill patients by 2030.

**Whereas**, during this National Hospice and Palliative Care Month, the National Hospice and Palliative Care Organization urges all Americans to not only explore the benefits of hospice and palliative care for themselves and their families, but also to salute the important work that hospice and palliative care providers and volunteers do to protect the dignity of human life, support the courageous caregivers, and help grieving Americans cope with the loss of a loved one.

**Whereas**, the members of the National Hospice and Palliative Care Organization urge Congress to ensure a strong American healthcare workforce to address the needs of aging baby boomers and Americans facing serious illness and the end of life.

**NOW, THEREFORE**, the Board of Directors of the National Hospice and Palliative Care Organization so hereby proclaim November 2022 as National Hospice and Palliative Care Month. NHPCO urges all government agencies, the healthcare community, appropriate private organizations, and the people of the United States to observe the month of November with appropriate programs and activities to raise awareness, recognize, and support hospice and palliative care.

Dated this 8th day of November 2022

\_\_\_\_\_  
Ben Aguilar, Mayor

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

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

\_\_\_\_\_  
Hilary Hodge, Council Member

\_\_\_\_\_  
Tom Ivy, Council Member

**RESOLUTION NO. 2022-81**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY  
RECOGNIZING THE IMPORTANCE OF PRESERVING AND PROTECTING THE  
CULTURAL AND HISTORICAL SIGNIFICANCE, AS WELL AS SUPPORTING THE  
PETITION FOR FEDERAL RECOGNITION OF THE NEVADA CITY RANCHERIA  
NISENAN TRIBE**

**WHEREAS**, Chief Charley Cully of the Nisenan Tribe obtained the 75.48-acre parcel on Cement Hill in Nevada City, California as Sacramento Indian Allotment No. 1; and

**WHEREAS**, by Executive Order 1772 issued by President Woodrow Wilson, the Nevada City Rancheria was established in 1913; and

**WHEREAS**, the Nevada City Rancheria Nisenan Tribe, along with forty other California Indian Rancherias, was removed from Federal trust status on August 18, 1958, under the California Indian Rancheria Termination Act; and

**WHEREAS**, despite most California Indian Rancherias having been restored to Federal status, the Nevada City Nisenan Tribe has been unable to regain its Federal status, therefore has not been able to benefit from beneficial Federal Indian Programs; and

**WHEREAS**, on December 15, 2020, the Nevada County Board of Supervisors adopted Resolution 20-533 recognizing the historical significance of the Nisenan Tribe to Nevada County and the state of California as well as supporting the restoration of the Tribe's Federal recognition; and

**WHEREAS**, the Nevada County Historical Society adopted Resolution 2020-01 supporting the restoration of the Tribe's Federal recognition on May 8, 2019; and

**WHEREAS**, the City Council of the City of Nevada City adopted Resolution 2020-72 supporting the restoration of Federal recognition to the Nevada City Rancheria Nisenan Tribe on September 23, 2020; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of Grass Valley acknowledges the continuous existence of the Nevada City Rancheria Nisenan Tribe and supports the restoration of its Federal recognition.

**PASSED AND ADOPTED** by the City Council of City of Grass Valley, this 8th day of November, 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



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## GRASS VALLEY

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

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Tuesday, October 25, 2022 at 7:00 PM

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

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## MINUTES

### CALL TO ORDER

Meeting called to order at 7:02 pm.

### PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Tim Kiser, City Manager.

### ROLL CALL

#### PRESENT

Council Member Bob Branstrom

Council Member Hilary Hodge

Council Member Tom Ivy

Vice Mayor Jan Arbuckle

Mayor Ben Aguilar

### AGENDA APPROVAL -

Item # 10 for Whispering Pines and Inconcert Sierra was moved to Public Hearing, it was originally on administrative but had been noticed as a public hearing.

Motion made to approve the agenda with noted change by Council Member Hodge, Seconded by Council Member Branstrom.

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

### REPORT OUT OF CLOSED SESSION

Nothing to report.

### INTRODUCTIONS AND PRESENTATIONS

1. Veterans, Military, and their Families Month - November 2022

### PUBLIC COMMENT -

Virtual Public comment attached.

In person public comment by: Robin Davis, Gill Matthews, Bjorn Jones,



**CONSENT ITEMS** -

Virtual Public Comment attached.

Motion made to approve consent as submitted by Council Member Branstrom, Seconded by Vice Mayor Arbuckle.

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

2. Approval of the Regular Meeting Minutes of October 11, 2022

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

3. Assembly Bill 361 Resolution

**Recommendation:** Adopt resolution R2022-79 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)

**Recommendation:** Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency

5. Local Emergency Proclamation (Drought Conditions)

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

6. Second Reading of Ordinance No. 819 Pioneer Community Energy - Community Choice Aggregation Program (CCA) for the City of Grass Valley

**Recommendation:** That Council 1) adopt Resolution No. 2022-77 again, with Ordinance adoption date, requesting membership in Pioneer Community Energy and Authorizing the Execution of Amendment No. 5 to the Amended and Restated Joint Exercise of Powers Agreement; and 2) approve and waive full reading of Ordinance No. 819 Authorizing the Implementation of a Community Choice Aggregation Program in the City of Grass Valley.

7. Council Chambers and Hullender Conference Room Audio, Video and Sound System Broadcast Upgrade.

**Recommendation:** The Council 1) approves the City Manager to execute a Professional Services Agreement with Conti, LLC to complete audio, video, and sound system broadcasting upgrades in the Council Chambers and Hullender Conference Room subject to legal review; 2) allow City Manager to approve a 5% contingency; 3) allow Finance Director to make any necessary budget adjustments and transfers.

8. MissionSquare, ICMA 457b Retirement Plan Loan Program Implementation

**Recommendation:** That City Council 1) adopt Resolution 2022-80, Amending the MissionSquare, ICMA 457B Retirement Plan to Permit Loans; and 2) Council approves staff to execute the MissionSquare, ICMA Loan Guidelines Agreement.

9. Purchase of Two 2023 Toyota Tacoma Trucks for Public Works (Wastewater and Engineering Divisions)

**Recommendation:** That Council 1) approve the City Manager to enter into an agreement with Freeway Toyota using the California State Contract to purchase two 2023 Toyota Tacoma Trucks not to exceed \$68,000 plus tax and fees, and 2) authorize Administrative Services Director to make any needed budget adjustments and/or budget transfers to complete this procurement.

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

**REORGANIZATION RELATED ITEMS**

**PUBLIC HEARING**

10. InConcert Sierra Whispering Pines Specific Plan Amendments, Use and Development Review Permits located at 125 Crown Point Court.

**Recommendation:** The Planning Commission recommends that the City Council approve the InConcert Sierra Project, as presented, or as modified by the City Council, which includes the following actions: 1) Adoption of Resolution No. R-2022-78 Adopting a Mitigated Negative Declaration, prepared for the project, as the appropriate level of environmental review, in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 2) Adoption of a Mitigation Monitoring & Reporting Plan (MMRP), implementing and monitoring all Mitigation Measures, in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 3) Hold the first reading of Ordinance No. 820 Amending the Whispering Pines Specific Plan and Rezoning the property to create a new Subarea - SP-1A.1 - Public Assembly Uses as presented; and, 4) Adoption of Findings of Fact and Conditions of Approval for the InConcert Sierra Project, as presented.

Councilmember Hodge recused herself due to the partnership between InConcert Sierra and her employer Music in the Mountains.

Lance Lowe, Principle Planner, gave presentation to the council. The applicant from InConcert Sierra, also gave a presentation to the council.

In person public comment: Paul Jewel, Amy Rutzler, Robin Davies, Ralph Silberstine, Barbara Raviens, Gill Mathew, Bill Jewel, Jon Katis, Ken Harten, Hindy Gringburn, Steve Mendoza

Bob Branstrom wanted clarification on the request to change the mitigations wording for parking and for assembly use hours. Council discussed how it would benefit the community, And the need to the need to update the specific plan.

Motion made to approve the InConcert Sierra Project, as presented with the change of adding the work operation to condition #A2, which includes the following actions: 1) Adoption of Resolution No. R-2022-78 Adopting a Mitigated Negative Declaration, prepared for the project, as the appropriate level of environmental review, in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 2) Adoption of a Mitigation Monitoring & Reporting Plan (MMRP), implementing and monitoring all Mitigation Measures, in accordance with the California Environmental Quality Act (CEQA) and Guidelines; 3) Hold the first reading of Ordinance No. 820 Amending the Whispering Pines Specific Plan and Rezoning the property to create a new Subarea - SP-1A.1 - Public Assembly Uses as presented; and, 4) Adoption of Findings of Fact and Conditions of Approval for the InConcert Sierra Project, as

presented by Vice Mayor Arbuckle, Seconded by Council Member Branstrom.  
 Voting Yea: Council Member Branstrom, Council Member Ivy, Vice Mayor Arbuckle,  
 Mayor Aguilar  
 Voting Abstaining: Council Member Hodge

The Council took a break at 8:30 pm. Meeting resumed at 8:36 pm.

### **ADMINISTRATIVE**

#### 11. CDBG Memorial Park Facilities Improvement Project - Grand Opening

**Recommendation:** That Council select a date and time for a grand opening/ribbon cutting ceremony.

Bjorn Jones, City Engineer, had the discussion with the council.

Council decided on Nov 7th, 2022 at 1 pm would be the grand opening and ribbon cutting ceremony for Memorial Park.

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

Councilmember Branstrom attended the Past Chiefs Dinner, the Historical Society Meeting, and his mom turned 100 years old. Councilmember Ivy attended the Solid and Hazardous Waste Commission and played on the new turf softball field at Memorial Park. Councilmember Hodge wanted to thank Public Works for the Halloween decorations downtown and to thank everyone for attending the Gala's happening through various organizations. She also wanted to remind everyone that on November 5th the Volunteer Fair is happening at the Nevada County Fair Grounds. Vice Mayor Arbuckle attended the Music in the Mountain Gala, Nevada County Law and Fire Council meeting, GVDA meeting and the GVDA & Chamber Retreat. Mayor Aguilar attended the Hospice of the Foothills Gala, the Past Chiefs Dinner, Mayor Managers Meeting, and a LAFCO Meeting.

### **ADJOURN**

Meeting adjourned at 8:52 pm.

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Ben Aguilar, Mayor

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Taylor Day, Deputy City Clerk

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

## Taylor Day

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**From:** Diana Cushway [REDACTED]  
**Sent:** Tuesday, October 25, 2022 3:18 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra

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

Hello,

We would like to voice our support for InConcert Sierra's proposal for the building on Crowne Pointe. This would be a concert venue unlike any other in Nevada County and a great addition for the vibrant arts community here. There will also be space for expanding educational outreach to the entire community to broaden the base of the next generation of musicians and performers.

Regards,

Diana Cushway & Bill Evans

Sent from my iPhone

## Taylor Day

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**From:** WIRELESS CALLER [REDACTED]  
**Sent:** Tuesday, October 25, 2022 7:11 PM  
**To:** Public Comments  
**Subject:** Voice Mail (2 minutes and 44 seconds)  
**Attachments:** audio.mp3

Hi. This is Matthew Coulter speaking. On the agenda items on #6, the Pioneer Community energy you kept in the meetings leading up to this meeting tonight. You talked about education to the people, letting them know what's going on. And I'm curious how that's going to be done that they'll know that they have a new power company on #9, the tacomas that is going to be for the wastewater treatment plant? That's a minimal amount of driving, hopefully. Maybe they could use some older vehicles and the public works could use these smaller, more efficient vehicles instead of F2 fifties to run back and forth between the parks because they never have anything in the beds, they're always empty, so it doesn't seem like they need to have that much of a payload to just move a short distance. And especially on Mill Street, you have the oldest truck emptying the trash cans and doing things there, and it leaks oil, so that would be probably an improvement. #10 on the non Sequoia for the in concert Sierra situation. No parking and pushed up against a residential area and basically not anything to do with that. Whole area was designed for them. You guys tried putting a brewery up there and that got squashed and for good reason. It was a complete scam that I caught you guys in. So and the Planning Commission, Daniel Swartzendruber. So please consider a different location for this that could be more walkable bicycle ball and being able to get there versus putting it up on top of the hill where in this day and age the giant F-350 dually is that the soccer moms are driving. You have to have a lot of parking for those type of vehicles. #11 the ribbon cutting for Memorial Park I hope that some things can be done before the ribbon cutting that will deter skateboard damage from happening to the clock tower. Now the concretes poured right up to it and as well as other areas in the park because they're the edges will be waxed and ground on immediately by the skaters already using it actually. So those are things to be considered before you cut a ribbon and say good job done, as well as all the trash that's shoved in the corner over on Memorial Lane and a lot of pockets of stuff that have been completely neglected along the Creek also. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

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**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](#)

## Taylor Day

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**From:** WIRELESS CALLER <[REDACTED]>  
**Sent:** Tuesday, October 25, 2022 7:06 PM  
**To:** Public Comments  
**Subject:** Voice Mail (45 seconds)  
**Attachments:** audio.mp3

Matthew Coulter as I listened to Ben speak on the 1st agenda about military appreciation. I'm baffled how you talk the talk but don't walk the walk with what's going on over here at Memorial Park and the trees have been dead for multiple years still in the same holes when you cut out the 100 year old trees and the picnic tables have never been put back. They even took the last picnic table out of the veterans area just last week. It was up this week. They moved fast. That public works don't they? So please consider some revamping of the veterans area also that was promised with the destruction of the trees. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

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**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](#)

## Taylor Day

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**From:** WIRELESS CALLER [REDACTED]  
**Sent:** Tuesday, October 25, 2022 7:04 PM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 30 seconds)  
**Attachments:** audio.mp3

This is Matthew Coulter calling in with public comment for the Grass Valley City Council meeting. And this time of year is very dangerous for pedestrians as the darkness falls earlier in the morning, earlier in the evening, Halloween kids running around. We lost a 15 year old last year. I hope that we don't lose any kids this year due to the fact that the sidewalks and the streets and the lighting and the whole thing is still 1950s basically. And the city has not stepped up to do what it's supposed to do for health and safety on these regards. Also, I'd like to point out that the article in the Union a couple days ago that Hillary had a lot to say in there, which was pretty interesting. I'm worried about her health. She seems to be delusional. And then we have Haven on the historical Commission who seems to have a lot of violent people working for her that are willing to chase people down the street and threaten to come to their house and kill them. So I'm really worried about the consistency of the City Council, of the elected officials, of the hired people that Grass Valley is placating and using, as I'll say it again, club members, to have a very small group of people running the show without public input. Causing Mill Street is a perfect example of that. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

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[Set Up Voice Mail](#)

**Taylor Day**

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**From:** Katherine Greenwood [REDACTED]  
**Sent:** Tuesday, October 25, 2022 6:22 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra proposal

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

I am writing in support of InConcert Sierra's proposal to remodel the existing site on Whispering Pines to provide a concert hall, and a meeting space as well as small meeting rooms and office space. This community needs a concert hall with great acoustics - preferably in a location with parking. Our community is bursting with art and music groups without adequate performance venues. This new project would be utilized by the larger community, not just by InConcert Sierra, and produce income by locals and outsiders coming to the area to enjoy performances and spend tourist money on lodging and meals. I look forward to some good times for those of us who enjoy music and drama.

Sincerely,

Katherine Greenwood  
Nevada City



## Taylor Day

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**From:** Christopher Johnston [REDACTED]  
**Sent:** Tuesday, October 25, 2022 6:00 PM  
**To:** Public Comments  
**Subject:** Repealing the High THC tax in the City of Grass Valley

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

I left a voice mail as well about this

I am one of the board members and owners of KannaXpress we were awarded cannabis delivery license of In grass Valley I'm forwarding this letter from our CEO Ryan R. George about the High THC tax  
 Christopher Johnston

In November 2016, California voters passed Prop. 64, which legalized the recreational use of Cannabis. The City of Grass Valley subsequently passed Ordinance No. 807 (Cannabis Business License Tax) and Ordinance No. 806 (Commercial Cannabis Activities) in November 2021.

As you may know, the cannabis industry is burdened with over-regulation and tax liability, which is hindering legal operators and giving black-market operators the fuel they need to not only survive, but THRIVE.

California regulators have taken note of these burdens and are now implementing and pushing for cannabis tax reforms to mitigate the damages caused by over-taxation on the industry as a whole.

<https://calmatters.org/politics/2022/07/california-cannabis-tax/>

<https://www.gov.ca.gov/2022/09/18/governor-newsom-signs-legislation-to-strengthen-californias-cannabis-laws/>

The City of Grass Valley's retail tax, which states "For every person who operates a dispensary or delivery business: four percent (4%) of gross receipts" is absolutely fair and reasonable. However, the additional taxes imposed on cannabis business operators which states "An additional tax of up to one percent (1%) of the gross receipts from high potency cannabis and each high potency cannabis product cultivated, manufactured or sold by the taxpayer, multiplied by the percent of tetrahydrocannabinol (THC) content of the product above 17%" so encumberson that many businesses will not be able to operate, and if they do operate their sales will be so little that the revenue generated by the City will be so dimal that the cannabis program is overall pointless. Additionally, this tax opens the door for black-market activities to thrive in the City of Grass Valley.

Almost every product at a cannabis dispensary is over 17%. Most cannabis flowers are between 25-35%, Edibles and drinks can be between 10-20% depending on concentration but are usually measured in MG not %, vape cartridges and concentrates are usually between 70-99%.

What I purpose is repealing the High THC tax in the City of Grass Valley.

Thank you,

--

Ryan R. George, CEO  
 KannaXpress  
 NNVOY, LLC | [420Property.com](http://420Property.com)  
 Email: [RGeorge@NNVOY.com](mailto:RGeorge@NNVOY.com)  
 Phone: 925-478-9805

**MARIJUANA VENTURE – 40 UNDER 40 2022:** <https://www.marijuanaventure.com/ryan-george>

Item # 3.

**COMMERCIAL OBSERVER -- POWER 100:** <https://commercialobserver.com/2021/05/honorable-mention-ryan-george/>

**COMMERCIAL OBSERVER:** <https://commercialobserver.com/2021/04/legal-marijuana-may-not-be-nycs-retail-real-estate-savior/>

**BISNOW:** <https://www.bisnow.com/national/news/top-talent/puffed-up-pot-real-estate-can-be-drag-for-brokers-just-seeing-green-108991>

Christopher (Redlocks) Johnston  
530 277-1098  
[Christopher@goldcountrygrowers.com](mailto:Christopher@goldcountrygrowers.com)



License C11-0001382-LIC

[gcgcannabis.com](http://gcgcannabis.com)

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## Taylor Day

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**From:** C JOHNSTON [REDACTED]  
**Sent:** Tuesday, October 25, 2022 5:45 PM  
**To:** Public Comments  
**Subject:** Voice Mail (3 minutes and 28 seconds)  
**Attachments:** audio.mp3

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi, my name is Christopher Johnston. My phone number is [REDACTED]. I am in one of the owners of Canada Express and I'm calling about the high THC tax the city of Grass Valley. This is for the general public comments. I'd like to read a little statement that the CEO of our company, Ryan George, has prepared. As you may know, the cannabis industry is burdened with over regulations and tax liabilities, which is hindering the legal operators and giving the black market operators the fuel they need not only to survive, but to thrive. California regulators have taken note that these burdens are now implementing and pushing. They are pushing for cannabis tax reforms to mitigate the damages caused by over taxation on the industry as the city of Grass Valley's retail tax which states for every person who operates a dispensary or delivery business, 4% of the grocery seats. Is absolutely fair and a reasonable. However, the additional taxes imposed on cannabis business operations which states an additional tax up to 1% of the gross receipts for high potency cannabis and each high potency cannabis product cultivated, manufactured or sold by the taxpayer, multiplied by the percent of THC content of the product above 17%. So and cumbersome that many businesses will not be able to operate. And if they do operate, their sales will be so little that the revenues generated by the city will be dismal, that the cannabis program overall is pointless And additionally, this tax opens the door for black market activities to thrive in the city of Grass Valley also. Almost every product at a cannabis dispensary is over 17%. Most cannabis flower is between 25 to 35%. Edibles and drinks can be 10 to 20% depending upon the concentration. And they're usually measured in milligrams, not percent. They pins can be as high as 70 to 90%. What I propose is repealing the high THC tax in the city of grass Value Valley. Thank you. Ryan R George, CEO. And I'd also like to say we really would like to be in the same area as Nevada cities, just where they're at 4% and then and not out. Have the competition be swayed one way? Thank you very much for your consideration.

You received a voice mail from [C JOHNSTON](#).

---

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[Set Up Voice Mail](#)

## Taylor Day

---

**From:** Sandra Rockman [REDACTED]  
**Sent:** Tuesday, October 25, 2022 5:29 PM  
**To:** Public Comments  
**Cc:** julie@inconcertsierra.org  
**Subject:** Please approve InConcert Sierra's Crown Point Project

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

Dear Folks,

My husband Tony Giacalone and I are fully behind InConcert's plan to renovate the Grass Valley Group building for concerts, conventions, theatre productions and small business offices. This will be a great boon for the City of Grass Valley and all of us here in Nevada County and beyond. I have taken the tour and am quite impressed with the plans for the building.

Please swiftly approve this as it is a very worthy project.

Thank you very much for your consideration.

Sandra Rockman and Tony Giacalone

Home [REDACTED]

Cell [REDACTED]

## Taylor Day

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**From:** WIRELESS CALLER [REDACTED]  
**Sent:** Tuesday, October 25, 2022 5:28 PM  
**To:** Public Comments  
**Subject:** Voice Mail (56 seconds)  
**Attachments:** audio.mp3

This is Anita Wall, Tuttle 6 Rockwood. Dr Grass Valley lived here for quite awhile. Love it here. And I'm so delighted to hear that we're going to have a new venue that will take care of all the things I love. Whether it's music and concerts, as soloists trios, whether it's a play, whether it's poetry reading, whether it's any other kind of wonderful things like we're used to seeing around here, but sometimes run short of space to show it. So this will be our space, our new space. And I am excited to see how it will happen, when it will happen, and how many of us can get involved in helping make it happen. I hope there'll be a lot of us because it's a group project. Let's take it on and do it. Thank you. Goodnight.

You received a voice mail from [WIRELESS CALLER](#).

---

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[Set Up Voice Mail](#)

**Taylor Day**

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**From:** Alasdair Fraser [REDACTED] on behalf of mail@alasdairfraser.com  
**Sent:** Tuesday, October 25, 2022 4:22 PM  
**To:** Public Comments  
**Subject:** Statement in support of ICS Project by Alasdair Fraser for meeting Oct 25, 2022

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

**LETTER TO GV CITY COUNCIL IN SUPPORT OF ICS PROJECT**

OCT 25, 2022

To whom it may concern,

My name is Alasdair Fraser. I am a professional international touring musician based in Nevada County. I have lived here with my family for over 30 years. I write to strongly add my support to the ICS Project which will create a world class venue for acoustic music in Nevada county.

I cannot attend the meeting this evening but I would like to contribute the following thoughts:

One of the main reasons I live in Nevada County is because of the recognition we give to the arts. The quality of life that results from living in an area that invests in and encourages artistic buoyancy and enquiry is immeasurable, and I regard the Grass Valley and Nevada City area as a rare oasis for the arts in this Country.

The ICS project offers a world class venue for musical gatherings of a diverse nature as well as a state of the art conference space.

The ICS project offers a rare acoustically designed venue for music which will be a jewel in the crown of Grass Valley. It will have great appeal to world class artists and offer a supreme listening environment to diverse audiences. Having a venue with great acoustics is increasingly rare across the Country and this venue will become a beacon for high quality acoustic concerts.

The ICS project celebrates community and provides an attractive gathering place for community endeavors and outreach. It will attract visitors and investment to our community, as well as encourage growth and educational opportunities.

The ICS project demonstrates caring community leadership and will contribute to quality of life for all residents.

I heartily encourage the GV Council to approve this project which will benefit the residents of Nevada County and beyond for years to come.

Alasdair Fraser  
 International Touring Musician, Educator and Recording Artist  
 PO Box 219  
 Nevada City, CA 95959

**Alasdair Fraser** ~ [mail@alasdairfraser.com](mailto:mail@alasdairfraser.com) ~ PO Box 219, Nevada City, CA 95959

~ [New CD "SYZYGY" by Alasdair Fraser & Natalie Haas](#)

~ [Alasdair Fraser & Natalie Haas Performances](#) ~ [Join our mailing list](#) ~ [Concert Bookings](#)

## Taylor Day

---

**From:** Drew, Barbara [REDACTED]  
**Sent:** Tuesday, October 25, 2022 3:52 PM  
**To:** Diana Cushway; Public Comments  
**Cc:** Julie Hardin (julie@inconcertsierra.org)  
**Subject:** RE: InConcert Sierra

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

Thank you Diana!

-----Original Message-----

**From:** Diana Cushway [REDACTED]  
**Sent:** Tuesday, October 25, 2022 3:18 PM  
**To:** public@cityofgrassvalley.com  
**Subject:** InConcert Sierra

Hello,

We would like to voice our support for InConcert Sierra's proposal for the building on Crowne Pointe. This would be a concert venue unlike any other in Nevada County and a great addition for the vibrant arts community here. There will also be space for expanding educational outreach to the entire community to broaden the base of the next generation of musicians and performers.

Regards,

Diana Cushway & Bill Evans

Sent from my iPhone

## Taylor Day

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**From:** GELFAN CORINNE [REDACTED]  
**Sent:** Tuesday, October 25, 2022 2:57 PM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 16 seconds)  
**Attachments:** audio.mp3

Hi, this is from Corrine Gilson and Jerry Grant. We are a couple that live in Grass Valley and came here 19 years ago and we didn't know a soul and thanks to organizations like in concert, we were able to meet a lot of wonderful people to that shared our interest in the arts. Be absolutely say a yes for the Multicomplex Entertainment center that the in concert group is planning and feel that it will be a wonderful addition to have this wonderful place in our own backyard as well as to attract classic and classical entertainers to come here to share their craft with us. I vote we, Jerry Grant and Corinne Gilson, vote yes for this wonderful vision that in concert has put together. Allow them to achieve this goal. Thank you.

You received a voice mail from [GELFAN CORINNE](#).

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[Set Up Voice Mail](#)



**Taylor Day**

---

**From:** Corinne Gelfan [REDACTED]  
**Sent:** Tuesday, October 25, 2022 2:52 PM  
**To:** Public Comments  
**Subject:** In concert

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

Jerry Grant and Corinne Gelfan: We are a married couple who came to Grass Valley 10 years ago and did not know a soul. Thanks to groups like In Concert we were able to meet many people with our similar interests especially in the arts. We feel allowing them to build their multiplex entertainment center would only enhance and broaden the availability for more people to enjoy music and theater right in their own backyard. It would also attract top performers to come and share their craft with our community. It is a yes vote for you to invite this forward looking organization to achieve their vision. Sincerely, Corinne Gelfan and Jerry Grant

## Taylor Day

---

**From:** Beth Moorehead [REDACTED]  
**Sent:** Tuesday, October 25, 2022 2:48 PM  
**To:** Public Comments  
**Subject:** City Council Meeting Tonight

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

I support the changes to Mill St, and to keeping it a pedestrian corridor. My family loves to come visit and walk downtown, and we always find a parking space close enough for my 90 year old mom to feel comfortable with the distance. I spend more time downtown that I did before and last year did ALL my Christmas shopping on Mill St. I also support the InConcert Sierra plan! That's exciting.

Regards,  
Beth Moorehead

## Taylor Day

---

**From:** Alena Loomis  
**Sent:** Tuesday, October 25, 2022 2:41 PM  
**To:** Public Comments  
**Subject:** FW: Form submission from: Contact us

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**From:** Sally Buckthal <info@cityofgrassvalley.com>  
**Sent:** Tuesday, October 25, 2022 2:40 PM  
**To:** COGV General Voicemail <COGVGeneralVM@cityofgrassvalley.com>  
**Subject:** Form submission from: Contact us



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

10/25/2022 - 2:40pm

City of Grass Valley »

### WEBFORM SUBMISSION

Submitted by anonymous user: [73.220.117.142]

Your name:  
Sally Buckthal

Your e-mail:  
[REDACTED]

Your Phone Number:  
[REDACTED]

Message:

Hello,

I have sung for 47 years with choral groups in the US and in Europe. During that time, I have been privileged to participate in many amazing musical experiences that have enriched my life.

I have sung for the Pope at St Peter's in Rome; performed twice at Christmas in the White House; been a part of two large music festivals in Croatia and Great Britain; and have been happy to sing in diverse locations such as Davies Symphony Hall, Santa Fe, the Berkshires,

Disneyland, the East Bay of CA and others.

After my husband and I retired to Nevada County in 2011, I was thrilled to be accepted to sing in Sierra Master Chorale (InConcert Sierra). I had no idea that a group of such HIGH CALIBER existed in these beautiful foothills! I've had spine-tingling moments here that surpass anything or anyplace I've sung before....THE ARMED MAN is right at the top of my 47 years of music!!!

I'm grateful to all who are associated with ICS/SMC in every capacity. Ken Hardin, Alison Skinner, the dedicated Board members, the talented singers and orchestra members, the many volunteers, the gracious people who donate and the wonderful audiences ...thank you!

NOW...the one missing element is to be voted on tonight!!! A large modern concert hall/conference space with kitchen, etc etc in Grass Valley will be the pinnacle for ICS/SMC and for other organizations and groups. There is nothing like that closer than Sacramento. We NEED this for all of Nevada County and Grass Valley is the perfect location! Please vote YES!

Sally Buckthal

Attachment(s) (if applicable):

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## Taylor Day

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**From:** FAIR,PAUL [REDACTED]  
**Sent:** Tuesday, October 25, 2022 2:30 PM  
**To:** Public Comments  
**Subject:** Voice Mail (49 seconds)  
**Attachments:** audio.mp3

Yes, this is Jackie fair and my husband is Paul Fair. We just wanted to encourage the Council to approve the zoning variance for in concert Sierra the purchase of the building on Crown Point Court in Grass Valley. We think this would be a wonderful project for the entire Community and it will just offer so much to the public. This is an older community and that type of thing is just so well appreciated. We hope that you will follow through then do that. Thank you so much. My phone number is [REDACTED] Thank you. Goodbye.

You received a voice mail from [FAIR,PAUL](#).

---

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[Set Up Voice Mail](#)

## Taylor Day

---

**From:** Charlie Zimmerman [REDACTED]  
**Sent:** Tuesday, October 25, 2022 2:18 PM  
**To:** Public Comments  
**Subject:** Comment re. proposed InConcert Sierra project

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

One of the special things about the Grass Valley area is its vibrant arts community. The project proposed by InConcert Sierra will make the arts in our area even richer. The world-class acoustic concert hall that is part of the project will certainly attract top talent to perform in Grass Valley. We urge the city council to approve this project.

Regards,

Charlie and Laura Zimmerman

## Taylor Day

---

**From:** Alena Loomis  
**Sent:** Tuesday, October 25, 2022 1:55 PM  
**To:** Public Comments  
**Subject:** FW: Form submission from: Contact us

---

**From:** Denis Drew, MD <info@cityofgrassvalley.com>  
**Sent:** Tuesday, October 25, 2022 1:55 PM  
**To:** COGV General Voicemail <COGVGeneralVM@cityofgrassvalley.com>  
**Subject:** Form submission from: Contact us



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

10/25/2022 - 1:54pm

City of Grass Valley »

### WEBFORM SUBMISSION

Submitted by anonymous user: [73.220.189.247]

Your name:  
Denis Drew, MD

Your e-mail:

[REDACTED]

Your Phone Number:

[REDACTED]

Message:

I support InConcert Sierra's request to approve their Whispering Pines project

Attachment(s) (if applicable):

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## Taylor Day

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**From:** Diane McIntire [REDACTED]  
**Sent:** Tuesday, October 25, 2022 1:02 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra

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

Dear Grass Valley City Council Members,

I am excited to support the efforts of InConcert Sierra to build a concert hall, black box and conference center as proposed in Grass Valley.

This project with its focus on the classics as well as education, a conference center and more will broaden the artistic offerings of our Grass Valley/Nevada City region, will contribute greatly to the notoriety of our area as a creative arts hub in northern California, and will translate into economic growth for many supporting industries as well.

I encourage you to support and approve this project.

Thank you very much,

Diane McIntire

234 Bridge Street  
Nevada City, CA 95959

**Taylor Day**

---

**From:** Robert Berman [REDACTED]  
**Sent:** Tuesday, October 25, 2022 12:57 PM  
**To:** Public Comments  
**Subject:** InConcert concert hall

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

This is a great idea. A real concert hall will be a boon for the area and given the high caliber of classical performances booked by InConcert a definite draw for tourists. The fact that the project includes a black box theatre, conference hall, office space and more just makes it better. I can wait to see this happen!

Robert Berman  
12399 Clipper Creek Rd.  
Nevada City, Ca. 95959

Sent from my iPad

## Taylor Day

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**From:** Shanti Emerson [REDACTED]  
**Sent:** Tuesday, October 25, 2022 12:41 PM  
**To:** Public Comments  
**Subject:** In Concert Zone change

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

Me and my friends and neighbors completely and enthusiastically support InConcert's plans to have a new concert venue on Whispering Pines. This new hall will be easier for the public to access, and the organization have more freedom to choose their music than their current venue.

Shanti Emerson  
Jivat Mukhi

## Taylor Day

---

**From:** rick partridge [REDACTED]  
**Sent:** Tuesday, October 25, 2022 11:32 AM  
**To:** Public Comments  
**Subject:** Support for Zoning Variance for In Concert Sierra

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

Dear City Council members,

I am writing to you in support of the agenda item on tonight's meeting to approve the variance request for InConcert Sierra. As a donor, concert attendee, and supporter of this valuable treasure in our community, I believe this new space will be a huge asset not only for the organization but for all groups who can benefit from an amazing space like this. Thank you in advance for your yes vote on this variance.

Rick Partridge  
Nevada City

## Taylor Day

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**From:** HOSPICE OF THE [REDACTED]  
**Sent:** Tuesday, October 25, 2022 9:04 AM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 17 seconds)  
**Attachments:** audio.mp3

Hi, my name is Vivian Tipton. My address is 14267 Stinson Dr, Grass Valley, CA 95949. My telephone number is [REDACTED] and I am calling to voice my support both as a Community member and as the Executive director of Hospice of the Foothills for the in concert Sierra Project of Building a concert hall in our community. As the leader of an agency that is always looking for a venue to support our nonprofits in our community and concerts here is a fabulous partner and this would fill a need that our Community has and will continue to have. Bringing culture to our community in such a profound way also will continue to help us stay the vibrant community that we are. I completely and totally support Julie Harden and Inconcert Sierra in this venture, and I hope that our city does as well. Thank you.

You received a voice mail from [HOSPICE OF THE](#).

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**Taylor Day**

---

**From:** Drew, Barbara [REDACTED]  
**Sent:** Tuesday, October 25, 2022 8:12 AM  
**To:** Public Comments  
**Cc:** denis.drew@yahoo.com  
**Subject:** InCencert Sierra's projet

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

Since retiring and moving here in 2015, my husband and I have been delighted that we can enjoy live classical music concerts without returning to the Bay area. Please approve the proposed new venue that will expand InConcert Sierra's ability to offer more types of music than just classical and will insure the future of this great nonprofit in this community.



**Barbara Drew, RN, PhD, FAHA**  
UCSF Emeritus Professor of  
Nursing & Clinical Professor of  
Medicine, Cardiology  
**Mobile:** 415-987-4320  
**Email:** [barbara.drew@ucsf.edu](mailto:barbara.drew@ucsf.edu)  
11750 Trish Court  
Nevada City, CA 95959

## Taylor Day

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**From:** Alena Loomis  
**Sent:** Tuesday, October 25, 2022 7:55 AM  
**To:** Public Comments  
**Subject:** FW: Form submission from: Contact us

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**From:** Barbara Drew <info@cityofgrassvalley.com>  
**Sent:** Tuesday, October 25, 2022 7:52 AM  
**To:** COGV General Voicemail <COGVGeneralVM@cityofgrassvalley.com>  
**Subject:** Form submission from: Contact us



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

10/25/2022 - 7:51am

City of Grass Valley »

### WEBFORM SUBMISSION

Submitted by anonymous user: [128.218.42.121]

Your name:  
Barbara Drew

Your e-mail:  
[REDACTED]

Your Phone Number:  
[REDACTED]

#### Message:

Please approve of InConcert Sierra's plans to provide a "state-of-the-art" concert hall with a natural acoustic plus a conference/event venue and black box theatre at 125 Crown Point Court. This newly purposed performing arts complex will be a game changer for our community!

Attachment(s) (if applicable):

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**Taylor Day**

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**From:** jeffrey leiter [REDACTED]  
**Sent:** Monday, October 24, 2022 10:12 PM  
**To:** Public Comments  
**Subject:** Fr Jeff Leiter re InConcert projecct

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

October 20, 2022

Members of the Grass Valley City Council,

I have been supporting the arts ever since I moved here over 20 years ago. As you leaders know one of Grass Valley's most important assets is its top notch environment, recreation, arts & performances, and education. These are drivers for a successful, enriching, and strong economy.

The new acoustic concert hall being proposed by InConcert Sierra with an adjoining black box theater and conference facility would greatly enhance our already desirable cultural and economic success. There is no other facility with these qualities (especially an acoustical concert hall) within 50 miles.

I ask you to vote in favor of the variance to allow InConcert Sierra (this is our 75th year) the right to invest in our community by building this multi-million dollar facility.

We have meant with and have the support of the arts, business, and cultural community as well as your planning commission.

Much thanks for your consideration.

JEFF Leiter,

Former Mayor, City of Berkeley

Former President, Music in the Mountains

Former President, Berkeley Symphony Orchestra

12440 Gayle Lane, Nevada City  
[jsleiter@mac.com](mailto:jsleiter@mac.com)

Item # 3.

## Taylor Day

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**From:** Alice Ruth Mischke [REDACTED]  
**Sent:** Monday, October 24, 2022 2:34 PM  
**To:** Public Comments  
**Subject:** InConcert Sierra Performing Arts Project

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

### To Whom It May Concern:

As a long time attendee of InConcert Sierra Concerts, I am writing to support their proposal for a state of the art Performing Arts Project in Grass Valley. This organization has broad and enthusiastic support in our community and beyond as they have brought outstanding musicians from all over the world to delight us with their music. The new Performing Arts Center will offer a dedicated concert hall, a black box theater, and a conference center with kitchen facilities available for catering. Classrooms will be designated for ongoing educational opportunities for young people as well as adults. Such a venue will generate interest beyond Nevada County, bringing music fans who in turn will have a positive impact on our community.

Please vote to approve this worthwhile project.

Yours truly,

Alice Ruth Mischke

## Taylor Day

---

**From:** Maggie McKaig [REDACTED]  
**Sent:** Monday, October 24, 2022 10:45 AM  
**To:** Public Comments  
**Subject:** InConcert Sierra's proposed project recommendation

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

To Grass Valley City Council,

For the City Council Meeting Tuesday, October 25, 2022 at 7:00 PM

My husband, Luke Wilson--Nevada County residents for 35 years--highly recommend that you approve the InConcert Sierra Whispering Pines Specific Plan Amendments, Use and Development Review Permits.

Having seen and inspected the building and location, and having read through the proposed plan, we are impressed by InConcert Sierra's dedication and commitment to this project, by their thorough research of every aspect involved, as well as the sheer beauty of what they envision. And the Whispering Pines location is a perfect place for this project.

We see no down side whatsoever to this plan. In fact, this new theatre will only enhance our community. How? The proposed theatre will offer a performance space far different than what any other performance space in the area can offer: a room specifically designed for the optimum production of acoustic music, whether it be symphony orchestra, jazz, folk, or any other genre of music that produces sound through acoustic means, instead of electronic. Such a space is highly desirable to any musicians and musical organizations that specialize in acoustic music, and the audiences that seek out such music.

The city will also obviously benefit from the proposed conference space; a larger room than any current conference spaces in Grass Valley or Nevada City. Such a space will surely be attractive to many organizations near and far.

We urge you to approve InConcert Sierra's plan.

Sincerely,

Maggie McKaig and Luke Wilson  
 [REDACTED]

--

Just don't give up trying to do what you really want to do. Where there is love and inspiration, I don't think you can go wrong.  
 --Ella Fitzgerald

For most of history, Anonymous was a woman.  
 --Virginia Woolf

All music is folk music. I ain't never heard no horse sing a song.  
 --Louis Armstrong

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.

--Margaret Mead

Item # 3.

To learn more about me, read my essays, listen to my music, please go to:

<http://www.maggiemckaig.com>

You can find albums under my name, as well as Beaucoup Chapeaux, on iTunes, Amazon, and other internet music sites.

Here we are on Facebook

<http://www.facebook.com/BeaucoupChapeaux>

Beaucoup Chapeaux homepage, which is on my website.

<http://www.beaucoupchapeaux.net>

## Taylor Day

---

**From:** Alena Loomis  
**Sent:** Monday, October 24, 2022 10:04 AM  
**To:** Public Comments  
**Subject:** FW: Form submission from: Contact us

---

**From:** Dawna Johnson <info@cityofgrassvalley.com>  
**Sent:** Thursday, October 20, 2022 9:38 AM  
**To:** COGV General Voicemail <COGVGeneralVM@cityofgrassvalley.com>  
**Subject:** Form submission from: Contact us



10/20/2022 - 9:37am

City of Grass Valley »

### WEBFORM SUBMISSION

Submitted by anonymous user: [108.201.218.14]

Your name:  
Dawna Johnson

Your e-mail:



Your Phone Number:



### Message:

I am writing this, in hopes it will reach all 5 council members, to express my concern over potential trip hazards at the Mill Street Mall. I know this project is approved and on going, however, from my albeit minimally informed position, its being executed poorly and haphazardly. As a former general contractor for several decades, and being in and around construction for nearly 4 decades, I have plenty of history and experience which formed my concerns and opinions. I have literally never seen such sloppiness, frankly it appears to be negligence in spending, project quality and the safety of the public. My husband and I

are disabled but we took the time, and effort, to walk the area yesterday. I was literally horrified. If I was in charge of this project, the inspections would not pass and the contractors would be fired. The list is long, however, I'll touch on the main issue I saw yesterday and the concerns it brings for me of possible liability: trip hazards. The asphalt patches, both materials and labor, are substandard. It appears there are leaks and it is further degrading the materials at several locations. ( I tried several times over several days to include 1 photo in particular but the system would not allow me to .. I could have taken dozens. If you'd like the photo, advise how I can send it ) At this location ( in aforementioned photo ) I witnessed a toddler slip as the asphalt was so wet it was draining off the sidewalk. Luckily her father was right there. I counted at least 30 spots throughout the main project area where a potential trip and/or fall could occur. We are coming up on the holidays, during which I hope for the businesses sake, there will be an influx of visitors. If just one trips and/or falls there could be a lawsuit. On the advice of a friend in the legal field, even though the project is within the jurisdiction of the City of Grass Valley, I'm forwarding this to the NCBOS to advise of my concerns over liability, as a lawsuit will list many parties and could include them. There were many other issues of concern, however, this one, maybe due to my career, stuck out and led me to want to report it to you with the hopes the "decision makers", which includes the city manager, will make " better " decisions with the constituency in mind. Mismanaged projects and law suits are ultimately a waste of tax payer dollars.

Thank you in advance.

Dawna and Mark Johnson  
Grass Valley

Attachment(s) (if applicable):

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**Taylor Day**

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**From:** Ken Getz [REDACTED]  
**Sent:** Monday, October 24, 2022 9:47 AM  
**To:** Public Comments  
**Subject:** InConcert Sierra's proposal

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

I am writing in favor of the proposed performing arts center, and in support of the work done by InConcert Sierra in general. I believe that a thriving arts community is crucial to a thriving community, and InConcert Sierra's proposed performing arts center is crucial to the local performing arts. Currently, there is no venue that is appropriate for acoustic, live music with an audience of 500 people, and there is no venue that is appropriate for live theater with an audience of 100 people. Their proposal would provide both these venues, in addition to a much-needed conference/meeting space. I am whole-heartedly in support of their proposal and hope you give it the chance it deserves.

Ken Getz  
172 Ryans Ln  
Grass Valley CA 95945



## Taylor Day

---

**From:** Britta Tigan [REDACTED]  
**Sent:** Sunday, October 23, 2022 5:56 PM  
**To:** Public Comments  
**Subject:** I support InConcert Sierra's new concert hall

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

Our community needs a concert hall with acoustics for classical and unamplified music. We need a place for corporate and nonprofit conferences. We need performance spaces with ample parking so those of us with other abilities can access cultural activities.

Britta Tigan  
Homeowner, voter, veteran  
15460 Ridge Estates Road, Nevada City, CA  
[REDACTED]

## Taylor Day

---

**From:** Cheri M. Flanigan [REDACTED]  
**Sent:** Thursday, October 20, 2022 5:16 PM  
**To:** Public Comments  
**Subject:** In Concert Sierra

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

Dear Grass Valley City Council:

Please support this proposal from In Concert Sierra! How fortunate they are to have found this building as it will meet so many needs in our community! A gathering place for non-profits, a black box theatre and an acoustic concert hall not to mention a terrific kitchen with conference space are all things that groups in our community will jump at the chance to be part of ! I've seen the plans and they are well thought out and top notch. This will be an invigorating addition to our community benefiting all ages.

This is a win-win for Nevada County and the Foothills!  
Thank you,  
Cheri

Cheri M Flanigan  
Cell: [REDACTED]

## Taylor Day

---

**From:** Laura Wagner Balch [REDACTED]  
**Sent:** Thursday, October 20, 2022 2:56 PM  
**To:** Public Comments  
**Cc:** Julie Hardin  
**Subject:** Support for InConcert Sierra Performance Center Remodel

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

I am writing to support the InConcert Sierra Performance Center Remodel.

Currently, Nevada County has two fully professional orchestras and neither one has an established performance center. I am delighted that In Concert Sierra seems to be securing funding to build a professional performance center. Ken and Julie Hardin are solid members of our community, who are well regarded in their support of the musical arts and I think we should all wish them the best, and provide financial support as we are able to do so.

Laura Wagner Balch, Ph.D.  
ITT Pilates Instructor  
Innerscape Pilates  
408n Colfax Avenue  
Grass Valley CA 95945  
[REDACTED]

## Taylor Day

---

**From:** Michael Mauldin [REDACTED]  
**Sent:** Thursday, October 20, 2022 2:56 PM  
**To:** Public Comments  
**Subject:** comment

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

This is brilliant! And about time!

I want the City and county to support this venture in all ways they can.  
And hopefully the NEA and other funding sources will get on board.

This project will be another jewel in the county's crown of outstanding musical offerings drawing in top talent (including our own) to our little piece of paradise.

Michael Mauldin  
Grass Valley Ca

## Taylor Day

---

**From:** Miriam Morris [REDACTED]  
**Sent:** Thursday, October 20, 2022 12:42 PM  
**To:** Public Comments  
**Subject:** Public comment on the InConcert Sierra venue proposal

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

Dear Council,

I suspect Grass Valley will have nothing but praise and excitement for this potential venue for a concert hall, conference room, and black box theater. This will add another facet to Grass Valley's prowess as a cultural force, further leaving Nevada City in your shadow.

As a classical music lover, I am very enthusiastic about this project. Please approve it as soon as possible.

Thank you,

Miriam Morris  
Nevada City

## Taylor Day

---

**From:** Terry Brown [REDACTED]  
**Sent:** Thursday, October 20, 2022 11:37 AM  
**To:** Public Comments  
**Subject:** InConcert Sierra Project

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

Greetings!

I urge the Grass Valley City Council to approve this project.

Fulfillment of this dream would be a wonderful asset to our community.

Take care,



Terry M Brown, CFP®, Financial Planner  
Commonwealth Financial Network  
260 Colfax Ave, Grass Valley, CA 95945  
(530) 273-1208  
[terryb@cfnmail.com](mailto:terryb@cfnmail.com)

Securities and Advisory Services offered through Commonwealth Financial Network, Member FINRA/SIPC, a Registered Investment Adviser.



Please consider the environment before printing this email.

## Taylor Day

---

**From:** Luap Renrac [REDACTED]  
**Sent:** Tuesday, October 18, 2022 3:38 PM  
**To:** Public Comments  
**Subject:** Probation and Parole detention center

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

As of this moment The County of Nevada P&P are allowing at least one person wearing an ankle monitor live in his older brown Chevy Venture 5ATX732 missing the drivers door mirror here in N. C. He goes by the name of Gary and is what I call a nasty sort of character, as one may guess from the ankle monitor and sleeps on Nevada City hwy. across from fudenjuce.

The reason I find to contact Grass Valley regarding this is that I recently saw "ankle monitor boy" as I call him in Grass Valley with a N. C. homeless in the pass. seat.

Probation and Parole is bleeding over into G. V.

Thank you,

Pastor Paul Carner

## Taylor Day

---

**From:** Miranda Bacon  
**Sent:** Monday, October 17, 2022 2:07 PM  
**To:** Public Comments  
**Subject:** FW: Form submission from: Contact us

---

**From:** Vida Santos <info@cityofgrassvalley.com>  
**Sent:** Monday, October 17, 2022 8:03 AM  
**To:** COGV General Voicemail <COGVGeneralVM@cityofgrassvalley.com>  
**Subject:** Form submission from: Contact us

10/17/2022 - 8:03am

City of Grass Valley »

### WEBFORM SUBMISSION

Submitted by anonymous user:  
[2601:206:8200:d650:7128:5d1f:a379:c7af]

Your name:  
Vida Santos

Your e-mail:  
[REDACTED]

Your Phone Number:  
[REDACTED]

#### Message:

To Mayor Aguilar & City Council members: Please vote to approve the InConcert request to expand the property at 125 Crown Point Circle. The requested improvement of this property will create an Acoustic Concert Hall, Conference center and theater with adequate parking for all. It will provide our city with opportunities to host many renown musical artists and special events at a site which will not overcrowd or burden our downtown. The intended use of this building will fulfill many community needs while bringing revenue to our city. Thank you for your consideration and YES vote when the item appears on your agenda.



Sincerely, Vida Santos, 11059 Grass Valley Ranch Rd., Grass Valley, CA 95945 phone: 530-205-5570 at [vidasantos1@gmail.com](mailto:vidasantos1@gmail.com)

Attachment(s) (if applicable):

[View results](#)[Download results](#)

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You are receiving this e-mail because you signed up at our website: [City of Grass Valley](#). If you did not sign up, or you are receiving this message in error, please [contact us](#) so we can promptly resolve the problem.

## Taylor Day

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**From:** Harley Cross [REDACTED]  
**Sent:** Wednesday, October 12, 2022 7:14 AM  
**To:** Public Comments  
**Subject:** Mill St redevelopment

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

I'm writing to share my support for making the area as pedestrian, friendly as possible and additionally support having as many trees, planters and benches as possible in order to ensure that both residents and visitors have not only a beautiful but also comfortable downtown when they come to shop, eat, drink and enjoy.

Many thanks,

Harley Cross  
10857 Vernon Way, Grass Valley, CA 95945

## Taylor Day

---

**From:** grace [REDACTED]  
**Sent:** Tuesday, October 11, 2022 8:13 PM  
**To:** Public Comments  
**Subject:** Pioneer Community Energy

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

Hi,

My name is Grace Farag, and I'm a relatively new resident of Grass Valley (since 2021). I want to say that I share the concerns expressed by Vice Mayor Jan Arbuckle about the opt-in/opt-out system for Pioneer Community Energy. I think people should be allowed the choice whether to opt in or not, vs being automatically opted in and then have to figure out how to get out of it later.

I also am unclear from listening to today's presentation what the benefit of Pioneer really is. I keep hearing that I get a choice, but this is a choice between PG&E and a middle man who buys and sells from PG&E...perhaps there is more to it that I'm not understanding, especially being new here, but I don't fully get it.

I'm interested in the green/renewable energy aspect and would definitely like to understand more of that potential.

All this said, I also really wish we had a REAL choice between PG&E and another utility company. With this deal, it sounds like we only have a choice of who we pay bills to... but still there's only one company who owns our energy grid, and therefore the monopoly remains. That will continue to be a frustration.

Thank you for your time,  
Grace Farag

## Taylor Day

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**From:** LOHELA ERIC [REDACTED]  
**Sent:** Tuesday, October 11, 2022 5:30 PM  
**To:** Public Comments  
**Subject:** Voice Mail (1 minute and 13 seconds)  
**Attachments:** audio.mp3

Hi, my name is Elle Miller. I live at one, four, eight, three eight. Christopher 's place in Grass Valley. And I'm calling because I wanted to comment about the proposal for options related to benches and planters and trees in downtown Grass Valley, specifically Mill Street Mall. It's really important to me that we have public spaces where there can be encouragement for gathering and community conversation and where multiple generations can come together in the midst of walkable shopping and dining. And because the commerce of the area and as someone who cares about Grass Valley and cares about investing in the community, I am wanting to just state for public comment that I'm very much for these options for, as I said, the benches and trees and planters. I think beautifying the space and making sure that we have an attractive space to spend time is a really important part of what it means to shape a community and to make sure that we can have places together. Thank you very much and I appreciate all the work that you do.

You received a voice mail from [LOHELA ERIC](#).

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

[Set Up Voice Mail](#)



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

**Title:** Assembly Bill 361 Resolution

**Recommendation:** Adopt resolution R2022-83 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:** 11/8/2022

**Date Prepared:** 11/1/2022

**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 1<sup>st</sup>, 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.

**Council Goals/Objectives:** 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:** R2022-83

## RESOLUTION NO. 2022-83

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. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are Met. 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. Meeting Requirements. 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. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of City of Grass Valley, this 8th day of November, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Ben Aguilar, Mayor

ATTEST:

APPROVED AS TO FORM:

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Taylor Day, Deputy City Clerk

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Michael Colantuono, City Attorney



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

**Title:** 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

**Council Meeting Date:** 11/8/2022

**Date Prepared:** 11/3/2022

**Agenda:** Consent

**Background Information:** 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.

**Council Goals/Objectives:** 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.

**Fiscal Impact:** 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





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

**Title:** 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:** 11/8/2022

**Date Prepared:** 11/3/2022

**Agenda:** Consent

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

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

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

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

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

**Funds Available:** N/A

**Account #:** N/A

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



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Second Reading of Ordinance No. 820 Amending the Whispering Pines Specific Plan and Rezoning the property at 125 Crown Point Court to create a new Subarea - SP-1A.1 - Public Assembly Uses for InConcert Sierra.

**Recommendation:** Hold a Second Reading, by Title only, of Ordinance No. 820, which finalizes the Rezoning for the InConcert Sierra Project as adopted by the City Council on October 25, 2022.

**Prepared by:** Lance E. Lowe, AICP, Principal Planner

**Council Meeting Date:** November 8, 2022

**Date Prepared:** November 1, 2022

**Agenda:** Consent

**Background Information:** On October 25, 2022, the City Council conducted a public hearing and approved the InConcert Sierra Project to allow public assembly uses, including a Concert Hall, Black Box Theater and Conference Center.

A Second Reading is required to finalize the processing of the ordinance. Should the City Council adopt a second reading of the ordinance on November 8, 2022, the ordinance will become effective 30 days thereafter.

**Council Goals/Objectives:** The InConcert Sierra Project executes portions of work tasks towards achieving/maintaining Strategic Plan - Economic Development and Vitality.

**Fiscal Impact:** No fiscal impact is expected with the project. The applicant has paid the requisite application fees for processing of the applications.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** \_\_\_\_\_ Community Development Dir.

\_\_\_\_\_ City Manager

**ATTACHMENT:**

**Attachment 1 -** Ordinance No. 820 Rezoning Property in the Whispering Pines Specific Plan SP-1A.1 Zone with **Exhibit A - SP-1A.1 edits**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY  
AMENDING THE WHISPERING PINES SPECIFIC PLAN.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. The Whispering Pines Specific Plan is hereby amended as shown in **Exhibit “A”**. Bold text represents new text of the SP – 1A.1 Zone, which is to be added to the SP – 1A Zone.

SECTION 2. In compliance with Whispering Pines Specific Plan, the City Council adopts the following findings in support of the Whispering Pines Specific Plan Amendments:

1. The proposed amendments are consistent with the General Plan. *Rationale: The 2020 General Plan acknowledges the previously adopted Whispering Pines Specific Plan and identifies policies reflected in the Whispering Pines Specific Plan. The proposed amendments allow for a site-specific use that is compatible with adjoining uses in the SP – 1A Zone.*

2. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested. *Rationale: The Whispering Pines Specific Plan was adopted in 1984 with a range of uses that were common 40 years ago but are less common today. The proposed amendments would permit a site-specific public assembly use in the existing 41,600 square foot building with approval of a Use Permit by the City Council. The site-specific use is not anticipated to have any negative impacts on adjoining land uses in the Whispering Pines Specific Plan area as outlined in the Initial Study/Mitigated Negative Declaration prepared for the project.*

3. The change will benefit the Whispering Pines Specific Plan area. *Rationale: Occupancy of the existing 41,600 square foot building with a use that primary operates during off hours from adjoining uses will benefit the Specific Plan area. From an Air Quality and Vehicle Miles Traveled standpoint, the site-specific use is anticipated to be less impactful than the current office uses formally occurring in the building.*

4. The change is in conformance with the adopted Whispering Pines Specific Plan. *Rationale: The Whispering Pines Specific Plan includes policies, goals, and objectives to reduce land use conflicts and environmental impacts. The site-specific use is compatible with adjoining land uses in the Whispering Pines Specific Plan area.*

5. The change will not adversely affect adjacent properties and can be properly serviced. *Rationale: The amendments permit use of the existing 41,600 square foot building for public assembly use. The InConcert Sierra public assembly uses have been evaluated and have been determined to be compatible with adjoining uses.*

6. The physical constraints of the property are such that the Whispering Pines Specific Plan Amendment is warranted. *Rationale: There are no physical constraints associated with the property. The 41,500 square foot building is appropriate for the contemplated public assembly use and will not have negative impacts on adjoining uses.*

7. The project is consistent with the applicable sections and development standards in the Development Code. *Rationale: The project is consistent with the Development Standards in the Development Code.*

8. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. *Rationale: The proposed amendments and project have been evaluated and do not result in any significant changes that could be detrimental to the public interest, health, safety, convenience, or welfare.*

9. On September 20, 2022, the Grass Valley Planning Commission conducted a public hearing on the proposed Whispering Pines Specific Plan amendments and provided a recommendation of approval of the Whispering Pines Specific Plan Amendments noted in **Exhibit "A"**.

10. The Community Development Department prepared an Initial Study/Mitigated

Negative Declaration as the appropriate level of environmental review for the project. The environmental review was circulated for public review commencing on August 26, 2022, and ending close of business on September 14, 2022.

11. The City Council concurs with the recommendations of the Planning Commission and determines the Initial Study/Mitigated Negative Declaration is the appropriate level of environmental review for the proposed amendments to the Whispering Pines Specific Plan.

SECTION 3. The City Council amends the Whispering Pines Specific Plan through its approval of this ordinance as referenced and noted in **Exhibit "A"**.

SECTION 4. This ordinance shall take effect thirty (30) days from and after the date of its adoption and a summary of said ordinance shall be published once within fifteen (15) days upon its passage and adoption in The Union, a newspaper of general circulation printed and published in the Grass Valley Area.

INTRODUCED and first read on the 25<sup>th</sup> day of October 2022

PASSED AND ADOPTED this 8<sup>th</sup> day of November 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

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

A. SUBAREA SP – 1A

A.1 General Plan Business Park

A.2 Specific Plan Designation Corporate District

A.3 Existing Conditions The subarea totals 125 acres. The subarea is bordered by Idaho-Maryland Road on the north, Brunswick Road on the east, a power line easement along a portion of the west and is traversed by Whispering Pines Lane. The subarea is heavily wooded and consists of natural hill slopes and knolls which vary from near level to steep 2 to 1 slopes.

A.4 Planned Conditions The proposed long-range plan for this subarea is to develop as a Corporate District with a “campus” type character. A “campus” type character includes landscaped open space between buildings, screened service areas, uniform sign and street lighting standards and maintenance of the whispering pines theme throughout. The existing use may remain but are expected to eventually phase into office uses. This area will provide opportunities for corporate administrative offices and small and medium size research and development firms to locate in Grass Valley within a high quality development. Land uses within the subarea should be compatible with adjacent residential uses and buffered from them.

A.5 Permitted Land Use Categories The following uses are permitted provided that a development map has been approved:

Administrative and Research  
Characteristics

- a. Variable lot requirements;
- b. Traffic limited to employee vehicles and minor delivery;
- c. Visibility and design image important;
- d. Restriction promoted against vicinity impacts of noise, appearance, odor and dust;

- Examples
- a. Research and Testing;
  - b. Experimental Laboratory Facilities;
  - c. Division of Corporate Headquarters;
  - d. Instrument Design;
  - e. Data Processing

Restricted Light Industry  
Characteristics

- a. Variable lot size requirements;
- b. Traffic includes employee vehicles and delivery;
- c. Visibility moderately important;
- d. Restrictions may be necessary for noise, appearance, odor and dust;

\* From back of curb

Examples	<ul style="list-style-type: none"> <li>a. Semiconductor Manufacturer;</li> <li>b. Products Assembly;</li> <li>c. Printing and Publishing;</li> <li>d. Finished Paper Products;</li> <li>e. Photographic Processing;</li> <li>f. Machine Assembly;</li> </ul>
<u>Warehouse/Showroom</u> Characteristics	<ul style="list-style-type: none"> <li>a. Small lot size requirements;</li> <li>b. Uses may be clustered in small centers;</li> <li>c. Traffic includes employees from surrounding business and minor generation from outside the area;</li> <li>d. Visibility, access and appearance important;</li> </ul>
Examples	<ul style="list-style-type: none"> <li>a. Restaurant</li> <li>b. Motel – Conference Center</li> <li>c. Automatic Branch Bank</li> <li>d. Gymnasium</li> <li>e. Caretaker Residence</li> <li>f. Day Care Facilities</li> </ul>
<u>Office/Professional</u> Characteristics	<ul style="list-style-type: none"> <li>a. Small lot requirements through similar uses should be clustered;</li> <li>b. Traffic split between vicinity business and area businesses;</li> <li>c. Visibility moderately important;</li> </ul>
Examples	<ul style="list-style-type: none"> <li>a. Attorneys</li> <li>b. Accountants</li> <li>c. Doctors</li> <li>d. Architects</li> <li>e. Real Estate Offices</li> <li>f. Engineers</li> </ul>
Accessory Uses Characteristics	<ul style="list-style-type: none"> <li>a. Administrative, professional and business offices and dining facilities associated with and accessory to a permitted use.</li> </ul>
A.6 Conditional Uses	
Urban Medium Residential Characteristics	<ul style="list-style-type: none"> <li>a. Developed in conjunction with an industrial project or housing.</li> <li>b. Follows uses and development standards of Subarea SP-1C.</li> </ul> <p>One and one-half (1.5) acres.</p>
Churches	

\* From back of curb

## A.7 Minimal Parcel Size

- a. Whispering Pine Lane  
Parking Setback – Forty (40) feet\*  
Building Setback – Forty (40) feet\*

## A.8 Minimum Setback Requirements

## Front Yard:

- b. Local Streets  
Parking Setback – Fifteen (15) feet\*  
Building Setback – Thirty (30) feet\*
- c. Interior Sideyard – Twenty (20) feet\*
- d. Corner Sideyard – Thirty (30) feet\*

## A.9 Building Design Standards

- a. The maximum height of all structures within the SP – 1A shall be limited to a maximum of two (2) stores, plus high bay, not to exceed twenty-five (25) feet in height except that heating, cooling, other roof equipment and fire storage facilities may extend above the 25 foot height provided they are screened and integrated into the architecture of the building.
- b. Materials. Exterior building walls may be of tilt-up concrete, textured concrete, brick or stone masonry, ornamental concrete block, wood, stucco, or flush metal panels. Sheet, ribbed, or corrugated metal panels, or prefabricated buildings should not be allowed.
- c. Colors may be light grey or earth tones. Bright, contrasting colors shall be avoided, except primary colors may be used as trim or accent with approval of the City Planner.
- d. Outdoor mechanical equipment, transformers, utility vaults and meters, fire protection apparatus, and other utilities shall be treated as an integral part of the building design. When it is necessary to locate such equipment between the front of the building and the street, it shall be screened from view.
- e. Building should be designed and oriented to maximize solar access and minimize heating and cooling requirements. Where appropriate, energy conservation methods such as glazed/double paned windows, recessed entryways, awnings and the use of solar collectors should be utilized.

\* From back of curb



**A.9.1 SUBAREA SP – 1A.1**

**A.9.2 General Plan** Business Park

**A.9.3 Specific Plan Designation** Public Assembly Uses

**A.9.4 Existing Conditions** This subarea is located at 125 Crown Point consisting of 5.53 acres (APN: 009-700-063).

**A.9.5 Planned Conditions** The existing 41,600 square foot building with parking and landscaping is to be used for Studio Uses, such as art, dance, music uses, and theater, or performing arts.

**A.9.6 Permitted Land Uses** Uses permitted in the SP – 1A Zone.

**A.9.7 Conditional Uses** Studio Uses, such as art, dance, music uses, and Theater, or performing arts.

**Examples**

A large-scale indoor facility for group entertainment, other than sporting events. Examples of these facilities include: Civic theaters, and facilities for “live” theater and concerts.

**A.9.8 Building Design Standards** The maximum height of all structures within the SP – 1A.1 shall be limited to a maximum of forty-five (45) feet in height except that heating, cooling, other roof equipment and fire storage facilities may extend above the 25 foot height provided they are screened and integrated into the architecture of the building.

**A.9.9 Design Standards** All other standards of the SP – 1A.1 Zone shall comply with the SP – 1A Zone.

\* From back of curb



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Colfax Avenue Repaving Project - Authorization to Award Contract

**Recommendation:** That Council authorize the City Engineer to execute a construction contract with Hansen Bros. Enterprises for the repaving of Colfax Avenue and Central Avenue, for an amount not to exceed \$150,000.

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

**Council Meeting Date:** 11/8/2022

**Date Prepared:** 11/3/2022

**Agenda:** Consent

**Background Information:** Colfax Avenue between Ophir Street and Hansen Way is an arterial roadway that has experienced a steady decline in its pavement condition for the past several years. This year the deterioration accelerated with the development of numerous potholes, pavement cracking and a small sinkhole due to erosion from a compromised underground drainage culvert.

Up until a few weeks ago Caltrans owned the right of way of Colfax Ave, otherwise known as Highway 174, which the City has since acquired through a long relinquishment process. Caltrans has contracted with Hansen Bros. Enterprises over the past several months to perform substantial culvert remediation, consisting of injection grouting, joint repair and invert paving of the large concrete culvert under Colfax Avenue that carries Little Wolf Creek. The final step in their rehabilitation project is the replacement of the pavement roadway surface, currently planned for only those areas overlying the repaired culvert.

In order to avoid a patchwork of newly replaced pavement areas and older, deteriorating roadway, the City discussed the possibility of partnering with Caltrans to see the entire section of Colfax Ave repaved. The opportunity exists in the next few weeks to utilize Hansen Bros Enterprises paving crews already on site, to complete this work for the City if given the go ahead. The work would include cold planning of the entire road cross section and placement of a new 2.5” Hot Mix Asphalt pavement section, as well as new painted pavement markings and striping. The City has requested to include a similar treatment on the adjacent Central Ave to Memorial Park, which is also greatly in need of rehabilitation.

Hansen Bros Enterprises has proposed to execute this work at an very reasonable price, as compared to recent similar paving contracts. Also considering they will already be mobilized for paving operations and all the work could be performed more efficiently at one time, rather than stopping and starting in different areas, the cost borne by the City is lowest by piggybacking onto the Caltrans contract with Hansen Bros Enterprises

at this time. The total cost will be based upon the final limits of street section replaced, estimated at \$150,000. Funds identified for annual street maintenance projects are available in the current budget to fund this work. It is requested that Council authorize the City Engineer to execute a construction contract with Hansen Bros. Enterprises, for an amount not to exceed \$150,000.

**Council Goals/Objectives:** The Colfax Avenue Repaving Project executes portions of work tasks towards achieving/maintaining Strategic Plan Goal - City Infrastructure Investment

**Fiscal Impact:** Funds are available in the current FY 22/23 CIP Budget for Annual Street Maintenance projects.

**Funds Available:** Yes

**Account #:** 300-406-61220

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



## City of Grass Valley City Council Agenda Action Sheet

**Title:** Regional Transportation Mitigation Fees - Fee Increase Correction

**Recommendation:** That Council: 1) hold a public hearing; and 2) adopt a Resolution approving a correction to the existing regional transportation mitigation fees.

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

**Council Meeting Date:** 11/08/2022

**Date Prepared:** 11/02/2022

**Agenda:** Public Hearing

**Background Information:** Annually, the City of Grass Valley and the Nevada County Transportation Commission (NCTC) evaluates the Impact Fee Programs and the Engineering News Record Construction Cost Index (ENR-CCI) for San Francisco to determine if applying an inflation increase as described in the programs is applicable.

On April 26, 2022, the City Council adopted Resolution 2022-19 approving an inflation adjustment for the Regional Transportation Mitigation Fee (RTMF) program to reflect the increase adopted by the NCTC. The fees from the previous fee schedule were increased by the approved 8% inflation adjustment.

Subsequent to this adjustment, Staff was notified by NCTC that the current fee schedule did not match the RTMF fees as adopted by NCTC. It was determined that a prior inflation adjustment was approved in one year, but did not carry over in the next year's adjustment calculations.

Staff proposes to increase the RTMF by the amounts necessary to correct the prior miscalculation, to properly match the fees currently approved by NCTC. The attached Resolution includes an exhibit of the proposed fees and the increases required to affect these changes.

**Council Goals/Objectives:** An increase in impact fees executes portions of work tasks towards achieving/maintaining Strategic Plan - Economic Development and City Infrastructure Investment.

**Fiscal Impact:** The adjusted fee schedule results in slightly higher development impact fees to be paid by developers.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** City Manager

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY  
AUTHORIZING INCREASE TO REGIONAL TRANSPORTATION MITIGATION FEES**

WHEREAS, the City of Grass Valley annually evaluates impact fees per the associated impact fee programs which were implemented for the purpose of defraying all or a portion of the cost of public facilities related to a development project;

WHEREAS, the City of Grass Valley annually increases the Regional Transportation Mitigation Fees to match the fees approved by the Nevada County Transportation Committee (NCTC); and

WHEREAS, a miscalculation in a prior fee adjustment calculation resulted in the City tabulated impact fees not aligning with the fees approved by NCTC; and

WHEREAS, the attached "Exhibit A" shows the proposed impact fees that properly match those approved by the Nevada County Transportation Committee; and

WHEREAS, a noticed public hearing was held on November 8, 2022;

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

- 1. Regional Transportation Mitigation Fees (RTMF) will be increased as shown in Exhibit A.

ADOPTED as a Resolution by the City Council of the City of Grass Valley at a regular meeting thereof held on the 8<sup>th</sup> day of November, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Ben Aguilar, MAYOR

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Michael G. Colantuono, CITY ATTORNEY

\_\_\_\_\_  
Taylor Day, Deputy CITY CLERK

**EXHIBIT A****2022/2023 FEE SCHEDULE RTMF CORRECTION**

RTMF RESIDENTIAL DEVELOPMENT IMPACT FEES  
(With Admin. - Per Unit)

	Current Fee Schedule	NCTC Approved Fees	Increase Required
Single Family	\$4,583.80	\$4,621.01	\$37.21
Multi Family	\$3,173.40	\$3,198.79	\$25.39
Mobile Home	\$2,402.55	\$2,422.15	\$19.60
Senior Housing	\$1,714.37	\$1,728.02	\$13.65

RTMF NON RESIDENTIAL DEVELOPMENT IMPACT FEES  
(With Admin. - Per 1,000 SF)

	Current Fee Schedule	NCTC Approved Fees	Increase Required
Retail - Low	\$2,030.49	\$2,045.28	\$14.79
Retail - Medium	\$4,338.20	\$4,373.43	\$35.23
Retail - High	\$7,692.76	\$7,754.23	\$61.47
Office	\$1,023.75	\$1,032.93	\$9.18
Industrial	\$452.30	\$456.89	\$4.59
Warehouse	\$302.75	\$305.16	\$2.41
Lodging	\$548.36	\$552.89	\$4.53