



GRASS VALLEY

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

Tuesday, May 23, 2023 at 7:00 PM

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

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

E-Mail: info@cityofgrassvalley.com

Web Site: www.cityofgrassvalley.com

AGENDA

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

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

MEETING NOTICE

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

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

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

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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. Proclamation to Recognize Technical Sergeant Breona Calvert as the Lt. Commander Lou Conter Military Ambassador

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.*

2. Approval of the Regular Meeting Minutes of May 9, 2023
Recommendation: Council approve minutes as submitted.
3. Second reading of ordinance repealing and replacing Chapters 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises” of the Grass Valley Municipal Code.

CEQA: Not a Project.

Recommendation: That Council have the second reading and adopt Ordinance No. 825, waive full reading, and read by Title only.

4. Extension of certificated promotional list for Fire Captain.

CEQA: Not a project

Recommendation: That Council 1) extend the current eligibility list for Fire Captain for two months or until creation of a new list. The current promotional list was

certified June 29, 2022. The Fire Department expects to fill a vacancy for Captain within the timeframe of the extension.

5. Nevada County Transportation Commission FY 2023/24 Overall Work Program Approval

CEQA: N/A - Not a Project

Recommendation: That Council: 1) review the projects proposed for inclusion in the Nevada County Transportation Commission FY 2023/24 Overall Work Program, 2) adopt a Resolution approving the projects for inclusion in the Nevada County Transportation Commission Overall Work Program

6. Approve a Resolution Adopting Guidelines for the Submission and Tabulation of Protests in Rate Hearings Conducted Pursuant to the California Constitution.

CEQA: Not a Project.

Recommendation: That Council review and approve Resolution 2023-21 adopting guidelines for the submission and tabulation of protests in Rate Hearings conducted pursuant to Article XIII D, Section 6 of the California Constitution.

7. AB 481 - Military Equipment Annual Inventory and Report; renewal of ordinance #815

CEQA: Not a Project

Recommendation: Approve the attached equipment inventory as well as the associated annual report, renew previously adopted ordinance #815 pursuant to requirements of AB-481

8. 2022/23 Annual Street Rehabilitation Project - Authorization to Bid

CEQA: Categorically Exempt - Section 15301 "Existing Facilities"

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and 2) authorize the advertisement for bids.

9. Grass Valley Professional Services Agreement for Consultant Services for Nevada Cemetery District (NCD)

CEQA: Not a Project

Recommendation: That City Council authorize the City Manager to sign a contract, subject to legal review, with Nevada Cemetery District to provide financial services.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

ADMINISTRATIVE

10. FY 2023-24 Preliminary Budget Overview

CEQA: Not a Project

Recommendation: It is recommended that the City Council, by motion, approve the FY 2023-24 Preliminary Budget and provide further direction to staff as it relates to

the preparation of the FY 2023-24 Final Budget; and Set June 27, 2023 as the date for the public hearing for the FY 2023-24 Final Budget.

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, May 23, 2023 at 7:00 PM was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, May 18, 2023.

Taylor Day, City Clerk



PROCLAMATION

Recognize Technical Sergeant Breona Calvert for as the
Lt. Commander Lou Conter Military Ambassador

May 2023

Whereas, the City of Grass Valley recognizes Technical Sergeant Breona J. Calvert as the winner of the 2023, newly named, Lieutenant Commander Louis “Lou” Conter Military Ambassador Award; and

Whereas, Technical Sergeant Breona J. Calvert enlisted in the California Air National Guard on July 6th, 2004. Since that time, she has risen to the rank of Technical Sergeant. Her steadfast dedication to serve as a Personnelist has garnered her a vast range of mission-critical experiences that have proven vital to the success and continuous innovation of numerous programs and systems within her career field; and

Whereas, Technical Sergeant Calvert developed training for a new evaluation system. Because of her knowledge and expertise, this training plan prevented system delays and ensured a smooth and seemly transition to the new platform; and

Whereas, Technical Sergeant Calvert is continuously active in her community, both on- and off-base. She is a member of Blue Star Moms, Vice President of African American Heritage Committee for Beale AFB, Wing Black History committee representative, and Lifetime member of Women's Veteran Alliance. She is involved and supports several Veteran's Organizations around the community and supports local community events such as the 5K walk/run for Pink October Breast Cancer Awareness and Yuba Sutter Marketplace Prom Wear Giveaway. TSgt Calvert currently holds the title of Ms. Continental Worldwide and shares her platform for Female Veteran's around the community. She has raised \$5K for female veteran resources and tools, garnering her a CA Legislative Assembly Certificate of Recognition; and

NOW, THEREFORE, the City of Grass Valley takes great pleasure in recognizing and thanking Technical Sergeant Breona J. Calvert as the winner of the 2023, Lieutenant Commander Louis “Lou” Conter Military Ambassador Award.

Dated this 23 day of May, 2023

Jan Arbuckle, Mayor

Hilary Hodge, Vice Mayor

Haven Caravelli, Council Member

Bob Branstrom, Council Member

Thomas Ivy, Council Member



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MINUTES

CALL TO ORDER

Meeting Called to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Jan Arbuckle led the pledge of allegiance.

ROLL CALL

PRESENT

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

AGENDA APPROVAL -

Motion made to approve as submitted by Councilmember Caravelli, Seconded by Councilmember Branstrom.

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

REPORT OUT OF CLOSED SESSION

Nothing to report.

INTRODUCTIONS AND PRESENTATIONS

1. Poppy Day Proclamation

PUBLIC COMMENT -

In person: Robin Galvan-Davies, Paula Newman, Debra Dove, Christine Larkin

CONSENT ITEMS -

Remove item # 5 from the agenda and move item #9 to "Items removed for discussion"

Motion made to approve consent with the noted changes by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

2. Approval of the Regular Meeting Minutes of April 25, 2023
Recommendation: Council approve minutes as submitted.
3. Local Emergency Proclamation (Drought Conditions)
CEQA: Not a Project.
Recommendation: Drought Conditions proclamation declaring a Local State of Emergency
4. Local Emergency Proclamation (Winter Storm of February 2023)
CEQA: Not a project
Recommendation: To continue the Winter Storm February 24th, 2023 to March 1st, 2023 proclamation declaring a Local State of Emergency
5. ~~Grass Valley Professional Services Agreement for Consultant Services for Nevada Cemetery District (NCD)~~
CEQA: Not a Project
Recommendation: ~~That City Council authorize the City Manager to sign a contract with Nevada Cemetery District to provide financial services.~~
6. Approve Resolution 2023-19 opposing Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act
CEQA: Not a Project.
Recommendation: That Council review and adopt Resolution 2023-19 opposing Initiative No. 21-0042A1, The Taxpayer Protection and Government Accountability Act.
7. Appointment of Historical Commissioner Terrance McAteer & Dyane Albrecht to the Historical Commission for a four-year term
CEQA: Not a Project
Recommendation: That the City Council appoint Historical Commissioners McAteer & Albrecht to a term ending July 1, 2026
8. Approval of City Planner Job Description, Salary Schedule, and Executive Service Contract with Appendix A
CEQA: Not a Project
Recommendation: That City Council approve new job description and salary range for the City Planner; and 2) approve the Contract Employees Agreement with Appendix A.
10. Update Municipal Code Section 8.16 Fire Control Regulations
CEQA: Not a project
Recommendation: That Council hold the second reading of Ordinance no. 824 to repeal Municipal Code Chapter - 8.16 Fire Control Regulations and Urgency Ordinance

No. 823 and replace with new Municipal Code Chapter 8.16 Fire Control Regulations.
Waive full reading.

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

9. Mill Street Parking Lot Improvements Project - Authorization to Bid

CEQA: Exempt, Class 11 and 32

Recommendation: That Council authorize the advertisement for bids for the Mill Street Parking Lot Improvements Project

Bjorn Jones, City Engineer, gave a presentation to the council.

Virtual comments attached.

Public Comment: Female Resident

Council had discussion in regards to the drainage and lighting of the site by Councilmember Branstrom, Seconded by Vice Mayor Hodge.

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

Voting Nay: Councilmember Ivy

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

11. Introduction of an ordinance repealing and replacing Chapters 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises” of the Grass Valley Municipal Code.

CEQA: Not a Project.

Recommendation: That Council: 1) review the proposed ordinance to repeal and replace Municipal Code Chapters - 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises”; and 2) introduce Ordinance No. 825, waive full reading, and read by Title only.

Michael Colantuono, City Attorney, gave presentation to the council.

Public Comment: Ramona Howard

Motion to 1) review the proposed ordinance to repeal and replace Municipal Code Chapters - 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises”; and 2) introduce Ordinance No. 825, waive full reading, and read by Title only by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

ADMINISTRATIVE

12. Grass Valley Downtown Association 2022 Annual Review

CEQA: Not a project.

Recommendation: Informational item no action required

Robin & Lillie, gave presentation

Public Comment: Jon Katis, Penny Short

Council had discussion of the strategic plan, budget, how money is being spent for the benefit of the Downtown Merchants and events. No action required on this item.

13. Development Impact Fees - Draft Capacity and Impact Fee Studies

CEQA: Not a project

Recommendation: That Council 1) receive a presentation on the Water and Wastewater Capacity Fee study process and findings, 2) receive a presentation on the Development Impact Fee study process and findings 3) set a public hearing for June 27, 2023 for the AB1600 update of Water, Wastewater and Development Impact Fees.

The City Consultant, NBS, gave presentation to the Council. Bjorn Jones, City Engineer, was also available to answer questions.

Council discussed the last time that the fees increased, the cost for hospital costs, Prop 218, build out estimates, why the increase in the impacts and the new calculations of the fees.

Motion made to 1) receive a presentation on the Water and Wastewater Capacity Fee study process and findings, 2) receive a presentation on the Development Impact Fee study process and findings 3) set a public hearing for June 27, 2023 for the AB1600 update of Water, Wastewater and Development Impact Fees by Vice Mayor Hodge, Seconded by Councilmember Branstrom.

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

14. Water and Wastewater User Rates- Draft Rate Study

CEQA: Not a project

Recommendation: That Council 1) receive a presentation on the Water and Wastewater rate study process and findings, 2) review the Proposition 218 Notice for maximum rate adjustments for Water and Wastewater User Rates, 3) receive an informational update on the implementation process for the proposed Water and Wastewater User Rates adjustments.

The City Consultant, NBS, gave presentation to the Council. Bjorn Jones, City Engineer, was also available to answer questions.

Council had a discussion on calculation of these fees.

Motion made to 1) receive a presentation on the Water and Wastewater rate study process and findings, 2) review the Proposition 218 Notice for maximum rate adjustments for Water and Wastewater User Rates, 3) receive an informational update on the implementation process for the proposed Water and Wastewater User Rates adjustments, and 4) Set public hearing for June 27th.

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Caravelli got a puppy. Councilmember Ivy attended a Pioneer Energy meeting and discussed a possible solution for purchasing a credit that will suffice the States requirement for SB1383 procurement of Mulch. Councilmember Branstrom attended the ERC Tour of Nevada County and attended the CIRCLE annual event. Vice Mayor Hodge gave a tour

of Grass Valley to Senator Eggman and Assembly Member Chris Ward, and encourages everyone to buy tickets for events your looking at attending sooner rather than later. Mayor Arbuckle got to Judge an Art show, attended a SAVY women talk, REAL meeting, and a Small Cities Council meeting.

ADJOURN

Meeting adjourned at 9:19 pm.

Jan Arbuckle, Mayor

Taylor Day, City Clerk

Adopted on: _____

Taylor Day

From: Jedidiah Watson [REDACTED]
Sent: Saturday, May 6, 2023 2:30 AM
To: Public Comments
Subject: Mill St Parking

Follow Up Flag: Follow up
Flag Status: Flagged

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

Again, I ask that you table the bidding process for the Mill St Parking Lot project until the proper environmental reviews have been done and a public discussion has been had on the riparian wetland and the spring that runs through the property of 309 Mill St.

Thank You,
Jedidiah Watson

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

Title: Second reading of ordinance repealing and replacing Chapters 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises” of the Grass Valley Municipal Code.

CEQA: Not a Project.

Recommendation: That Council have the second reading and adopt Ordinance No. 825, waive full reading, and read by Title only.

Prepared by: Timothy M. Kiser, City Manager

Council Meeting Date: May 23, 2023

Date Prepared: May 18, 2023

Agenda: Public Hearing

Background Information: The California State Legislature adopted the Digital Infrastructure and Video Competition Act of 2006 which became effective as of January 1, 2007. The Digital Infrastructure and Video Competition Act (DIVCA) established a regulatory structure for the State to issue franchises to video service providers and made the California Public Utilities Commission (CPUC) the sole franchising authority for cable television video service providers. DIVCA also converted local cable franchises to State franchises upon expiration of existing local franchise agreements. Under DIVCA, the City is responsible for the administration and implementation of certain provisions of the act and is permitted to establish financial support provisions for Public, Educational, and Governmental Access (PEG) channel facilities.

The proposed ordinance modifies the City’s current ordinance to comply with DIVCA and is attached for City Council consideration.

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

Fiscal Impact: None.

Funds Available: N/A

Account #: N/A

Reviewed by: Tim Kiser, City Manager

Attachments: Ordinance No. 825 repealing and replacing Municipal Code Chapters - 5.16 “Cable Television Franchise”, 5.18 “Cable Systems and Open Video Systems”, and 5.19 “State Video Franchises”

ORDINANCE NO. 825**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY REPEALING AND REPLACING CHAPTERS 5.16 (“CABLE TELEVISION FRANCHISE”), 5.18 (“CABLE SYSTEMS AND OPEN VIDEO SYSTEMS”), AND 5.19 (“STATE VIDEO FRANCHISES”) OF THE GRASS VALLEY MUNICIPAL CODE REGULATING CABLE FRANCHISES AND VIDEO SERVICE PROVIDERS**

WHEREAS, the Legislature of the State of California (the State) has adopted the Digital Infrastructure and Video Competition Act of 2006 (DIVCA) (Public Utilities Code section 5800, *et seq.*); and

WHEREAS, DIVCA became effective on January 1, 2007; and

WHEREAS, DIVCA establishes a regulatory structure for the State to issue franchises to video service providers; and

WHEREAS, DIVCA makes the California Public Utilities Commission the sole franchising authority for cable television video service providers and preemptively converts local cable franchises to State franchises upon expiration of existing local franchises; and

WHEREAS, DIVCA establishes that local entities, such as the City of Grass Valley, are responsible for administration and implementation of certain provisions of DIVCA; and

WHEREAS, DIVCA permits the City to establish, by ordinance, financial support provisions for Public, Educational, and Governmental Access (PEG) channel facilities; and

WHEREAS, DIVCA requires that the City adopt, by ordinance or resolution, a schedule of penalties for any material breach by a State video franchise holder for violation of customer service and protection standards that the City is permitted to enforce; and

WHEREAS, the City Council of the City of Grass Valley now finds it necessary and desirable to update its Municipal Code to conform with state law.

Be it ordained by the council of the City of Grass Valley as follows:

SECTION 1. CODE ADOPTION. Chapters 5.16 (“Cable Television Franchise”), 5.18 (“Cable Systems and Open Video Systems”), and 5.19 (“State Video Franchises”) of the Grass Valley Municipal Code are hereby amended and restated as set forth in Exhibit “A” attached to this Ordinance and incorporated by reference.

SECTION 2: CEQA FINDINGS. This Ordinance maintains a fee supporting public, educational, and government (PEG) programming and certain regulations on state video service franchises. As a purely administrative and regulatory action, it will not affect the physical environment. This Ordinance is not a project within the meaning of California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, title 14, section 15378 because it has no potential to result in physical change in the environment, directly or indirectly. It is also exempt from CEQA review under CEQA Guidelines, California Code of Regulations, title 14, section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of Grass Valley hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 4. INCONSISTENT PROVISIONS. Any provision of the Grass Valley Municipal Code inconsistent with this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to give effect to this Ordinance.

SECTION 5. EFFECT OF ADOPTION. It is the intent of the City Council of the City of Grass Valley that the Grass Valley Municipal Code sections affected by this Ordinance shall not be considered repealed and reenacted in their amended

form; that the portions which are not altered are to be considered as having been the law from the time when they were enacted; that the new provisions are to be considered as having been enacted at the time of the amendment; and that the omitted portions are to be considered as having been repealed at the time of the amendment.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect 30 days after its adoption pursuant to Article VII, § 2 of the Grass Valley City Charter.

SECTION 7. Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read at a regular meeting of the city council on the 9th day of May 2023.

FINAL PASSAGE AND ADOPTION by the city council was at a meeting thereof held on the 23rd day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST

Michael G. Colantuono, City Attorney

Taylor Day, City Clerk

Published on: _____

EXHIBIT A

Chapter 5.16: VIDEO AND CABLE SERVICES

5.16.010 – Purpose.

This section is intended to apply to those awarded a state video franchise under the California Public Utilities Code, section 5800, *et seq.*, the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), to serve any location(s) within the City of Grass Valley. This chapter is intended to implement within the City DIVCA and the rules of the California Public Utilities Commission promulgated thereunder applicable to a “local franchising entity” or a “local entity” as defined in DIVCA.

5.16.020 – Definitions.

For the purposes of this chapter, the following terms, phrases, words, and abbreviations shall have the meanings given here. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number; words in the singular number include the plural number; and the masculine gender includes the feminine gender. The words “shall” and “will” are mandatory, and “may” is permissive. Words not defined in this article shall have the meanings provided in Division 2.5 of the California Public Utilities Code, section 5800, *et seq.*, and, if not defined there, their common and ordinary meaning. References to governmental entities or officials, whether persons or entities, refer to those entities or their successors in authority. If provisions of law referred to herein are renumbered, then the reference shall be read to refer to the renumbered provision. References to laws, ordinances, or regulations shall be interpreted broadly to cover government actions, however denominated, and include laws, ordinances, and regulations now in force or hereinafter enacted or amended.

“Access,” “PEG access,” or “PEG use” refers to the availability of a cable system or open video system for public, education or government use by various agencies, institutions, organizations, groups, and individuals, including the City and its designated access providers, to acquire, create and distribute programming not under a franchisee’s editorial control, including, but not limited to:

1. "Public access" or "public use" means access where organizations, groups, or individual members of the general public, on a nondiscriminatory basis, are the primary or designated programmers or users having editorial control over their communications;
2. "Education access" or "education use" means access where accredited educational institutions are the primary or designated programmers or users having editorial control over their communications;
3. "Government access" or "government use" means access where government institutions or their designees are the primary or designated programmers or users having editorial control over their communications.

"Affiliate" means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person.

"Cable communications system" refers to open video systems (OVS) and cable systems.

"Cable service" means:

1. The one-way transmission to subscribers of video programming or other programming service, and
2. Subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

"Cable system" is defined as set forth in section 522(7) of Title 47 of the United States Code. Any reference to a cable system includes the cable system as a whole, or any part of it, including all facilities, pedestals, equipment cabinets, electronic equipment, and devices appurtenant to the system.

"Cable service" is defined as the one-way transmission to subscribers of either video programming, or other programming service, and subscriber interaction, if any, that is required for the selection or use of video programming or other programming service, as set forth in section 522(6) of Title 47 of the United States Code.

"Channel" means a portion of the electromagnetic frequency spectrum which is used in a cable system or OVS and which is capable of delivering a television signal whether in analog or digital format. The definition does not restrict the use

of any channel to the transmission of analog television signals or one-way transmission.

“City” means the City of Grass Valley and all departments, divisions, and agencies of the City established by state law or by the City charter or Municipal Code.

“City Manager” means the Grass Valley City Manager or his/her designee.

“Construction, operation or repair” and similar formulations of that term mean construction, operation or repair interpreted broadly, encompassing, among other things, installation, extension, maintenance, replacement of components, relocation, undergrounding, grading, site preparation, adjusting, testing, make-ready, and excavation.

“FCC” means the Federal Communications Commission.

“Franchise” or “State franchise” refers to an authorization granted by the California Public Utilities Commission to the operator of a cable communications system giving the franchisee the non-exclusive right to occupy space, or use facilities upon, across, beneath, or over public rights-of-way in the City, and to provide specified services within a franchise area.

“Franchise area” means the area within the City that a franchisee is authorized to serve by the terms of its franchise or by operation of law.

“Franchisee” refers to a person holding a cable communications system franchise granted by the State under applicable law.

“Franchise fee” means the State franchise fee adopted pursuant to Public Utilities Code, section 5840, payable as rent or a toll for the use of the public rights-of-way.

“Gross revenues” means all revenue actually received by the holder of a State franchise, as determined in accordance with generally accepted accounting principles, that is derived from the operation of the holder’s network to provide cable or video service within the City, including all of the following:

1. All charges billed to subscribers for any and all cable service or video service provided by the holder of a State franchise, including all revenue

- related to programming provided to the subscriber, equipment rentals, late fees, and insufficient fund fees;
2. Franchise fees imposed on the holder of a State franchise by this section that are passed through to, and paid by, the subscribers;
 3. Compensation received by the holder of a State franchise that is derived from the operation of the holder's network to provide cable service or video service with respect to commissions that are paid to the holder of a State franchise as compensation for promotion or exhibition of any products or services on the holder's network, such as a "home shopping" or similar channel; and
 4. A pro rata portion of all revenue derived by the holder of a State franchise or its affiliates pursuant to compensation arrangements for advertising derived from the operation of the holder's network to provide video service within the jurisdiction of the City. The allocation shall be based on the number of subscribers in the City divided by the total number of subscribers in relation to the relevant regional or national compensation arrangement.

"Gross revenues" do not include any of the following:

1. Amounts not actually received, even if billed, such as bad debt; refunds, rebates, or discounts to subscribers or other third parties; or revenue imputed from the provision of cable services or video services for free or at reduced rates to any person as required or allowed by law, including, but not limited to, the provision of these services to public institutions, public schools, governmental agencies, or employees except that forgone revenue chosen not to be received in exchange for trades, barter, services, or other items of value shall be included in gross revenue;
2. Revenues received by any affiliate or any other person in exchange for supplying goods or services used by the holder of a State franchise to provide cable services or video services. However, revenue received by an affiliate of the holder from the affiliate's provision of cable or video service shall be included in gross revenue to the extent that treating the revenue as revenue of the affiliate, instead of revenue of the holder, would have the effect of evading the payment of fees that would otherwise be paid to the City, or if the revenue is not otherwise subject to fees to be paid to the City;

3. Revenue derived from services classified as noncable services or nonvideo services under federal law, including, but not limited to, revenue derived from telecommunications services and information services, other than cable services or video services, and any other revenues attributed by the holder of a State franchise to noncable services or nonvideo services in accordance with Federal Communications Commission rules, regulations, standards, or orders;
4. Revenue paid by subscribers to “home shopping” or similar networks directly from the sale of merchandise through any home shopping channel offered as part of the cable services or video services. However, commissions or other compensation paid to the holder of a State franchise by “home shopping” or similar networks for the promotion or exhibition of products or services shall be included in gross revenue;
5. Revenue from the sale of cable services or video services for resale in which the reseller is required to collect a fee similar to the franchise fee from the reseller’s subscribers;
6. Amounts billed to, and collected from, subscribers to recover any tax, fee, or surcharge imposed by any governmental entity on the holder of a State franchise, including, but not limited to, sales and use taxes, gross receipts taxes, excise taxes, utility users taxes, public service taxes, communication taxes, and any other fee not imposed by state law;
7. Revenue from the sale of capital assets or surplus equipment not used by the purchaser to receive cable services or video services from the seller of those assets or surplus equipment;
8. Revenue from directory or Internet advertising revenue, including, but not limited to, yellow pages, white pages, banner advertisement, and electronic publishing;
9. Revenue received as reimbursement by programmers of specific, identifiable marketing costs incurred by the holder of a State franchise for the introduction of new programming; or
10. Security deposits received from subscribers, excluding security deposits applied to the outstanding balance of a subscriber’s account and thereby taken into revenue.

“License” refers to the legal authorization, terminable at will, to use a particular, discrete, and limited portion of the public rights-of-way of the City to construct, operate or repair a cable system.

“Operator” when used with reference to a system, refers to a person (a) who directly or through one or more affiliates provides service over a cable communications system and directly or through one or more affiliates owns a significant interest in such facility; or (b) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a facility.

“OVS” means an open video system as defined by Title 47 of the Code of Federal Regulations, section 76.1500(a). A reference to an OVS includes pedestals, equipment enclosures (such as equipment cabinets), amplifiers, power guards, nodes, cables, fiber optics and other equipment necessary to operate the OVS or installed in conjunction with the OVS.

“Person” includes any individual, corporation, partnership, association, joint stock company, trust, or any other legal entity, but not the City.

“Public property” means any property that is owned or under the control of the City that is not a public right-of-way, including, for purposes of this article, but not limited to, buildings, parks, poles, structures in the public rights-of-way such as utility poles and light poles, or similar facilities or property owned or leased by the City.

“Public rights-of-way” means the surface of and the space above and below any street, road, highway, freeway, bridge, lane, path, alley, court, sidewalk, parkway, drive, or right-of-way or easement primarily dedicated to travel, now or hereafter existing within the City, which may be properly used for the purpose of installing, maintaining, and operating a cable communications system, and any other property that a franchisee is entitled by state or federal law to use by virtue of the grant of a franchise.

“Subscriber” means the City or any person who is lawfully receiving, for any purpose or reason, any cable service via a cable communications system with franchisee’s express permission, whether or not a fee is paid for such service.

“Termination” means the conclusion of a franchise by any means, including, but not limited to, by expiration of its term, abandonment, or revocation.

“Transfer” means any transaction in which:

1. All or a portion of any facilities or any rights to use or operate facilities located in the public rights-of-way are sold, conveyed, transferred, assigned, encumbered (except as set forth in this chapter) or leased, in whole or in part, directly or indirectly, by one or more transactions to another person, whether voluntarily or by operation of law or otherwise; or
2. There is any change, acquisition, or transfer in the identity of the person in control of the franchisee, or any person that controls franchisee, including, without limitation, forced or voluntary sale, merger, consolidation, or receivership; or
3. The rights or obligations under the franchise are sold, conveyed, transferred, assigned, encumbered (except as set forth in this chapter) or leased, in whole or in part, directly or indirectly, by one or more transactions to another person, whether voluntarily or by operation of law or otherwise. It will be presumed, for purposes of clause (2) above, that any transfer or cumulative transfer of a voting interest by a person or group of persons acting in concert of 10 percent or more of franchisee, or person that controls franchisee, or any change in the managing general partners of a franchisee, is a change of control.

“Transfer” does not include:

1. A lease to an unaffiliated video programming provider pursuant to sections 532 or 573 of Title 47 of the United States Code.
2. The transmission of a commodity or electronic signal using facilities on a common-carrier basis;
3. A lease or other right to use facilities mandated pursuant to section 224 of Title 47 of the United States Code; or
4. A pledge in trust, mortgage or other encumbrance against the facilities, or any portion thereof, given to a bona fide institutional lender in connection with a loan or other financing required to secure the construction, operation, or repair of the facilities (“Loan”) provided that such Loan is subject to the rights and powers of the City pursuant to the franchise and applicable law, including, without limitation, the right of the City to approve any transfer upon foreclosure.

“Transferring” and “transferee” shall have correlative meanings.

“Unaffiliated video programming provider” or “UVPP” means any person who uses capacity on a franchised cable system to deliver cable service or other

communications service (as that term is used in section 542(h) of Title 47 of the United States Code) to subscribers and who is not an affiliate of the franchisee.

“User” means a person or the City utilizing a channel, capacity or equipment and facilities for purposes of producing or transmitting video, voice and data materials contrasted with receiving it as a subscriber.

“Video service” means video programming services, cable service, or OVS service provided through facilities located at least in part in public rights-of-way without regard to delivery technology, including Internet protocol or other technology. “Video service” does not include:

1. Any video programming provided by a commercial mobile service provider defined in section 332(d) of Title 47 of the United States Code, or
2. Video programming provided as part of, and via, a service that enables users to access content, information, electronic mail, or other services offered over the public Internet.

Section 5.16.030 – Duties of state franchise holder operating within the City.

A. Consistent with Public Utilities Code, section 5840, the holder of a State video franchise must notify the City within 14 business days of any of the following changes:

1. Any transaction involving a change in the ownership, operation, control, or corporate organization of the franchisee, including a merger, an acquisition, or a reorganization.
2. A change in the franchisee’s legal name or the adoption of, or change to, an assumed business name.
3. A change in the franchisee’s principal business address or in the name of the person authorized to receive notice on behalf of the holder.
4. Any transfer of the State franchise to a successor in interest of the franchisee. The franchisee shall identify the successor in interest to which the transfer is made.
5. The termination of any State franchise issued under this division. The holder shall identify both of the following:
 - i. The number of subscribers in the service area covered by the State franchise being terminated, and
 - ii. The method by which the franchisee’s subscribers were notified of the termination.

6. A change in one or more of the service areas of the franchisee pursuant to this division that would increase or decrease the territory within the service area. The franchisee shall describe the new boundaries of the affected service areas after the proposed change is made.
- B. Prior to offering video service in the City, the holder of a State video franchise shall notify the City that the franchisee will provide video service there. The notice shall be given at least 10 days, but no more than 60 days, before the franchisee begins to offer service in the City.
- C. The holder of a state video franchise shall obtain all necessary City permits to install, construct, and maintain its video service network within public rights-of-way in compliance with Municipal Code section 5.16.070. The franchisee shall also obtain adequate indemnity and construction bonds in compliance with Municipal Code section 5.16.080.
- D. The holder of a state video franchise shall comply with all applicable state and federal customer service and protection standards pertaining to the provision of video service and shall be subject to the penalties provided under Municipal Code section 5.16.120 for material breaches of such standards.

Section 5.16.040 – Failure to obtain a franchise.

Consistent with the requirements of due process, a person's failure to obtain a State franchise as required by Public Utilities Code, section 5800, *et seq.*, may, in the City's discretion, result in:

- A. Forfeiture, by operation of law, of the person's facilities located in the public rights-of-way that are not authorized by an existing franchise; and/or
- B. A City order and/or court order that the facilities be removed, and that penalties and damages be paid as set forth in state law.

Section 5.16.050 – Existing franchises.

Franchises existing as of the effective date of this chapter shall, in addition to the obligations and duties prescribed by the terms of their existing franchises, be subject to the substantive and procedural requirements in this chapter, except as prohibited by applicable law. Nothing in this chapter is intended to invalidate a lawful, existing franchise or to waive any obligations imposed by such a franchise.

Section 5.16.060 – Administration of ordinance; adoption of regulations.

- A. Adoption of Regulations. The City may from time to time adopt regulations to implement this chapter.
- B. Delegation. The City Manager is hereby authorized to administer this chapter and to provide any notices (including noncompliance notices) and to take any action on the City’s behalf that may be required hereunder or under applicable law.
- C. No Waiver. The failure of the City, upon one or more occasions, to exercise a right or to require compliance or performance under a franchise or any other applicable law shall not be deemed to constitute a waiver of such right or a waiver of compliance or performance, unless such right has been specifically waived in writing.
- D. Administration of Public, Educational and Government Access. The City may designate one or more entities, including itself, to control and manage the use of public, educational and government (PEG) access channels, facilities, and equipment.

Section 5.16.070 – Permits to install, construct, and maintain network within public rights-of-way.

- A. State Franchise Holder Must Follow Local Rules. The construction, operation, and repair of cable communication systems shall be performed in compliance with all laws, ordinances, departmental rules, regulations, and practices affecting such system. By way of example, and not limitation, this includes zoning and safety codes, construction standards, regulations for providing notice to persons that may be affected by system construction, and directives governing the time, place, and manner in which facilities may be installed in the rights-of-way. Persons engaged in the construction, operation, or repair of communications facilities shall exercise reasonable care in the performance of all their activities and shall use commonly accepted methods and devices for preventing failures and accidents that are likely to cause damage, injury, or nuisance to the public or to property.
- B. No Permit Without State Franchise. A State franchise granted pursuant to Public Utilities Code section 5800, *et seq.*, is required before a permit may be issued for work associated with the construction of a cable communications system. Any permit issued for such work to a person that

does not hold a State franchise shall vest no rights in the permittee; the permit may be revoked at will, and the permittee shall remove all facilities installed under the permit upon the City's demand.

C. Permits Must be Obtained. Construction, operation, or repair of a cable communications system shall not commence until all required permits have been obtained from the proper City officials and all required fees have been paid. All work performed will be performed in strict accordance with the conditions of the permit. Upon order of the City, any work and/or construction undertaken that is not completed in compliance with the City's requirements, or which is installed without obtaining necessary permits and approvals, shall be removed.

D. No Interference. Interference with the use of the public rights-of-ways by others, including others that may be installing cable communications systems, must be minimized. The City may require a person using the rights-of-way to cooperate with others through joint trenching and other arrangements to minimize adverse impacts on the rights-of-way.

E. Plans for and Publicizing Work. Work shall be publicized as the City may direct from time to time. The publication of work may be used to notify the public and operators of other communications systems of the impending work, to minimize inconvenience and disruption to the public.

1. Each franchisee shall provide the City a plan for any initial system construction, or for any substantial rebuild, upgrade or extension of its facility, which shall show its timetable for construction of each phase of work, and the areas of the City that will be affected.

2. The City Manager may from time to time, when the City receives application for a permit to use a particular route, or upon the City Manager's own initiative, designate by published order a route or proposed route for installation of communications facilities and may (a) require all persons who wish to place underground facilities along that route or any part thereof to install them during a specified period provided all costs are shared equitably and (b) otherwise prohibit initial placement of such facilities along the route or any part thereof for a period of time as is necessary to protect the public interest.

F. Existing Poles to be Used. To the extent possible, operators of cable communications systems shall use existing poles and conduits. Additional poles may not be installed in the right-of-way, nor may pole capacity be increased by vertical or horizontal extenders, without the permission of the City Manager. To minimize disruption of public passage or infrastructure, to forestall or relieve exhaustion of rights-of-way capacity, or to protect environmentally sensitive areas, the City Manager may require as a condition of issuing any rights-of-way permit for erection of new poles or construction of underground conduit, the installation of which requires excavation of or along any traveled way that the franchisee, licensee, or holder of the rights-of-way permit provide pole space or empty conduits in excess of its own present and reasonably foreseeable requirements to accommodate the City and/or other franchisees and licensees.

Section 5.16.080 – Protection of the City and residents.

A. Indemnity Required. No permit issued for work associated with construction of a cable communications system shall be valid or effective until and unless the City obtains adequate indemnity from the franchisee. The indemnity must:

1. Release the City from and against any and all liability and responsibility in or arising out of the construction of the cable communications system; and
2. Indemnify and hold harmless the City, its elected and appointed officers, agents, and employees, from and against any and all claims, demands, or causes of action of any kind or nature, and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments, or decrees sustained by the City or any third party arising out of, or by reason of, or resulting from or of the acts, errors, or omissions of the cable communications system operator, licensee, or its agents, independent contractors, or employees related to or in any way arising out of the construction of the system.

B. Construction Bonds. Every holder of a State video franchise constructing a cable communications system within the City for which a permit is required shall obtain and maintain bonds during construction of the cable system to ensure the faithful performance of its responsibilities under this article and any franchise. The amount of the performance and payment bonds shall be set by the City Manager but shall not be less than 10 percent of the estimated cost

of constructing or (in the case of existing systems) upgrading the system, and sufficient to fund the removal of facilities and/or restoration of city facilities within the right-of-way. The bond shall be in a form acceptable to the City Attorney. Bonds must be obtained before the effective date of any permit unless the City Manager specifically provides otherwise in writing.

5.16.090 – Procedures for appeal of denial of an encroachment permit.

- A. As provided by California Public Utilities Code, section 5885, the City shall either approve or deny an application from a State video service franchise holder for an encroachment permit within 60 days of receiving a completed application, unless the applicant and City have mutually agreed to extend this time limit.
- B. For purposes of this section, an “encroachment permit” means any permit issued by the City relating to construction or operation of facilities relating to the provision of video service under a State video service franchise in the public rights of way as governed by Chapter 12.48 of the Grass Valley Municipal Code.
- C. An application for an encroachment permit is considered complete when the applicant has complied with all statutory and City-imposed requirements for such an application, including those of the California Environmental Quality Act (Public Resources Code section 21000, *et seq.*), Title 12 of this Municipal Code, and other applicable ordinances of the City.
- D. Any City denial of an application for an encroachment permit shall be in writing and shall contain a detailed explanation of the reason for the denial.
- E. An applicant whose application for an encroachment permit has been denied may appeal the denial to the City Council by filing both a written notice of appeal and the required cash deposit with the City Clerk within 15 days after the administrative authority’s action on the permit. The City Council shall consider such appeal at its first regularly scheduled Council meeting occurring five or more business days after receipt of the appeal by the City Clerk, with or without a public hearing as the City Council deems appropriate, and may affirm, overrule, or modify the administrative authority’s determination.

5.16.100 – Local franchise remittance and examination of records.

- A. Pursuant to Public Utilities Code, section 5860, the holder of a State franchise that offers video service within the jurisdiction of the City shall calculate and remit to the City the state franchise fee adopted pursuant to Public Utilities Code, section 5840.
- B. The obligation to remit the franchise fee to the City begins immediately upon provision of video service within the City. However, the remittance shall not be due until the time of the first quarterly payment required under subdivision (E) that is at least 180 days after the provision of service began. The fee remitted to the City shall be calculated as a percentage of gross revenues from the provision of video service within the City.
- C. No fee under this section shall become due unless the City provides documentation to the holder of the State franchise supporting the percentage paid by the incumbent cable operator serving the area within the City.
- D. The fee remitted to the City pursuant to this section may be used by the City for any lawful purpose.
- E. The State franchise fee shall be remitted to the City quarterly, within 45 days after the end of the quarter. Each payment shall be accompanied by a summary explaining the basis for the calculation of the State franchise fee.
- F. If a holder of the State franchise does not pay the franchise fee when due, the holder shall pay a late payment charge at a rate per year equal to the highest prime lending rate during the period of delinquency, plus 1 percent.
- G. If the franchisee has overpaid the franchise fee, it may deduct the overpayment from its next quarterly payment upon written notice to the City.
- H. The City may examine the business records of a holder of a State franchise annually to ensure the City is obtaining its statutory franchise fee remittance. The State franchise holder shall keep all business records reflecting any gross revenues, even if there is a change in ownership, for at least four years after those revenues are recognized by the holder on its books and records. If the examination discloses that the holder has underpaid franchise fees by more than 5 percent during the examination period, the holder shall pay all of the reasonable and actual costs of the examination. If the examination discloses that the holder has not underpaid franchise fees, the City shall pay all of the reasonable and actual costs of the examination. In every other instance, each party shall bear its own costs of the examination. Any claims by the City that

compensation is not in accordance with Public Utilities Code, section 5860 and any claims for refunds or other corrections to the remittance of the holder of a State franchise, shall be made within three years and 45 days of the end of the quarter for which compensation is remitted, or three years from the date of the remittance, whichever is later. Either the City or the State franchise holder may, in the event of a dispute concerning compensation under this section, bring an action in a court of competent jurisdiction.

5.16.110 – Fee to support Public, Educational, and Governmental Access facilities

- A. As authorized by California Public Utilities Code, section 5870(n), the City hereby establishes a fee of 60 cents per month per subscriber to support PEG channel facilities capital support to be paid by any state video franchise holder operating in the City. The fee shall be paid quarterly no later than June 1, September 1, December 1, and March 1 for the preceding calendar quarter.
- B. The PEG capital support fees of this section are for PEG capital support and are in addition to the franchise fee to be paid to the City by the State video service franchise holders.

5.16.120– Customer service penalties.

- A. Any holder of a State video service franchise shall comply with all applicable state and federal customer service and protection standards pertaining to the provision of video service, including but not limited to, Government Code sections 53055, 53055.1, 53055.2, and 53088.2.
- B. The City will provide any holder of a State franchise written notice of any material breach of applicable customer service and protection standards, and will allow the franchise holder at least 30 calendar days from the receipt of the notice to remedy the specified material breach. A material breach that is not remedied by the State video franchise holder within the

remedy period shall subject the State video franchise holder to the following penalties:

1. For the first occurrence of a material breach, a penalty of not more than \$500 for each day of each material breach, not to exceed one \$1,500 for each occurrence of a material breach.
 2. For the second violation of the same nature within 12 months, a penalty \$1,000 for each day of each material breach, not to exceed \$3,000 for each occurrence of the material breach.
 3. For a third or further violation of the same nature within 12 months, a penalty of \$2,500 for each day of each material breach, not to exceed \$7,500 for each occurrence of the material breach.
- C. Any notice and any penalty may be issued or imposed by the City Manager. Any notice shall be in writing and sent to the State franchisee's address of record with the California Public Utilities Commission. Notices shall be transmitted by certified or registered mail, return receipt requested and postage prepaid, or by private commercial delivery or courier service for same day or next business day delivery with delivery and receipt signature required.
- D. The holder of a State video service franchise may appeal any finding of material breach or imposition of penalties to the City Council. Any appeal must be made within 10 calendar days of receipt by the State video service franchise holder of the finding of material breach or the imposition of penalties, and must be submitted in writing to the City Clerk and the City Manager to be placed on a City Council agenda for consideration. Any appeal must contain a detailed explanation of why the appellant believes that the finding of material breach or the imposition of penalties was inconsistent with statutory requirements.
- E. The City and any franchisee may mutually agree to extend the time periods specified herein. Any such agreement shall be in writing and executed by the City Manager and an authorized representative of the franchisee.
- F. Any penalty imposed on a franchisee shall be paid to the City. Pursuant to California Public Utilities Code, section 5900(g), the City shall submit one half of all penalties received from a franchisee for violations of customer service standards to the Digital Divide Account established by California Public Utilities Code, section 280.5.

5.16.130 – Discrimination based on income prohibited.

Pursuant to California Public Utilities Code, section 5890, a cable operator or video service provider that has been granted a State franchise may not discriminate against or deny access to service to any group of potential residential subscribers because of the income of the residents in the local area in which the group resides. The City may bring complaints to the State franchising authority if a holder does not offer video service as required by California Public Utilities Code, section 5890.

5.16.140 – Connections to cable system; use of antennae.

To the extent consistent with federal and state law, subscribers shall have the right to attach VCRs, receivers, and other terminal equipment to a franchisee's cable system. Subscribers also shall have the right to use their own remote-control devices and converters and other similar equipment.

5.16.150 – Captions.

The captions to sections throughout this chapter are for convenience of reference but shall not affect construction of this article.

5.16.160 – Calculation of time.

Unless otherwise indicated, when the performance or doing of any act, duty, matter, or payment is required under this article or any franchise, and a period of time or duration for the fulfillment of doing thereof is prescribed in this section, the time shall be computed so as to exclude the first and include the last day of the prescribed time.

5.16.170 – Severability.

If any term, condition, or provision of this chapter shall, to any extent, be held to be invalid or unenforceable by a valid order of any court or regulatory agency, the remainder of this chapter shall be valid in all other respects and continue to be effective. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, such provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding on the franchisee and the City.

5.16.180 – Rights reserved.

- A. The rights reserved to the City under this chapter are in addition to all other rights of the City, whether reserved by this section or authorized by law, and no action, proceeding or exercise of a right shall affect any other rights which may be held by the City.
- B. Except as otherwise provided by state law, a State franchise shall not include, or be a substitute for:
 - 1. Compliance with generally applicable requirements for the privilege of transacting and carrying on a business within the City, including, but not limited to, compliance with the conditions that the City may establish before constructing facilities for, or providing, nonvideo services;
 - 2. Any permit or authorization required in connection with operations on or in public rights-of-way or public property, including, but not limited to, encroachment permits, street work permits, pole attachment permits, and street cut permits; and
 - 3. Any permit, agreement, or authorization for occupying any other property of the City or any private person to which access is not specifically granted by the State franchise.
- C. Except as otherwise provided in state or federal law, a State franchise shall not relieve a franchisee of its duty to comply with all laws, including the ordinances, resolutions, rules, regulations, and other laws of the City, and every franchisee shall comply with the same.
- D. Nothing contained in this section shall ever be construed exempt a franchisee from compliance with all ordinances, rules or regulations of the City now in effect or which may be hereafter adopted which are consistent with this section or California Public Utilities Code section 5800, *et seq.*



City of Grass Valley
City Council
Agenda Action Sheet

Title: Extension of certificated promotional list for Fire Captain.

CEQA: Not a project

Recommendation: That Council 1) extend the current eligibility list for Fire Captain for two months or until creation of a new list. The current promotional list was certified June 29, 2022. The Fire Department expects to fill a vacancy for Captain within the timeframe of the extension.

Prepared by: Mark Buttron Fire Chief

Council Meeting Date: 05/23/2023

Date Prepared: 05/16/2023

Agenda: Consent

Background Information: The Grass Valley Fire Department conducted promotional testing for Captain in May of 2022. Certification of the promotional list was approved by the Council on June 28, 2002, one Fire Captain was hired from the promotional list. The extension of the current list is necessary due to the timing of a vacancy in July 2023. The original list expires after one year unless extended.

Council Goals/Objectives: Exceptional Public Safety consistent with the City of Grass Valley Strategic Plan

Fiscal Impact: None

Funds Available: Yes

Account #:

Reviewed by:

Attachments: None



City of Grass Valley City Council Agenda Action Sheet

Title: Nevada County Transportation Commission FY 2023/24 Overall Work Program Approval

CEQA: N/A - Not a Project

Recommendation: That Council: 1) review the projects proposed for inclusion in the Nevada County Transportation Commission FY 2023/24 Overall Work Program, 2) adopt a Resolution approving the projects for inclusion in the Nevada County Transportation Commission Overall Work Program

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

Council Meeting Date: 05/23/2023

Date Prepared: 05/18/2023

Agenda: Consent

Background Information: Staff for Nevada County Transportation Commission (NCTC) have prepared an Overall Work Program (OWP) for FY 2023/24. The OWP is prepared on an annual basis as a scope of work and budget for transportation planning activities for the fiscal year. The OWP is a requirement of NCTC's Master Fund Transfer Agreement with the State of California and includes the following three components: Introduction, Work Elements, and Budget.

The purpose of the proposed OWP for FY 2023/24 is to: 1) show how the Federal Planning Factors will be integrated into the OWP work elements; 2) outline continuing and new major activities; and 3) present a summary of the expected revenues and expenditures for the fiscal year. A final OWP was presented at the May 17, 2023 NCTC meeting.

Adoption of the attached Resolution is recommended, approving the proposed projects for inclusion in the Nevada County Transportation Commission Overall Work Program.

Council Goals/Objectives: The NCTC Overall Work Program executes portions of work tasks towards achieving/maintaining Strategic Goal - City Infrastructure Investment.

Fiscal Impact: N/A

Funds Available: N/A

Account #: N/A

Reviewed by: _____ City Manager

RESOLUTION NO. R2023-20**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY
APPROVING THE PROJECTS PROPOSED FOR INCLUSION IN THE NEVADA COUNTY
TRANSPORTATION COMMISSION'S FY 2023/24 OVERALL WORK PROGRAM**

WHEREAS, on October 8, 1991, the Council did adopt Resolution No. 91-172, which authorized the Mayor to execute a Memorandum of Understanding on behalf of the City of Grass Valley with the Nevada County Transportation Commission relating to regional transportation planning; and

WHEREAS, in accordance with the above referenced Memorandum of Understanding, the Nevada County Transportation Commission has submitted the projects to be included in its FY 2021/22 Overall Work Program for the review and approval of the City Council of the City of Grass Valley.

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

1. That the City Council hereby acknowledges its approval of the projects proposed for inclusion in the FY 2023/24 Overall Work Program of the Nevada County Transportation Commission as submitted; and
2. That the City Council encourages the Nevada County Transportation Commission to continue its efforts to coordinate the regional transportation planning process and to work closely with the staff of the City of Grass Valley to identify and resolve issues that are of common concern; and

ADOPTED by the City Council of the City of Grass Valley at a regular meeting held the 23rd day of May, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jan Arbuckle, MAYOR

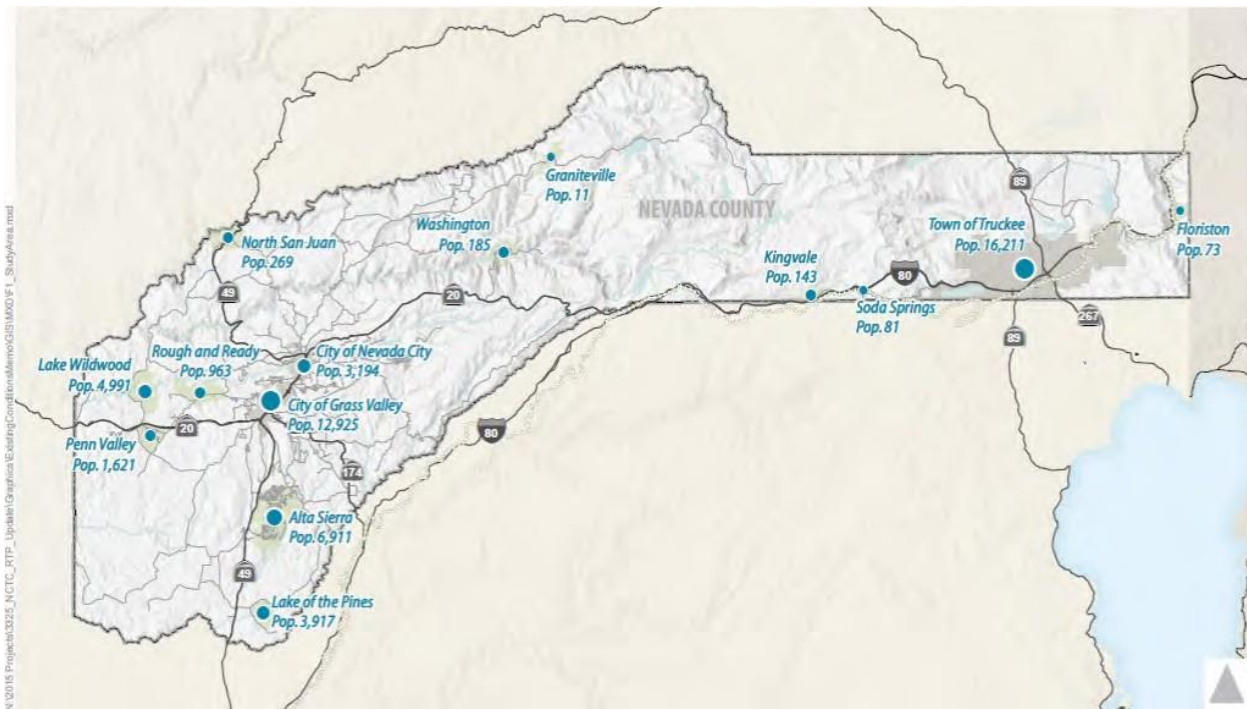
APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, CITY ATTORNEY

Taylor Day, CITY CLERK

Nevada County Transportation Commission



2023/24 Overall Work Program

Draft – March 1, 2023

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MISSION STATEMENT

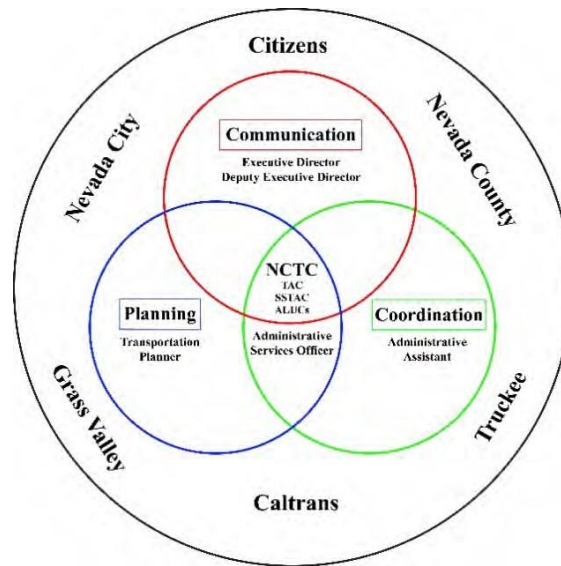
The mission of the Nevada County Transportation Commission is to plan, communicate, and coordinate with the citizens and decision makers of Grass Valley, Nevada City, Nevada County, Town of Truckee, and with Caltrans to identify transportation needs, propose solutions, and assist in implementing projects to create a balanced regional transportation system, while protecting the rural qualities and historic character of Nevada County.

Activities to Achieve the Mission Include, But are not Limited to, the Following:

- ✓ *NCTC develops a Regional Transportation Plan (RTP) which includes the actions, funding recommendations, and policy direction necessary to meet the needs of each transportation system component in the region.*
- ✓ *NCTC interacts with the community through workshops, news media, the NCTC website and electronic newsletter.*
- ✓ *NCTC develops and adopts a Regional Transportation Improvement Program (RTIP) that is consistent with the RTP.*
- ✓ *NCTC conducts a comprehensive planning process in the development of its annual Overall Work Program so that funds expended on planning projects will implement the goals of the RTP.*
- ✓ *NCTC reviews transportation plans and programs of member agencies and endorses them based on consistency with the RTP and RTIP. In keeping with this responsibility, NCTC strives to be creative in assisting the region in developing the revenues to construct improvement projects.*
- ✓ *NCTC communicates and participates in workshops with Caltrans on proposed projects to be developed in the County of Nevada to ensure that the policies and goals of the RTP are implemented.*
- ✓ *NCTC coordinates with regional transportation planning agencies on legislation and statewide policy issues to ensure the region receives appropriate attention and funding from the State of California and the Federal government.*
- ✓ *NCTC participates in interregional planning projects to ensure Nevada County projects support both regional and statewide transportation goals.*
- ✓ *NCTC administers Transportation Development Act funds to ensure all statutory requirements are met, including the identification of the region's transit needs.*
- ✓ *NCTC manages Regional Surface Transportation Program funds, Regional Transportation Mitigation Fee funds, Congestion Mitigation and Air Quality Improvement Program funds, and Regional Improvement Program funds in accordance with Federal acts and statutes promulgated by the State of California, selecting and funding eligible transportation improvement projects based upon those that are most effective and beneficial to the region.*

Nevada County Transportation Commission Organization Flow Chart

Item # 5.



Nevada County Transportation Commission (NCTC)

NCTC is a Regional Transportation Planning Agency (RTPA) created pursuant to Title 7.88 of the State of California Government Code, Section 67920. As the RTPA for Nevada County, NCTC coordinates transportation planning for Grass Valley, Nevada City, Nevada County, and the Town of Truckee. The NCTC board has seven members. Four members are appointed by the Board of Supervisors and three are appointed by the incorporated municipalities in the County. The Board of Supervisors appoints two of its members and two County at-large representatives. The municipalities appoint three city/town council members; one each from Nevada City, Grass Valley, and the Town of Truckee.

Technical Advisory Committee (TAC)

The TAC is made up of representatives of public transit operators, local public works and planning departments, public airport operators, the air pollution control district, and Caltrans. The Committee provides technical input on transportation issues and ensures there is coordination and cooperation in the transportation planning process.

Social Services Transportation Advisory Council (SSTAC)

The SSTAC is made up of potential transit users who are representatives of the general public; seniors and/or disabled; social service providers for seniors, disabled, and persons of limited means; local social service and consolidated transportation providers; and Truckee residents who represent the senior and Hispanic communities. The goal of the SSTAC is to maintain and improve transportation services to the residents of Nevada County, particularly the underserved and under represented members of the community, such as the elderly and disabled. The SSTAC recommends action to the Commission relative to the unmet transit needs findings, and advises the Commission on transit issues, including coordination and consolidation of specialized transportation services.

Airport Land Use Commissions (ALUCs)

The Nevada County Transportation Commission has been designated as the Airport Land Use Commission for the Nevada County Airport and provides staff for the Truckee Tahoe ALUC. The purpose of Airport Land Use Commissions is to protect public health, safety, and welfare by ensuring the orderly expansion of airports and adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within the areas around the airports, to the extent that these areas are not already devoted to incompatible uses.

Nevada County Demographics

As of January 1, 2022, the population of Nevada County was estimated at 101,242. The largest municipality is Truckee with a population of 17,100, followed by Grass Valley at 13,617 and Nevada City at 3,334. The population of the unincorporated portion of the County was 67,191. The Race and Ethnicity data for Nevada County on Census.gov reported the racial makeup of the county as 83.5% White, followed by 10.2% Hispanic, 1.4% Asian, 1.0% Native American, 0.4% Black or African American, 0.1% Native Hawaiian and Pacific Islander, and 3.4% Some Other Race. The data at Census.gov indicates that 13.6% of the population was below the poverty level.

NCTC annually adopts a budget through the preparation of an Overall Work Program (OWP). This work program describes the planning projects and activities or work elements that are to be funded, and the type of funds that will pay for the expenditures, such as Rural Planning Assistance (RPA), Local Transportation Funds (LTF), or Federal Transit Administration (FTA). A Memorandum of Understanding (MOU) between NCTC, the Cities of Grass Valley and Nevada City, the Town of Truckee, and the County of Nevada provides for the coordination of regional transportation planning with local governments in Nevada County. The Commission staff prepares a draft OWP and in accordance with the MOU, solicits and integrates comments from each of the jurisdictions. The proposed work program is then submitted to the Commission for approval and forwarded to Caltrans. Caltrans, as the grantor of Rural Planning Assistance funds and Federal Transit Assistance funds, approves the OWP. The budget reflects the on-going regional transportation planning process in Nevada County. Major concerns of each of the jurisdictions and Caltrans are reflected in the elements and levels of funding. The OWP is updated each year to report on the progress of identified projects, propose new or continuing projects for the ensuing year, and to provide an estimate of the required funding of the OWP elements.

Public Participation

Public involvement is a major component of the transportation planning and programming processes. NCTC makes a concerted effort to solicit public input from all Nevada County residents, including under-represented groups, in many aspects of transportation planning within Nevada County. Specific examples are listed below:

- NCTC maintains a website (www.nctc.ca.gov), and a Facebook page to keep the public informed of transportation planning and programming efforts underway in Nevada County. Agendas are posted on the bulletin boards of local jurisdictions and emailed to mobile home parks, residential homeowners associations, senior centers, environmental advocates, associations representing the private sector, and individuals that have asked to be included on the distribution list.
- Articles on the preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP), as well as the public comment periods, are posted on the NCTC website.
- Copies of the Draft RTP are made available for review at the main public libraries in western and eastern Nevada County, as well as on the NCTC website.
- Press releases are sent to the media establishments in western and eastern Nevada County announcing the Draft RTP is available for review and comment and noting some key findings.
- Public hearings are held and noticed in the main newspapers in western and eastern Nevada County prior to adoption of the RTP and RTIP.
- Each year public notifications are sent out to encourage participation in transportation planning processes, such as the annual unmet transit needs public hearing held by the Transit Services Commission (TSC) and numerous public workshops relating to the transportation projects and planning activities of NCTC.
- In accordance with SB52, NCTC conducts outreach and Tribal Consultation on any projects for which NCTC is lead agency and files a Notice of Preparation, Notice of Mitigated Negative Declaration or Notice of Negative Declaration. While there are currently no federally recognized tribes located within Nevada County, NCTC consults with the Native American Heritage Commission to identify Native American tribal organizations with historic or cultural interests regarding lands in Nevada County. These groups include but are not limited to the Nisenan of the Nevada City Rancheria and United Auburn Indian Community (UAIC).
- NCTC consults with USDA Forest Service Tahoe National Forest and Bureau of Land Management.
- Citizens are encouraged to attend and speak at NCTC meetings on any matter included for discussion on the agenda at that meeting. During the COVID-19 restrictions on public gatherings, NCTC meetings and public workshops were held via teleconference (Zoom) and the public was invited to participate.

The main transportation issues in western Nevada County are related to providing adequate infrastructure and services to meet the needs of the County, while maintaining and enhancing the rural character and environmental qualities of the area. In western Nevada County, interregional traffic adds to the existing challenge and need to maintain and improve the transportation system.

In eastern Nevada County, the issues also stem from the challenges to meet the needs related to the high volumes of traffic generated by travelers taking advantage of the world-class recreational opportunities available in the Truckee-North Tahoe area. To address these issues requires a multi-modal approach to transportation planning in the region.

Acquiring adequate and timely funding for transportation improvements is the central need within all of the Nevada County issues. Implementation of highway and regional roadway improvements will be key to providing efficient operations, while improving safety and air quality. The 2020 Census reported that approximately 28.5% of the county population was over 65 years of age, between 2010 and 2020 that population increased from 19.6% to 28.5%, and it is projected that by 2030 this population is expected to increase to over 40%. As the population of residents over the age of 65 increases, it will result in increased demand for public transit services in Nevada County. Additional state and federal transit operating and capital revenues will be necessary in order to meet the additional demand placed on the public transit systems.

Transportation issues facing Nevada County which have been identified as regionally significant include the following:

- Insufficient state, federal, and local transportation revenues
- Air quality/greenhouse gas emission reductions
- Coordination of land use, air quality, and transportation planning
- Providing and maintaining a transportation system that enhances safety, the efficient movement of all people, goods, services, and information, and environmental quality
- Efficient implementation of new technologies

Recognition of these issues leads to the overall goal of the Regional Transportation Plan, which is to provide and maintain a transportation system that enhances safety, the efficient movement of all people, goods, and services, and environmental quality. In the Policy Element this overarching goal is divided into the following four goals:

- 1) Provide for the safe and efficient movement of all people, goods, services, and information;
- 2) Reduce adverse impacts on the natural, social, cultural, and historical environment and the quality of life;
- 3) Develop an economically feasible transportation system;
- 4) Create and maintain a comprehensive, multi-modal transportation system to serve the needs of the County.

The following list of projects and planning efforts indicates progress made toward implementing the goals of the Regional Transportation Plan:

- Support of ongoing operation of Gold Country Connects, Truckee Tahoe Area Regional Transit, and associated paratransit services
- SR 49-La Barr Meadows Road Signalization and Widening project, constructed 2013
- SR 20/49 Dorsey Drive Interchange project, constructed 2014
- SR 49 Bicycle and Pedestrian Improvement project, constructed 2014
- SR 49 Signal Pre-emption, programmed 2012 STIP, constructed 2015/16
- SR 89 “Mousehole” Grade Separation, programmed 2012 STIP, constructed 2015/16
- Northeast Grass Valley Sidewalk Improvements, constructed 2015/16

- Newtown Road Class II/III Bike Lanes, constructed 2016/17
- Nevada County Active Transportation Plan, 2018/19
- SR 49 Multimodal Corridor Plan, 2019/20
- SR 174/20 Intersection Analysis, 2019/2020
- NCTC Travel Demand Model Update, 2019/20
- Western Nevada County Transit Development Plan 2021/22
- SR 49 Comprehensive Multimodal Corridor Plan 2021/22
- SR 49-La Barr Meadows to McKnight Way, Environmental Impact Report 2021/22, Plans, Specifications, and Estimates 2023/24
- Ready Nevada County Extreme Climate Event Mobility and Adaptation Plan, 2021/22

Federal Planning Factors:

As shown in the chart below, the Federal Planning Factors have been integrated into NCTC's FY 2023/24 OWP:

1. Support the economic vitality of the region, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase the accessibility and mobility of people and for freight.
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.
10. Enhance travel and tourism.

<u>Planning Factors</u>	WE 1.1	WE 1.2	WE 2.1	WE 2.1.1	WE 2.2	WE 2.3	WE 2.3.3	WE 2.4	WE 2.4.2	WE 2.4.4	WE 2.4.6
Economic Vitality	X	X	X	X	X	X	X	X			
Safety	X		X	X	X	X	X	X	X	X	
Security	X		X	X	X	X	X	X		X	
Accessibility	X		X	X	X	X	X	X		X	
Environment	X		X	X	X	X	X	X		X	X
Connectivity	X		X	X	X	X	X	X	X	X	
System Management & Operation	X	X	X	X	X	X	X	X	X	X	X
Preservation	X		X	X	X	X	X	X	X	X	
Resiliency & Reliability	X	X	X	X	X	X	X	X		X	X
Travel & Tourism	X		X	X	X	X	X	X			

WORK ELEMENT 1 - COMMUNICATION AND COORDINATION

Item # 5.

Public involvement is a major component of NCTC's planning process. The activities and products from Project 1.1, General Services and Communication, are intended to provide the public with complete information and timely notices, thereby giving full public access to key decisions.

Work Element 1 incorporates the following activities that are an integral part of accomplishing NCTC's Mission:

- *NCTC interacts with the community through workshops, news media, and the internet.*
- *NCTC conducts a comprehensive planning process in the development of its annual Overall Work Program so that funds expended on planning projects will implement the goals of the RTP.*

NCTC has the statutory responsibility to administer Transportation Development Act (TDA) funds, and to ensure that all expenditures of TDA funds are in conformity with the Regional Transportation Plan (RTP). NCTC also administers funds received from the Regional Surface Transportation Program (RSTP) and the Regional Transportation Mitigation Fee (RTMF) program. The work performed under Project 1.2, Fiscal Administration, has been incorporated into the NCTC Mission as follows:

- *NCTC administers Transportation Development Act funds to ensure all statutory requirements are met, including the identification of the region's transit needs.*
- *NCTC manages Regional Surface Transportation Program funds, Regional Transportation Mitigation Fee funds and Regional Improvement Program funds in accordance with Federal acts and statutes promulgated by the State of California, selecting and funding eligible transportation improvement projects based upon those that are most effective and beneficial to the region.*

Through communication, collaboration, and public outreach activities, Work Element 1 incorporates the ten Federal Planning Factors (see page I-5) into the NCTC planning program.

Information and data developed through these activities are included in the Regional Transportation Plan and in transit planning documents.

Project 1.1 - General Services and Communication

Purpose: Conduct communication and public outreach activities. Provide administrative and financial support for the operation of the Nevada County Transportation Commission and its advisory committees through the activities listed below.

Additional/Continuing Work:

- Public information and outreach activities (LTF)
- Preparation of agendas, minutes, notices, and correspondence (LTF)
- Track legislation pertinent to the transportation planning process (LTF)
- Technical Advisory Committee (TAC) activities (LTF)
- Provide staff services to SSTAC (LTF)
- Personnel administration (LTF)
- Maintain and update the NCTC website (LTF)
- Office lease (LTF)
- Purchase equipment (LTF)
- Maintain the Commission's office and equipment (LTF)
- Press releases and electronic newsletter (LTF)
- Reports on legislative measures (LTF)
- Update Conflict of Interest Code (LTF)
- Update DBE Program (LTF)
- Coordination with public safety agencies regarding the safety and security of the transportation system (LTF)
- Coordinate implementation of projects in the Regional Transportation Mitigation Fee (RTMF) Program. (LTF)
- Work with Nevada County, Grass Valley, and Nevada City to implement projects included in the multi-year Congestion Mitigation Air Quality (CMAQ) project listing. (LTF)
- Apply for FTA planning grants. (LTF)

Products:

- Documentation of Commission and/or TAC meetings (Bimonthly)
- Executive Director's Reports (Bimonthly)
- Personnel reviews (Annual)
- FTA Section 5311 Program of Projects (Mar 24)

Budget 1.1

Revenues:		
	LTF	\$267,607.26
	RTMF	\$5,000.00
Total		\$272,607.26
Expenditures:		
	Staff	\$230,716.88
	Indirect	\$36,890.38
	Consulting	\$5,000.00
Total		\$272,607.26

Indirect costs are paid with local funds (see Budget Table 5).

Project 1.2 - Fiscal Administration

Purpose: Administer funds held by NCTC in accordance with the provisions of the TDA Guidelines and State and Federal requirements through the activities listed below.

Previous Work:

- Develop and oversee Overall Work Program and annual budgets
- Oversee fiscal and performance audits, as required
- Provide assistance to claimants in completing claims and resolving audit findings and/or recommendations
- Preparation of State Controller's Annual Report
- Annual "Unmet Transit Needs" public hearing (SSTAC)
- Preparation of monthly financial reports
- Review and process claims for TDA funds
- Reports to Caltrans regarding FTA grants and RPA funds
- Update transportation/transit claim guidelines and forms
- Administer the Regional Surface Transportation Program
- Accounting/payroll
- Coordination of community transit services and funding with Consolidated Transportation Service Agencies
- Triennial Performance Audit for FY 2018/19, 2019/20, and 2020/21

Additional/Continuing Work:

- Develop and oversee Overall Work Program and annual budgets (LTF)
- Oversee fiscal and performance audits, as required (LTF)
- Provide assistance to claimants in completing claims and resolving audit findings and/or recommendations (LTF)
- Preparation of State Controller's Annual Report (LTF)
- Annual "Unmet Transit Needs" public hearing (LTF)
- Preparation of monthly financial reports (LTF)
- Review and process claims for TDA funds (LTF)
- Reports to Caltrans regarding FTA grants and RPA funds (LTF)
- Update transportation/transit claim guidelines and forms (LTF)
- Administer the Regional Transportation Mitigation Fee Program (RTMF)
- Administer the Regional Surface Transportation Program (LTF)
- Accounting/payroll (LTF)
- Coordination of community transit services and funding with Consolidated Transportation Service Agencies (LTF)
- Administer Federal Transit Administration revenues (5311, Cares Act, and CRRSAA) (LTF)

Products:

- Closeout FY 2022/23 OWP (Sept 23)
- Manage FY 2023/24 Overall Work Program (July 23-June 24)
- Draft FY 2024/25 Overall Work Program (Mar 24)
- Final FY 2024/25 Overall Work Program (May 24)
- Completed Fiscal and Compliance Audit (Mar 24)

WORK ELEMENT 1 - COMMUNICATION AND COORDINATION (continued)
Project 1.2 - Fiscal Administration

Item # 5.

- State Controller's Annual Report (Dec 23)
- Accounting Reports/Payroll/Payment Authorizations/Tax Reports (Ongoing)
- Financial reports (Monthly)
- Findings of Apportionment (Feb 24)

Budget 1.2

Revenues:		
	LTF	\$353,885.12
Total		\$353,885.12
Expenditures:		
	Staff	\$259,368.49
	Indirect	\$41,471.62
	Fiscal Audits	\$53,045.00
Total		\$353,885.12

Totals may not equal addition of amounts in columns due to rounding.

NCTC has the responsibility to prepare and adopt a Regional Transportation Plan (RTP) directed to the achievement of a coordinated and balanced regional transportation system. The plan is to be action-oriented and pragmatic, considering both the short-and-long term future, and is to present clear, concise policy guidance to local and state officials. Projects 2.1 (Transportation Planning), 2.1.1 (Nevada County Regional Transportation Plan Update), 2.2 (Transportation Improvement Programs), 2.3 (Transit and Paratransit Programs), and 2.4 (Coordination of Regional Planning), are tied to the NCTC Mission by the following activities:

- *NCTC develops a Regional Transportation Plan (RTP) which includes the actions, funding recommendations, and policy direction necessary to meet the needs of each transportation system component in the region.*
- *NCTC develops and adopts a Regional Transportation Improvement Program that is consistent with the RTP.*
- *NCTC reviews transportation plans and programs of member agencies and endorses them based on consistency with the RTP and RTIP. In keeping with this responsibility, the NCTC strives to be creative in assisting the region in developing the revenues to construct improvement projects.*
- *NCTC communicates and participates in workshops with Caltrans on proposed projects to be developed in the County of Nevada to ensure that the policies and goals of the RTP are implemented.*
- *NCTC coordinates with regional transportation planning agencies on legislation and statewide policy issues to ensure the region receives appropriate attention and funding from the State of California and the Federal government.*
- *NCTC participates in interregional planning projects to ensure Nevada County projects support both regional and statewide transportation goals.*

The following activities and products included in Work Element 2 are appropriate uses of Rural Planning Assistance Funds:

- ✓ Participate in Federal and State Clean Air Act transportation related air quality planning activities. (Projects 2.1 and 2.2)
- ✓ Develop and/or modify tools that allow for better assessment of transportation impacts on community livability (e.g. integration of GIS and census data into the regional traffic model and development of performance measurement tools and strategies). (Projects 2.1 and 2.4)
- ✓ Identify and document transportation facilities, projects, and services required to meet the regional and interregional mobility and access needs. (Projects 2.1, 2.2, and 2.3)
- ✓ Define solutions and implementation issues in terms of the multimodal transportation system, land use and economic impacts, financial constraints, air quality and environmental concerns (including wetlands, endangered species and cultural resources). (Projects 2.1 and 2.2)
- ✓ Assess the operational and physical continuity of transportation system components within and between metropolitan and rural areas, and interconnections to and through regions. (Projects 2.1, 2.3, and 2.4)
- ✓ Conduct transit needs public hearings and prepare transit development plans and transit marketing plans as appropriate. (Project 2.3)

- ✓ Investigate methods to reduce vehicle travel and methods to expand and enhance travel services. (Projects 2.3 and 2.4)
- ✓ Incorporate transit and intermodal facilities, bicycle transportation facilities, and pedestrian walkways in projects where appropriate. (Projects 2.1, 2.2 and 2.3)
- ✓ Participate with regional, local and state agencies, the general public, and the private sector in planning efforts to identify and implement policies, strategies, programs and actions that maximize and implement the regional transportation infrastructure. (Projects 2.1, 2.2, 2.3, and 2.4)
- ✓ Conduct collaborative public participation efforts to further extend transportation planning to communities previously not engaged in discussion. (Project 2.1 and 2.3)
- ✓ Create, strengthen, and use partnerships to facilitate and conduct regional planning activities between Caltrans, RTPAs, Metropolitan Planning Organizations (MPOs), transit districts, cities, counties, the private sector, and other stakeholders. (All WE 2 Projects)
- ✓ Use partners to identify and implement policies, strategies, programs and actions that enhance the movement of people, goods, services, and information. (Projects 2.1 and 2.3)
- ✓ Ensure that projects developed at the regional level are compatible with statewide and interregional transportation needs. (Projects 2.2 and 2.4)
- ✓ Conduct planning and project activities (including corridor studies, and other transportation planning studies) to identify, develop, and monitor current and future STIP projects. (Projects 2.1 and 2.2)
- ✓ Implement ways to meet transportation needs by using existing transportation facilities more efficiently. Encourage owners and operators of transportation facilities/systems to work together to develop operational objectives and plans maximizing utilization of existing facilities. (Projects 2.1, 2.3 and 2.4)
- ✓ Document environmental and cultural resources and develop and improve coordination between agencies using Geographic Information Systems (GIS), Intelligent Transportation Management Systems (ITMS), and other computer-based tools. (Projects 2.1 and 2.4)

Work Element 2, Regional Transportation Planning, incorporates the ten Federal Planning Factors into the NCTC planning program (see page I-5).

Monitoring safety and operational data of transportation facilities and services in Projects 2.1 and 2.3 will aid NCTC efforts to incorporate “safety” and “security” within the planning process. Through expanded Technical Advisory Committee meetings, transportation planning will be coordinated with emergency preparedness plans in the region. Systems management and operational data will be used to identify opportunities to increase transit ridership and develop operational improvements for regional transportation facilities. Management and operations data will also be key components in guiding capital investment plans for regional transportation system facilities and services. Planning activities will include coordination with nonemergency human service transportation providers. NCTC will also provide information to regional transit operators to ensure appropriate safety, security, and operational training opportunities are provided.

Project 2.1 - Transportation Planning

Purpose: Regional planning and implementation, monitoring the regional transportation system, and implementation of the Regional Transportation Plan through the activities listed below.

- Update travel demand models and circulation plans.
- Coordinate the RTP with Caltrans planning documents.
- Coordinate the RTP with county, town, and city general plans.
- Complete planning studies on projects in the RTP to be programmed in the RTIP.
- Plan and coordinate local, regional, state, and federal funding for RTP projects (e.g., RTMF, STIP, RSTP, SHOPP, CMAQ, and federal grants).

Previous Work:

- Update travel demand model to address new Vehicle Miles Traveled (VMT) requirements. (Consultant)
- Development of regional transportation models. (Consultant)
- Development of the Regional Transportation Mitigation Fee program. (Consultant)
- Assist member agencies with review and update of transportation capital improvement programs (CIPs) and master plans.
- Incorporate local agency transportation CIPs and master plans into the RTP and RTIP as appropriate.
- Update traffic model land use files.
- Participate in updates of Nevada County, Truckee, Grass Valley, Nevada City General Plans.
- Conduct and update planning studies as needed for regional projects identified by NCTC, TAC, and member agencies.
- Analyze alternative growth scenarios and report on related infrastructure needs and costs.
- Identify Right-of-Way needed for future transportation projects.
- Conduct technical studies necessary to support policies and projects included in the RTP.
- Work with Nevada County's GIS staff to ensure the following airport information is included in the GIS data base: airport locations, airport boundaries, noise contours, airport influence area, and ground access routes to airports.

Additional/Continuing Work:

- Monitor implementation of the Comprehensive Multimodal Corridor Plan (CMCP) recommendations. (NCTC) (RPA, LTF, & PPM)
- Solicit input from citizens and transportation stakeholders, including the Native American community, and agencies regarding transportation issues. (NCTC) (RPA & LTF)
- Update capital improvement needs lists. (NCTC) (RPA, LTF, & PPM)
- Work with Northern Sierra Air Quality Management District (NSAQMD) to determine air quality impacts of regional transportation plans and improvement programs. (NCTC) (RPA & LTF)
- Participate with NSAQMD, Caltrans, and other agencies in planning related to Federal 8-hour ozone standards. (NCTC) (RPA & LTF)
- Develop information to evaluate goods movement impacts on the region's transportation system and consider air quality issues related to goods movement. (NCTC) (RPA, LTF, & PPM)
- Update Highway Performance Monitoring System (HPMS) data. (NCTC) (RPA, LTF, & PPM)
- Coordinate with public safety agencies. (NCTC) (RPA & LTF)
- Local participation in regional planning and updating traffic counts (NCTC, Grass Valley, Nevada City, Town of Truckee, Nevada County) (RPA)

Project 2.1 - Transportation Planning (continued)

- Monitor existing traffic conditions and safety data. (NCTC) (RPA & LTF)
- Coordinate with Caltrans to develop and implement performance measures in the regional planning process. (NCTC) (RPA & LTF)
- Coordinate with Northern Sierra Air Quality Management District (NSAQMD) and California Air Resources Board (CARB) to assist in development of the Statewide Implementation Plan (SIP) for western Nevada County. (NCTC) (RPA & LTF)
- Review and compare the California State Transportation Agency Final Climate Action Plan for Transportation Infrastructure (CAPTI) to the RTP policies, regional needs, and projects to determine if the projects align with proposed investment strategies. (NCTC) (RPA & LTF)
- When developing regional transportation projects and updating planning documents, NCTC will consider and incorporate transit services, intermodal facilities, and pedestrian bicycle facilities whenever appropriate. (NCTC) (RPA & LTF)
- Planning activities related to CMAQ program including preparation and releasing of call for projects, review and ranking applications, project selection, and programming. (NCTC) (RPA & LTF)
- Coordinate review of safety and design concerns of state highway projects. (NCTC) (RPA, LTF, & PPM)
- Identify and analyze issues relating to integration of regional transportation and community goals and objectives in land use, housing, economic development, social welfare and environmental preservation. (NCTC) (RPA & LTF)
- SB743 VMT Forecasting Tool and Web Hosting. (NCTC/Consultant) (LTF)
- Analyze climate related impacts to the transportation system and identify strategies to address resiliency. (NCTC) (RPA & LTF)
- Participate in update of Town of Truckee General Plan (NCTC) (RPA & LTF)

Products:

- Reports on air quality issues (Annual)
- Reports on traffic conditions and safety data (Annual)
- Reports on new issues and projects to be included in the RTP (Annual)
- Progress reports on project planning activities (Bimonthly)

Budget 2.1

Revenues:		
	RPA Formula	\$44,477.07
	LTF	\$4,330.47
	LTF Carryover	\$1,865.43
	STIP Planning PPM	\$79,154.84
Total		\$129,827.81
Expenditures:		
	Staff	\$47,921.36
	Indirect	\$16,906.46
	Traffic Engineering	\$25,000.00
	Local Agency	\$30,000.00
	Traffic Counts	\$10,000.00
Total		\$129,827.81

Totals may not equal addition of amounts in columns due to rounding

Project 2.1.1 – Nevada County Regional Transportation Plan (RTP) Update

Purpose: Update the Nevada County Regional Transportation Plan (RTP) in compliance with California Government Code Section 65041.1. Every Regional Transportation Planning Agency (RTPA) is required by law to prepare a long-range transportation plan to ensure that the region’s vision and goals are clearly identified. The long-range plan, known as the RTP, is an important policy document that is based on the unique needs and characteristics of a region, helps shape the region’s transportation system, economy, and environment, and communicates the regional transportation vision to the state and federal government. As fundamental building blocks of the State’s transportation system, the RTP also supports state goals for transportation, environmental quality, economic growth, and social equity.

Previous Work:

- 2015 Performance Based Regional Transportation Plan.
- Incorporated into the RTP, policies, strategies, programs, and actions that enhance movement of people, goods, services, and information.
- Prepared and distributed a Request for Proposals to qualified consultants to update the RTP. Reviewed proposals, selected consultant, and executed contract to update the RTP.
- RTP administrative draft and draft EIR

Additional/Continuing Work:

- Integrate system safety and security elements into the RTP. (NCTC/Consultant) (RPA)
- Review and analyze data from the SR 49 Highway Safety Assessment report to be incorporated into the next update of the Regional Transportation Plan. (NCTC/Consultant) (RPA)
- Project Advisory Committee activities. (NCTC/Consultant) (RPA & STIP)
- Project meetings and coordination. (NCTC/Consultant) (RPA & STIP)
- Project support and administration of grant. (NCTC/Consultant) (RPA & STIP)
- Prepare quarterly reports and invoices. (NCTC) (RPA & STIP)
- Project initiation and baseline information/data collection. (NCTC/Consultant) (RPA & STIP)
- Consultant to update content, graphics, and EIR for update of RTP. (NCTC/Consultant) (PPM)
- Review and confirm RTP goals and objectives. (NCTC/Consultant) (RPA & STIP)
- Analysis of previous performance measures. (NCTC/Consultant) (RPA & STIP)
- Identify trends and targets for each performance measure. (NCTC/Consultant) (RPA & STIP)
- Develop system performance report. (NCTC/Consultant) (RPA & STIP)
- Prepare forecast of future conditions and needs. (NCTC/Consultant) (RPA & STIP)
- Identify policies, strategies, and investments that will support attainment of performance targets and desired trends. (NCTC/Consultant) (RPA & STIP)
- Prepare financial plan regarding implementation of adopted strategies in RTP. (NCTC/Consultant) (RPA & STIP)
- Prepare media releases and hold public workshops. (NCTC/Consultant) (RPA & STIP)
- Prepare Draft RTP and environmental documentation. (Consultant) (RPA & STIP)
- Prepare Final RTP and environmental documentation. (Consultant) (RPA & STIP)

Products:

- Draft 2045 Nevada County Regional Transportation Plan (Aug 2023)
- Final 2045 Nevada County Regional Transportation Plan & Addendum EIR (Nov 2023)

Project 2.1.1 – Nevada County Regional Transportation Plan (RTP) Update (continued)

Budget 2.1.1

Revenues:		
	RPA Formula	\$57,813.65
	STIP PPM	\$75,000.00
	RSTP	\$69,997.82
Total		\$202,811.47
Expenditures:		
	Staff	\$57,813.65
	Consultant	\$144,997.82
Total		\$202,811.47

Project 2.2 – Transportation Improvement Programs

Purpose: To monitor implementation of the Regional Transportation Improvement Program (RTIP) and provide policy analysis and recommendations regarding the RTIP and the State Transportation Improvement Program (STIP) through the activities listed below.

Previous Work:

- Communicate and coordinate with Caltrans to identify and implement incremental projects to accelerate the safety improvements to the SR 49 corridor between Grass Valley and the Combie/Wolf Road intersection.
- Submission of the 2020 Regional Transportation Improvement Program projects to the CTC
- Monitor planning, design, and construction of improvement projects on SR 49 widening between the Wolf/Combie Road intersection and Grass Valley, to ensure consistency with the adopted Transportation Improvement Program.
- Participate with Caltrans in developing the SR 49 Comprehensive Multimodal Corridor Plan (CMCP). (RPA & LTF)
- 2022 RTIP adoption November 17, 2021

Additional/Continuing Work:

- Monitor STIP implementation. (NCTC) (RPA & LTF)
- Encourage interagency coordination necessary to identify and develop new RTIP projects. (NCTC) (RPA & LTF)
- Communicate and coordinate with Caltrans to identify and implement incremental projects to accelerate the safety improvements to the SR 49 corridor between Grass Valley and the Combie/Wolf Road intersection. (NCTC) (RPA & LTF)
- Coordinate with Caltrans regarding Interregional Transportation Improvement Program (ITIP) participation in STIP funded projects in Nevada County. (NCTC) (RPA & LTF)
- Begin preparation of draft 2024 RTIP - October 2023 (NCTC) (RPA & LTF)
- Public hearing and adoption of 2024 RTIP - November 2023 (NCTC) (RPA & LTF)
- Submittal of 2024 RTIP to the CTC - December 2023 (NCTC) (RPA & LTF)
- Review consistency of future RTIP projects with the Climate Action Plan for Transportation Infrastructure and California Transportation Plan 2050 (NCTC) (RPA & LTF)

Products:

- Status reports on Nevada County’s STIP projects (Bimonthly)
- Reports regarding implementation of the Nevada County RTIP (Ongoing)
- Reports on implementation of the Caltrans SR 49 Comprehensive Multimodal Corridor Plan (Annual)
- Adopt FY 23/24 RTIP (Nov 23)

Budget 2.2

Revenues:		
	RPA Formula	\$41,915.19
	LTF	\$6,702.01
Total		\$48,617.21
Expenditures:		
	Staff	\$41,915.19
	Indirect	\$6,702.01
Total		\$48,617.21

Project 2.3 – Transit and Paratransit Programs

Purpose: Work with city, county, and town staff to improve efficiency, productivity, and cost effectiveness of existing transit and paratransit systems through the activities listed below.

Previous Work:

- 2021 Western Nevada County Transit Development Plan
- 2021 Nevada County Coordinated Public Transit-Human Services Transportation Plan.
- Monitor ridership, expenditures, and revenue for each system.
- Hold coordination meetings with transit and paratransit providers.
- Check operational performance indicators for each system.
- Develop and present information regarding alternative forms of transportation that are practical for Nevada County.
- Coordinate with human service transportation providers.
- Distribute press releases and other educational information regarding alternative forms of transportation.
- Participate on the Accessible Transportation Coalition Initiative-Mobility Action Partners Coalition.
- Administer Federal Transit Administration revenues (5311, Cares Act, and CRRSAA).
- Assisted transit operators with analysis of impacts due to COVID-19.

Additional/Continuing Work Activities:

- Assist in implementation of Transit Development Plans and Nevada County Coordinated Public Transit-Human Services Transportation Plan. (LTF & RPA)
- Monitor ridership, expenditures, and revenue for each system. (LTF & RPA)
- Hold coordination meetings with transit and paratransit providers. (LTF & RPA)
- Check operational performance indicators for each system. (LTF & RPA)
- Develop and present information regarding alternative forms of transportation that are practical for Nevada County. (LTF & RPA)
- Coordinate with human service transportation providers. (LTF & RPA)
- Distribute press releases and other educational information regarding alternative forms of transportation. (LTF & RPA)
- Participate on the Accessible Transportation Coalition Initiative-Mobility Action Partners Coalition. (LTF & RPA)
- Assist transit operators with feasibility analysis of transit electrification mandate. (LTF & RPA)

Products:

- Reports to the Commission regarding staff participation in the transit and paratransit planning processes (Bimonthly)
- Quarterly ridership, expenditure, and revenue reports for each system
- Quarterly operational performance reports for each system
- Bi-monthly minutes of the Accessible Transportation Coalition Initiative-Mobility Action Partners Coalition

Project 2.3 – Transit and Paratransit Programs (continued)

Budget 2.3

Revenues:		
	RPA Formula	\$36,518.76
	LTF	\$9,802.41
	LTF Carryover	\$18,051.42
Total		\$64,372.59
Expenditures:		
	Staff	\$49,517.04
	Indirect	\$14,855.55
Total		\$64,372.59

Totals may not equal addition of amounts in columns due to rounding

Project 2.3.3 - Eastern Nevada County Transit Development Plan Update

Purpose: To update the Five-Year Transit Development Plan (TDP) for eastern Nevada County. This project will guide the growth of services over the next five years and will be accomplished through the following activities:

Previous Work:

- Eastern Nevada County TDP Update, 2017.
- Triennial Performance Audits.
- Nevada County Coordinated Public Transit-Human Services Transportation Plan, 2020.
- Scope of Work (May 23)
- Request for Proposals (June 23)

Additional/Continuing Work Activities:

- Prepare and distribute a Request for Proposal to qualified consultants. (NCTC) (RPA)
- Review proposal, select consultant, and execute a contract. (NCTC) (RPA)
- Finalize the work program and refine the scope of work. (NCTC/Consultant) (RPA/LTF)
- Project initiation and data collection. (NCTC/Consultant) (RPA/LTF)
- Assess transit needs. (NCTC/Consultant) (RPA/LTF)
- Assess current transit services. (NCTC/Consultant) (RPA/LTF)
- Analyze transit demand. (NCTC/Consultant) (RPA/LTF)
- Analyze and incorporate information from the Town of Truckee micro-transit feasibility study. (NCTC/Consultant) (RPA/LTF)
- Develop transit service alternatives (including consideration of services provided through a regional cooperative process). (NCTC/Consultant) (RPA/LTF)
- Develop capital, financial, management, marketing alternatives. (NCTC/Consultant) (RPA/LTF)
- Preparation and presentation of draft TDP. (NCTC/Consultant) (RPA/LTF)
- Modify draft TDP and prepare final plan. (NCTC/Consultant) (RPA/LTF)
- Project meetings and coordination. (NCTC/Consultant) (RPA/LTF)
- Project Advisory Committee (PAC) activities. (NCTC/Consultant) (RPA/LTF)
- Public outreach activities. (NCTC/Consultant) (RPA/LTF)
- Project support and administration of grant. (NCTC/Consultant) (RPA/LTF)

Products:

- Consultant contract (July 23)
- Technical Memoranda (Mar 24)
- Draft Report (Apr 24)
- Final Report (June 24)

Budget 2.3.3

Revenues:		
	RPA Formula	\$43,391.36
	LTF	\$75,000.00
Total		\$118,391.36
Expenditures:		
	Staff	\$43,391.36
	Consulting	\$75,000.00
Total		\$118,391.36

Project 2.4 - Coordination of Regional Planning

Purpose: Enhance NCTC's regional planning efforts through the following activities:

- Coordinate local land use planning with regional transportation planning.
- Analyze regional transportation impacts of proposed development projects.
- Improve Transportation Systems Management (TSM) and Transportation Demand Management (TDM) efforts in the region.
- Provide for Commission participation in studies done by other agencies.
- Promote cooperation between regional planning agencies.
- Promote regional transportation services (e.g. connections to Capitol Corridor rail service).
- Participate and coordinate in regional evacuation planning efforts.

Previous Work:

- Review of local development projects and environmental documents.
- Traffic model analyses of development projects, and modifications to regional and local transportation facilities proposed by public agencies.
- Study to extend Capitol Corridor train service to Truckee/Tahoe area.
- Participate in the SR 49 Corridor Study with Placer County Transportation Planning Agency (PCTPA) and Caltrans.
- Participate in the Tahoe Gateway Intelligent Transportation Study.
- Coordinate with Placer County, PCTPA, Nevada County, and Caltrans as a Technical Advisory Committee for the SR 49 Corridor Study.
- Coordinate with Caltrans, SACOG, El Dorado Transportation Commission, Sierra County Transportation Commission, and Placer County Transportation Planning Agency to update and maintain the Tahoe Gateway ITS Regional Architecture.
- Participate with Caltrans and RTPAs to pursue rail projects that will improve goods movement and enhance passenger rail service.
- Work with the Northern Sierra Air Quality Management District (NSAQMD) to develop and implement transportation control measures consistent with the region's air quality non-attainment plan and regional transportation plan.
- In conjunction with PCTPA and Caltrans, actively pursue, develop, and implement funding for SR 49 corridor improvements.
- Participate as a member of the Tahoe Gateway Architecture Maintenance Team.
- Coordinate with member agencies to reestablish and enhance Transportation Demand Management (TDM) programs in Nevada County.
- Assist with modeling and traffic analyses as requested by jurisdictions and approved by NCTC.
- Analyze transportation impacts of development proposals.
- Analyze proposed modifications to city and county land use plans.
- Participate in the North State Super Region “North State Transportation for Economic Development Study.”
- Review updates of the Circulation and Land Use Elements of General Plans for Nevada County, cities of Grass Valley and Nevada City, and the Town of Truckee to ensure consistency with the adopted Airport Land Use Compatibility Plans (ALUCPs) for the Nevada County and Truckee Tahoe airports.
- Participate in inter-regional planning projects (e.g. North State Super Region (NSSR), I-80 Corridor Management Plan, and Trans-Sierra Transportation Coalition). (RPA & LTF)

Project 2.4 - Coordination of Regional Planning (continued)Additional/Continuing Work:

- Participate in Regional Transportation Planning Agency group meetings and California Rural Counties Task Force meetings. (LTF)
- Participate in Federal and State Clean Air Act transportation related air quality planning activities. (LTF)
- Participate in the Truckee/North Tahoe Transportation Management Association (TNT/TMA) and Resort Triangle Transportation Planning Coalition (RTTPC) meetings. (LTF)
- Review and comment on Caltrans Systems Plans and related documents. (LTF)
- Coordination with the Nevada County Economic Resource Council. (LTF)
- Monitor legislation that impacts transportation planning. (LTF)
- Monitor planning efforts in Grass Valley, Nevada City, Nevada County, Truckee. (LTF)
- Present information to local civic groups regarding regional transportation planning. (LTF)
- Participate in local ad hoc committees. (LTF)
- Maintain formal consultation with Native American Tribal Governments. (LTF)
- Maintain formal consultation with the U.S Forest Service and Bureau of Land Management. (LTF)
- Monitor implementation of the Nevada County Active Transportation Plan. (LTF)
- Participate in the “Zero Traffic Fatalities Task Force”. (LTF)
- Participate in Critical Freight Corridors Working Group. (LTF)
- Participate in SR 49 Stakeholders Committee. (LTF)
- Distribute press releases. (LTF)
- California Local Streets and Roads Needs Assessment Oversight Committee Participation (LTF)
- Coordinate with partner agencies to implement the federal performance-based approach in the scope of the transportation planning process. (LTF)
- Participate in the California Federal Programming Group (CFPG). (LTF)
- Participate in the Transportation Cooperative Committee. (LTF)
- Participate on the Truckee Transit Center Study Project Advisory Committee. (LTF)
- Coordinate with local jurisdictions in the identification of pedestrian and bicycle projects that meet the requirements for Active Transportation Program grant funding and plan to resubmit grant applications. (LTF)
- Coordinate with partners to identify policies, strategies, programs and actions that enhance the movement of people, goods, services and information on the regional, interregional, and state highway systems. (LTF)
- Participate in Interregional Transportation Strategic Plan (ITSP) Workshops. (LTF)
- Participate in Federal Rescission working group. (LTF)
- Participate with North Tahoe SSTAC and Placer County SSTAC in coordination of unmet needs hearings.
- Participate in the preparation of the SR 49 Comprehensive Multimodal Corridor Plan (CMCP). (LTF)
- Participate on the Project Advisory Committee for the SR 49 Safety Assessment. (LTF)
- Participate with CalSTA in development and implementation of the Climate Action Plan for Transportation Infrastructure (CAPTI). (LTF)
- Participate with PCTPA and Caltrans to develop update of Sacramento to Reno Passenger Rail Service Planning Study – Truckee/Tahoe/Reno (LTF)

Project 2.4 - Coordination of Regional Planning (continued)

- Coordinate with California State Association of Counties and Rural County Representatives of California regarding transportation policy (LTF)
- Participate and coordinate evacuation planning with the Nevada County Office of Emergency Services, Nevada County Sheriff’s Department, CAL FIRE NEU, California Highway Patrol, and other local emergency responders. (LTF)

Products:

- Reports regarding participation in regional coordination activities (e.g. Zero Traffic Fatalities Task Force, Critical Freight Corridors Working Group, ITSP Workshops, Sacramento to Reno Passenger Rail Service Planning Study – Truckee/Tahoe/Reno, and Critical Freight Corridors Working Group). (Bimonthly)
- Reports on coordination with the Nevada County Economic Resource Council. (Bimonthly)
- Reports on SR 49 Corridor improvements. (Bimonthly)
- Reports to the Commission regarding North State Super Region meetings and activities. (Bimonthly)
- Reports regarding RTPA and RCTF meetings. (Bimonthly)
- Reports regarding TNT/TMA and RTTPC activities. (Bimonthly)

Budget 2.4

Revenues:		
	STIP PPM Planning	
	LTF	\$29,747.44
	LTF Carryover	\$157,275.85
Total		\$187,023.29
Expenditures:		
	Staff	\$97,970.32
	Indirect	\$30,567.97
	Rural Counties Task Force	\$2,000.00
	PCTPA Rail Study	\$5,735.00
	Statewide Local Streets and Roads	\$750.00
	State Advocacy	\$50,000.00
Total		\$187,023.29

Project 2.4.2 – Airport Land Use Commission Planning and Reviews

Purpose: Enhance NCTC's regional planning efforts through the following activities:

- Coordinate local land use planning with airport land use compatibility plans.
- Promote cooperation between land use planning agencies and airport land use commissions.
- Conduct reviews of projects near Nevada County and Truckee Tahoe Airport for consistency with adopted ALUCPs.
- Provide staff support to Nevada County and Truckee Tahoe Airport Land Use Commissions.
- Participate in statewide ALUC meetings.

Previous Work:

- Review airport land use compatibility issues.
- Conduct reviews of projects near Nevada County and Truckee Tahoe Airport for consistency with adopted ALUCPs. (ALUC Fees, LTF)

Additional/Continuing Work:

- Review airport land use compatibility issues.
- Conduct reviews of projects near Nevada County and Truckee Tahoe Airport for consistency with adopted ALUCPs. (ALUC Fees, LTF)

Products:

- Reports on airport land use compatibility issues. (Ongoing)

Budget 2.4.2

Revenues:		
	LTF	\$23,321.46
	ALUC Fees	\$15,000.00
Total		\$38,321.46
Expenditures:		
	Staff	\$23,321.46
	ALUC Reviews	\$15,000.00
Total		\$38,321.46

Project 2.4.4 – Rural Counties Task Force Rural Induced Demand Study

Purpose: On behalf of the Rural Counties Task Force, the Nevada County Transportation Commission is managing a study to be conducted by qualified transportation consulting firms in partnership with legal firms with expertise in the California Environmental Quality Act (CEQA) to review the previous research on induced demand, as well as current available data, related guidance documents, and causal factors, to determine the significance and applicability of induced demand on rural highway improvements. In addition, the study will provide recommendations on how to appropriately address induced demand on rural highway improvements, including recommendations for addressing these rural highway improvements in relation to CEQA and recommendations for incorporating the study findings into future updates of state guidance documents.

Previous Work:

- Draft Report (Jun 23)

Work Activities:

- Prepare and distribute a Request for Qualifications to qualified consultants (NCTC) (RPA Formula, LTF)
- Establish Project Selection Committee and Project Advisory Committee (NCTC) (RPA Formula, LTF)
- Review and rank proposals, conduct oral interviews, and finalize consultant ranking (NCTC) (RPA Formula, LTF)
- Select consultant and execute contract (NCTC) (RPA Formula, LTF)
- Finalize the work program and refine scope of work (NCTC/Consultant) (RPA Formula, LTF)
- Project meetings and coordination (NCTC/Consultant, RPA Formula) (RPA Grant, LTF)
- Project Advisory Committee activities (NCTC/Consultant, RPA Formula) (RPA Grant, LTF)
- Project support and administration of grant (NCTC/Consultant) (RPA Formula, LTF)
- Prepare quarterly reports and invoices (NCTC) (RPA Formula, LTF)
- Project initiation and data collection (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Review previous research on induced demand and document findings related to rural highway improvements (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Review state guidance documents in relation to induced demand for transportation projects (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Review and collect available data on induced demand related to rural highway improvements (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Review and document the causal factors related to the induced demand, including a review of their presence on rural highway projects (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Determine the significance and applicability of induced demand for roadway improvement projects in various rural corridors (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Provide recommendations on how to appropriately address induced demand on rural highway improvements, including recommendations for addressing these rural highway improvements in relation to CEQA and recommendations for incorporating the study findings into future updates of state guidance documents (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Develop recommended methodologies and thresholds for each jurisdiction (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Prepare Working Papers (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Prepare Administrative Draft (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Prepare Draft Report (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)

Project 2.4.4 – Rural Counties Task Force Rural Induced Demand Study (continued)

- Present Draft Report to the Rural Counties Task Force (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)
- Prepare Final Report (NCTC/Consultant) (RPA Formula, RPA Grant, LTF)

Products:

- Revised Draft Report (July 23)
- Final Report (Oct 23)

Budget 2.4.4

Revenues:		
	RPA Grant Carryover	\$125,000.00
	RPA Formula	\$43,391.36
Total		\$168,391.36
Expenditures:		
	Staff	\$43,391.36
	Consulting	\$125,000.00
Total		\$168,391.36

WORK ELEMENT 2 – REGIONAL TRANSPORTATION PLANNING (continued)

Project 2.4.6 – Zero Emission Vehicle Transition Plan for County of Nevada

Purpose: On behalf of the County of Nevada, the Nevada County Transportation Commission will manage a fleet electrification planning study to identify how the County of Nevada can make the transition to electrification of public fleets to comply with upcoming California Air Resource Board (CARB) regulations related to the Innovative Clean Transit and lightweight, medium-duty, and heavy-duty public fleet electrification regulations.

The study will guide Nevada County in its endeavor to meet the regulations by evaluating and identifying a detailed plan to successfully convert the county vehicle fleet to electric vehicles within the timeline specified by CARB. The infrastructure needs for power delivery and charging, maintenance needs, and capital replacement considerations will be incorporated into the overall plan. Where electrification of certain vehicle fleet mix (e.g. heavy duty trucks) may not be possible due to market readiness, other zero-carbon alternatives will be explored and evaluated for fleet replacement and infrastructure improvements needs.

Previous Work:

- Small Transit Agency Rollout Plan (April 2023)
- RFP (Feb 2023)
- Contract Executed (Mar 23)

Work Activities:

- Prepare and distribute a Request for Proposals to qualified consultants (NCTC) (RPA Formula)
- Establish Project Selection Committee and Project Advisory Committee (NCTC) (RPA Formula)
- Review and rank proposals, conduct oral interviews, and finalize consultant ranking (NCTC) (RPA Formula)
- Select consultant and execute contract (NCTC) (RPA Formula)
- Finalize the work program and refine scope of work (NCTC) (RPA Formula)
- Project meetings and coordination (NCTC/Consultant) (RPA Formula, RPA Grant)
- Project Advisory Committee activities (NCTC/Consultant) (RPA Formula, RPA Grant)
- Project support and administration of grant (NCTC) (RPA Formula)
- Prepare quarterly reports and invoices (NCTC) (RPA Formula)
- Develop electric vehicle conversion plan for lightweight, medium, and heavy-duty vehicle fleet (Consultant) (RPA Grant)
- Develop electric vehicle conversion plan for the public transit fleet (Consultant) (RPA Grant)
- Recommend electric vehicle charging stations plan, including location and type of charges and electric infrastructure improvement plan (Consultant) (RPA Grant)
- Develop electric vehicle transition plan by fleet type (Consultant) (RPA Grant)
- Develop required Small Transit Rollout Plan for Nevada County Transit (Consultant) (RPA Grant)
- Develop funding plan to identify possible funding source to leverage incentives and rebate programs (Consultant) (RPA Grant)
- Prepare Administrative Draft (NCTC/Consultant) (RPA Formula, RPA Grant)
- Prepare Draft Report (NCTC/Consultant) (RPA Formula, RPA Grant)
- Prepare Final Report (NCTC/Consultant) (RPA Formula, RPA Grant)

WORK ELEMENT 2 – REGIONAL TRANSPORTATION PLANNING (continued)

Project 2.4.6 – Zero Emission Vehicle Transition Plan for County of Nevada (continued)

Products:

- Administrative Draft Report (January 2024)
- Draft Report (March 2024)
- Final Report (May 2024)

Budget 2.4.6

Revenues:		
	RPA Formula	\$26,492.60
	RPA Grant	\$230,000.00
Total		\$256,492.60
Expenditures:		
	Staff	\$26,492.60
	Consulting	\$230,000.00
Total		\$256,492.60

ACTIVITY	DESCRIPTION	PRODUCTS
System Planning	Completion of system planning products used by Caltrans and its transportation partners	Caltrans District 3 System Planning documents consistent with the Caltrans District 3 System Planning Five-Year Work Plan.
Advance Planning	Completion of pre-programming studies (e.g., Project Initiation Documents) so as to be ready to program resources for capital projects	Project Initiation Documents (PID), as indicated in the Two-Year PID Work Plan.
Regional Planning	Participate in and assist with various regional planning projects and studies	Participation in the following projects and studies: <ul style="list-style-type: none"> • Rural Counties Task Force Rural Induced Demand Study • SR 49 CSMP Update • Assisting with SR 49 TCEP, SCCP, RAISE, Rural Surface Transportation Program Grant Applications • Oversight of Planning Studies/ Conceptual Projects pertaining to the State Highway System
Local Development Review Program	Review of local development proposals potentially impacting the State Highway System	Assistance to lead agencies to ensure the identification and mitigation of local development impacts to the State Highway System that is consistent with the State’s smart mobility goals.

Active Transportation Plan: Identifies a network of pedestrian and bicycle facilities and projects to support pedestrian and bicycle safety for people of all ages and abilities. Specifically, the Active Transportation Plan aims to:

- Identify barriers and innovative solutions to encourage walking and bicycling as viable travel modes
- Effectively build on recently completed and current active transportation planning efforts
- Develop walking/bicycling networks supportive of existing and future land uses and projects
- Develop a clearly-defined implementation strategy with specific, creative, yet practical and financially feasible projects matched to specific funding opportunities

Active Transportation Program (ATP): Created in 2013 by the passage of SB 99 and AB 101, the Active Transportation Program consolidates existing federal and state transportation programs into a single program with a focus to make California a national leader in active transportation. The purpose of the Active Transportation Program is to encourage increased use of active modes of transportation by achieving the following goals:

- Increase the proportion of trips accomplished by biking and walking,
- Increase safety and mobility for non-motorized users,
- Advance the active transportation efforts of regional agencies to achieve Greenhouse Gas (GHG) reduction goals, pursuant to SB 375 (of 2008) and SB 341 (of 2009),
- Enhance public health and ensure that disadvantaged communities fully share in the benefits of the program, and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

Airport Land Use Commission (ALUC): The fundamental purpose of ALUCs is to promote land use compatibility around airports. As expressed in state statutes, this purpose is "... to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses." The statutes give ALUCs two principal powers by which to accomplish this objective:

1. ALUCs must prepare and adopt an airport land use plan; and
2. ALUCs must review the plans, regulations, and other actions of local agencies and airport operators for consistency with that plan.

Airport Land Use Compatibility Plan (ALUCP): A document referred to by ALUCs and individuals seeking to review standards for land use planning in the vicinity of an airport. The ALUCP defines compatible land uses for noise, safety, airspace protection, and overflight within the Airport Influence Area (AIA).

Allocation: A distribution of funds by formula or agreement. With regard to Transportation Development Act funds, allocation is the discretionary action by the RTPA which designates funds for a specific claimant for a specific purpose.

Apportionment: Distribution of funds by a formula. Apportionment under the Transportation Development Act is the determination by the RTPA of each area's share of anticipated LTF for the ensuing fiscal year.

California Environmental Quality Act (CEQA): A statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

Capital Improvement Program (CIP) or Capital Improvement Plan: A short-range plan, which identifies capital projects and equipment purchases, provides a planning schedule and identifies options for financing the plan.

Congestion Mitigation and Air Quality (CMAQ): A federal funding program that is available in western Nevada County for transportation projects that demonstrate emission reductions to help attain federal air quality standards. Western Nevada County was classified in 2004 as "non-attainment" for 8-hour ozone standards. Project categories eligible for CMAQ funding include:

- Alternative fuels and vehicles
- Congestion reduction and traffic flow improvements
- Transit improvements
- Bicycle and pedestrian facilities
- Public education and outreach
- Diesel engine retrofits
- Car pooling and van pooling

Projects are submitted by local jurisdictions for consideration and are ranked based on air quality benefits and project readiness. NCTC then reviews the ranking and chooses projects to be funded.

Corridor System Management Plan (CSMP): Foundational documents supporting a partnership-based, integrated management of all travel modes (cars, trucks, transit, bicycles, and pedestrians) and infrastructure (highways, roads, rail tracks, information systems and bike routes) so that mobility along a corridor is provided in the most efficient and effective manner possible.

Federal Highway Administration (FHWA): An agency within the U.S. Department of Transportation that supports state and local governments in the design, construction, and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands).

Federal Transit Administration (FTA): A federal agency that provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys and ferries.

Findings of Apportionment: Prior to March 1 of each year, Nevada County Transportation Commission (NCTC), pursuant to the California Code of Regulations Section 6644, transmits “Findings of Apportionment” for all prospective claimants. The apportionments are determined from the Nevada County Auditor-Controller's estimate of Local Transportation Funding (LTF) for the ensuing fiscal year, less those funds allocated for Transportation Development Act (TDA) administration, transportation planning and programming, pedestrian/bicycle projects, and community transit services. The remaining funds are then apportioned according to the population of each applicant's jurisdiction in relation to the total population of the County.

Fixing America's Surface Transportation (FAST) Act: A federal law enacted in 2015 to provide long-term funding for surface transportation infrastructure planning and investment. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and statistics programs.

FTA Section 5310: This program set forth in United States Code (U.S.C.) Title 49 Section 5310 provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.

FTA Section 5311: This program set forth in United States Code (U.S.C.) Title 49 Section 5311 provides grants for Rural Areas providing capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000 where many residents often rely on public transit to reach their destinations.

Interregional Transportation Improvement Program (ITIP): The ITIP is a five-year program of projects funded through the State Transportation Improvement Program (STIP) that obtains funding primarily through the per-gallon State tax on gasoline. The ITIP is prepared by the California Department of Transportation (Caltrans) and is submitted to the California Transportation Commission (CTC) for approval.

Level of Service (LOS): A qualitative measure used to relate the quality of traffic service. LOS is used to analyze highways by categorizing traffic flow and assigning quality levels of traffic based on performance measures like speed, density, etc. North American highway LOS standards use letters A through F, with A being the best and F being the worst, similar to academic grading.

Local Transportation Fund (LTF): The LTF is derived from a 1/4-cent general sales tax collected statewide. The State Board of Equalization, based on the sales tax collected in each county, returns the sales tax revenues

to each county’s LTF. The LTF was created in 1971 when legislation was passed to provide funding to counties for transit and non-transit related purposes.

Memorandum of Understanding (MOU): An agreement between two (or more) parties. It expresses a convergence of will between the parties, indicating an intended common line of action. Many government agencies use MOUs to define a relationship between agencies.

Metropolitan Planning Organization (MPO): MPOs are the regional planning entities in urbanized areas, usually an area with a population of 50,000 or more. There are 18 MPOs in California, accounting for approximately 98% of the state’s population.

Nevada County Airport Land Use Commission (NCALUC): The Nevada County Transportation Commission was designated by the Nevada County Board of Supervisors and the city selection committee as the ALUC for the Nevada County Airport in May 2010. The NCTC Executive Director serves as the NCALUC Executive Director with support from the NCTC staff.

Nevada County Airport Land Use Compatibility Plan (NCALUCP): The basic function of this plan is to promote compatibility between the airport and surrounding land uses. The plan serves as a tool for use by the NCALUC in fulfilling its duty to review airport and adjacent land use development proposals. Additionally, the plan sets compatibility criteria applicable to local agencies and their preparation or amendment of land use plans and ordinances and to land owners in their design of new developments.

North State Super Region (NSSR): Regional transportation planning agencies from 16 counties in Northern California came together on October 20, 2010 to sign a memorandum of agreement. This agreement created an alliance between the agencies to work together and support each other on issues related to transportation and to have a unified voice representing the North State.

Northern Sierra Air Quality Management District (NSAQMD): The Northern Sierra Air Quality Management District was formed in 1986 by the merging of the Air Pollution Control Districts of Nevada, Plumas and Sierra Counties. The District is required by state law to achieve and maintain the federal and state Ambient Air Quality Standards, which are air quality standards set at levels that will protect the public health. The District is composed of three primary entities, each with a specific purpose: District staff, Governing Board of Directors, and Hearing Board.

Overall Work Program (OWP): NCTC annually adopts a budget through the preparation of an Overall Work Program. This work program describes the planning projects and activities or work elements that are to be funded, and the type of funds that will pay for the expenditures.

Planning, Programming, and Monitoring (PPM): PPM is funding allocated by the California Transportation Commission (CTC) through the State Transportation Improvement Program (STIP). Designated uses of PPM include:

- Regional transportation planning – includes development and preparation of the regional transportation plan;
- Project planning – includes the development of project study reports or major investment studies conducted by regional agencies or by local agencies, in cooperation with regional agencies;
- Program development – includes the preparation of regional transportation improvement programs (RTIPs) and studies supporting them; and
- Monitoring the implementation of STIP projects – includes project delivery, timely use of funds, and compliance with state law and CTC guidelines.

Plans, Specifications, and Estimates (PS&E): In this stage of project development, the scope of the selected alternative is refined; design surveys and photogrammetric mapping is obtained; and reports including traffic data, hydrology and hydraulics, geotechnical design, pavement design, and materials and sound wall design reports are completed. Final right-of-way requirements are determined, and procurement is initiated. At the completion of the PS&E stage, a complete set of project plans have been developed that will allow a competent contractor to bid and build the project. These plans include a refined estimate of the construction costs and any required specifications on how the work is to proceed.

Project Approval and Environmental Documentation (PA/ED): The PA/ED step of project development reinforces the philosophy of balancing transportation needs with community goals and values. Outputs of the

PA / ED step are the project report and environmental document. The project report is an engineering document that evaluates the various alternatives for selection of a preferred alternative. The environmental document is a disclosure document that assesses the potential impacts of the project on the environment.

Project Initiation Document (PID): a report that documents the purpose, need, scope, cost, and schedule for a transportation project. The PID identifies and describes the viable alternatives to a transportation problem.

Project Study Report (PSR): A report of preliminary engineering efforts, including a detailed alternatives analysis, cost, schedule, and scope information for a transportation project. A PSR also includes estimated schedule and costs for environmental mitigation and permit compliance.

Public Transportation Modernization Improvement & Service Enhancement Account (PTMISEA): PTMISEA was created by Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the \$19.925 billion available to Transportation, \$3.6 billion dollars was allocated to PTMISEA to be available to transit operators over a ten-year period. PTMISEA funds may be used for transit rehabilitation, safety or modernization improvements, capital service enhancements or expansions, new capital projects, bus rapid transit improvements, or rolling stock (buses and rail cars) procurement, rehabilitation or replacement. Funds in this account are appropriated annually by the Legislature to the State Controller’s Office (SCO) for allocation in accordance with Public Utilities Code formula distributions: 50% allocated to Local Operators based on fare-box revenue and 50% to Regional Entities based on population.

Regional Improvement Program (RIP): The RIP is one of two funding programs in the State Transportation Improvement Program (STIP). The RIP receives 75% of the STIP funds and the second program, the Interregional Improvement Program receives 25% of STIP funds. RIP funds are allocated every two years by the California Transportation Commission (CTC) to projects submitted by Regional Transportation Planning Agencies (RTPAs) in their Regional Transportation Improvement Programs (RTIPs).

Regional Surface Transportation Program (RSTP): The RSTP was established by the State of California to utilize federal Surface Transportation Program funds for a wide variety of transportation projects. The State exchanges these federal funds for less restrictive state funds to maximize the ability of local agencies to use the funds for transportation purposes including planning, construction of improvements, maintenance and operation of public streets, and pedestrian and bicycle projects.

Regional Transportation Improvement Program (RTIP): NCTC submits regional transportation projects to the California Transportation Commission (CTC) for funding in a list called the RTIP. The RTIP is a five-year program that is updated every two years. Projects in the RTIP are funded from the Regional Improvement Program (RIP).

Regional Transportation Mitigation Fee (RTMF): The Western Nevada County Regional Transportation Mitigation Fee Program was established in 2001 through a partnership of Nevada County, City of Nevada City, City of Grass Valley, and the Nevada County Transportation Commission (NCTC). The RTMF Program was developed to collect impact fees from new development to help fund transportation improvement projects needed to accommodate growth in the region of western Nevada County.

Regional Transportation Plan (RTP): The Regional Transportation Plan has been developed to document transportation policy, actions, and funding recommendations that will meet the short- and long-term access and mobility needs of Nevada County residents over the next 20 years. This document is designed to guide the systematic development of a comprehensive multi-modal transportation system for Nevada County.

Regional Transportation Planning Agency (RTPA): County or multi-county entities charged by state law in meeting certain transportation planning requirements. As the RTPA for Nevada County, NCTC coordinates transportation planning for Grass Valley, Nevada City, Nevada County, and the Town of Truckee.

Request for Proposal (RFP): A document that solicits proposals, often made through a bidding process, by an agency or company interested in procurement of a commodity, service, or valuable asset, to potential suppliers to submit business proposals.

Rural Counties Task Force (RCTF): There are 26 rural county Regional Transportation Planning Agencies (RTPAs) or Local Transportation Commissions represented on the Rural Counties Task Force (RCTF). The RCTF is an informal organization with no budget or staff that generally meets every other month. A member of

the CTC usually acts as liaison to the RCTF, and CTC and Caltrans staff typically attend these meetings to explain and discuss changing statewide transportation issues that may be of concern to the rural counties.

Rural Planning Assistance (RPA): Annually the 26 rural RTPAs receive state transportation planning funding, known as RPA, on a reimbursement basis, after costs are incurred and paid for using local funds.

Social Services Transportation Advisory Council (SSTAC): Consists of representatives of potential transit users including the general public, seniors and/or disabled; social service providers for seniors, disabled, and persons of limited means; local consolidated transportation service agencies; and Truckee residents who represent the senior and Hispanic communities. The SSTAC meets at least once annually and has the following responsibilities:

- To maintain and improve transportation services to the residents of Nevada County, particularly the elderly and disabled.
- Review and recommend action to the NCTC relative to the identification of unmet transit needs and advise the Commission on transit issues, including coordination and consolidation of specialized transportation services.
- Provide a forum for members to share information and concerns about existing elderly and handicapped transportation resources.

State Highway Operations and Protection Program (SHOPP): The SHOPP is a four-year listing of projects prepared by Caltrans.

State Transit Assistance (STA): These funds are provided by the State for the development and support of public transportation needs. They are allocated by the State Controller’s Office to each county based on population and transit performance.

State Transportation Improvement Program (STIP): The STIP is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the Transportation Investment Fund and other funding sources. STIP programming generally occurs every two years. The STIP has two funding programs, the Regional Improvement Program and the Interregional Improvement Program.

Technical Advisory Committee (TAC): The Technical Advisory Committee (TAC) is made up of representatives of local public works and planning departments, Caltrans District 3, public airport operators, the air pollution control district, public transit operators, and the NCTC consultant engineer on retainer. Members are assigned by staff of local jurisdictions and other participating organizations. Any decisions made or actions proposed by the TAC shall be subject to the review and approval of the NCTC.

TAC responsibilities include:

- Provide technical input, assistance, and recommendations to the Commission to ensure there is comprehensive coordination and cooperation in the transportation planning process for Nevada County.
- Review and comment on comprehensive regional transportation plans for the area, which include the Regional Transportation Plan (RTP), the Regional Transportation Improvement Program (RTIP), and the Overall Work Program (OWP).
- Coordinate efforts and discussions to create and maintain circulation elements of the General Plan and specific plans of the member governments.

Transit Development Plan (TDP): Transit Development Plans study the County’s transit services. They help identify transit service needs, prioritize improvements and determine the resources required for implementing modified or new service. The plans also provide a foundation for requests for State and federal funding,

Transit Services Commission (TSC): This commission oversees and advises as necessary the daily operations of the western Nevada County transit system. The TSC has the following responsibilities:

- Establish fares;
- Adopt the level of transit and paratransit services, including route structure and service areas;
- Monitor public response;
- Approve proposed purchase of additional vehicles;

- Review and approve the annual budget for transit and paratransit operations.

Transportation Development Act (TDA): The Transportation Development Act was enacted in 1971 and provides two major sources of funding for public transportation: the Local Transportation Fund (LTF) and the State Transit Assistance fund (STA). The TDA funds a wide variety of transportation programs, including planning and programming activities, pedestrian and bicycle facilities, community transit services, and public transportation projects. One of NCTC's major responsibilities is the administration of TDA funding in Nevada County.

Travel Demand Model (also Traffic Model): A computer model used to estimate travel behavior and travel demand for a specific future time frame, based on a number of assumptions. In general, travel analysis is performed to assist decision makers in making informed transportation planning decisions. The strength of modern travel demand forecasting is the ability to ask critical "what if" questions about proposed plans and policies.

Truckee North Tahoe Transportation Management Association (TNT/TMA): The Truckee North Tahoe Transportation Management Association is dedicated to fostering public-private partnerships and resources for the advocacy and promotion of innovative solutions to the unique transportation challenges of the Truckee-North Lake Tahoe Resort Triangle. The TNT/TMA is a planning stakeholder and partner with NCTC.

Truckee Tahoe Airport Land Use Commission (TTALUC): The Truckee Tahoe Airport is an "intercounty" airport situated in both Nevada County and Placer County; therefore, a special ALUC with representatives from both counties was formed. Six members are selected, one each, by Placer and Nevada Counties' Board of Supervisors, City Selection Committees, and Airport Managers of each county. A seventh member is chosen by the other six members to represent the general public. NCTC authorized its staff on May 19, 2010 to provide staff support to the TTALUC.

Truckee Tahoe Airport Land Use Compatibility Plan (TTALUCP): A document referred to by the TTALUC and individuals seeking to review standards for land use planning in the vicinity of the Truckee Tahoe Airport. The plan defines compatible land uses for noise, safety, airspace protection, and overflight. The TTALUC performs consistency determinations for proposed projects in the area covered by the Compatibility Plan as needed.

Vehicle Miles Traveled (VMT): VMT is a metric of the total miles traveled by vehicles in a defined area over a defined period of time and is often used to estimate the environmental impacts of driving, such as Greenhouse Gases and air pollutant emissions. Factors that influence VMT include travel mode, number of trips, and distance traveled. California jurisdictions are transitioning from a Level of Service (LOS) metric to a Vehicle Miles Traveled (VMT) metric within the California Environmental Quality Act's (CEQA) transportation analysis.

Table 1

Budget Summary FY 2023/24 DRAFT

Revenues	Draft	Amendment 2	Difference
	FY 2023/24	FY 2022/23	
LTF Administration	621,492.38	572,216.49	49,275.89
LTF Planning	148,903.80	143,995.41	4,908.39
LTF Contingency	122,052.87	166,215.11	-44,162.24
Rural Planning Assistance (RPA) <i>Formula</i>	294,000.00	294,000.00	0.00
Rural Planning Assistance (RPA) <i>Formula</i> Carryover	0.00	21,731.55	-21,731.55
Rural Planning Assistance (RPA) Grants	0.00	230,000.00	-230,000.00
Rural Planning Assistance (RPA) Grants Carryover	355,000.00	125,000.00	230,000.00
Regional Transportation Mitigation Fees (RTMF)	5,000.00	152,361.98	-147,361.98
STIP Planning Funds (PPM)	213,154.84	155,669.84	57,485.00
ALUC Fees	15,000.00	15,000.00	0.00
Regional Surface Transportation Program (RSTP)	69,997.82	69,997.82	0.00
LTF Carryover	177,192.70	179,017.63	-1,824.93
TOTAL	2,021,794.41	2,125,205.82	-103,411.42

Expenditures	DRAFT	Amend 2	Difference
	FY 2023/24	FY 2022/23	
Salary	698,472.58	661,966.72	36,505.86
Benefits	223,347.14	223,905.36	-558.22
Direct (Table 2)	771,527.82	869,920.24	-98,392.42
Indirect (Table 3)	147,394.00	147,394.00	0.00
Contingency	181,052.87	222,019.50	-40,966.63
TOTAL	2,021,794.41	2,125,205.82	-103,411.41

	Estimated	estimated	Difference
Fund Balance	FY 2023/24	FY 2022/23	
	\$64,630.20	\$241,822.90	(\$177,192.70)

Direct Costs Budget FY 2023/24

Work Element		Draft 23/24	FY 22/23 Amendment 2	Difference	Source
1.1	Human Resources Consulting	\$5,000.00	\$5,000.00	\$0.00	LTF
1.2	Fiscal Auditor	\$53,045.00	\$51,500.00	\$1,545.00	LTF
2.1	Traffic Counts	\$10,000.00	\$10,000.00	\$0.00	RPA, LTF, PPM
2.1	Transportation Engineering	\$25,000.00	\$25,000.00	\$0.00	LTF, PPM
2.1	Local Agencies Participation in Regional Planning	\$30,000.00	\$30,000.00	\$0.00	RPA, LTF, PPM
2.1.1	Regional Transportation Plan Update	\$144,997.82	\$144,997.82	\$0.00	RPA, PPM, RSTP
2.2.1	RTMF Update	\$0.00	\$99,937.42	(\$99,937.42)	RTMF
2.3.3	Eastern Nevada County Transit Development Plan	\$75,000.00	\$75,000.00	\$0.00	RPA, LTF
2.4	Coordination of Regional Planning/Intergovernmental Advocacy	\$58,485.00	\$58,485.00	\$0.00	RPA, LTF
2.4.2	Airport Land Use Commission Planning & Reviews	\$15,000.00	\$15,000.00	\$0.00	ALUC, LTF
2.4.4	RCTF Rural Induced Demand Study	\$125,000.00	\$125,000.00	\$0.00	RPA
2.4.6	Zero Emission Vehicle Transition Plan for County of Nevada	\$230,000.00	\$230,000.00	\$0.00	RPA Grant
TOTAL		\$771,527.82	\$869,920.24	(\$98,392.42)	

Table 3

Indirect Costs Budget FY 23/24

ACCT	ITEM	DRAFT FY 23/24	AMEND 2 FY 22/23	Variance	Variance %
13.2	Nevada County Auditor/Controller	\$21,800	\$21,800	\$0	0.00%
13.1	Legal Counsel	\$15,000	\$15,000	\$0	0.00%
13.3	TNT/TMA Membership	\$4,125	\$4,125	\$0	0.00%
13.21	Website Update/Maintenance	\$11,500	\$11,500	\$0	0.00%
13.17	Nevada County ERC Membership	\$1,000	\$1,000	\$0	0.00%
	Insurance	\$24,750	\$24,750	\$0	0.00%
1.1	General Liability & Errors and Omissions	\$18,250	\$18,250	\$0	0.00%
1.3	Workers' Compensation	\$6,500	\$6,500	\$0	0.00%
	Office Expenses	\$26,904	\$26,904	\$0	0.00%
2.1	Phones	\$1,500	\$1,500	\$0	0.00%
2.2	Equipment Rental	\$500	\$500	\$0	0.00%
2.3	Records Storage	\$1,600	\$1,600	\$0	0.00%
2.4	Equipment Maintenance Agreements	\$1,000	\$1,000	\$0	0.00%
2.5	Publications/Legal Notices	\$2,500	\$2,500	\$0	0.00%
2.6	Janitorial Services	\$900	\$900	\$0	0.00%
2.7	Payroll Service	\$1,800	\$1,800	\$0	0.00%
2.8	Supplies	\$2,500	\$2,500	\$0	0.00%
2.9	Printing & Reproduction	\$250	\$250	\$0	0.00%
2.10	Subscriptions	\$300	\$300	\$0	0.00%
2.11	Computer Software & Network Maintenance	\$10,254	\$10,254	\$0	0.00%
2.12	Postage	\$300	\$300	\$0	0.00%
2.13	Telework Reimbursement	\$3,500	\$3,500	\$0	0.00%
3	Equipment	\$4,800	\$4,800	\$0	0.00%
	Copier/Printer	\$800	\$800	\$0	0.00%
	Office Furniture	\$500	\$500	\$0	0.00%
	Laptop /Computer	\$3,000	\$3,000	\$0	0.00%
	Miscellaneous	\$500	\$500	\$0	0.00%
5	Training and Conferences	\$1,000	\$1,000	\$0	0.00%
6	Office Lease	\$28,000	\$28,000	\$0	0.00%
7	Utilities	\$3,000	\$3,000	\$0	0.00%
8	Travel - Meals & Lodging	\$750	\$750	\$0	0.00%
9	Travel - Mileage/Fares/Parking	\$1,250	\$1,250	\$0	0.00%
10	Professional & Service Organization	\$3,515	\$3,515	\$0	0.00%
	TOTAL	\$147,394	\$147,394	\$0	0.00%

Table 4

Revenues - FY 2023/24 OWP DRAFT

Item # 5.

Work Element		23/24 LTF	LTF Carryover	RPA Grants	RPA Grant Carryover	RPA Formula	RPA Formula Carryover	ALUC Fees	RTMF	STIP Planning PPM	RSTP	TOTAL
1.1	General Services	267,607.26							5,000.00			272,607.26
1.2	Fiscal Administration	353,885.12										353,885.12
2.1	Regional Transportation Plan	4,330.47	1,865.43			44,477.07				79,154.84		129,827.81
2.1.1	Regional Transportation Plan Update					57,813.65				75,000.00	69,997.82	202,811.47
2.2	Transportation Improvement Program	6,702.01				41,915.19						48,617.21
2.3	Transit & Paratransit Programs	9,802.41	18,051.42			36,518.76						64,372.59
2.3.3	Eastern Nevada County Transit Development Plan	75,000.00				43,391.36						118,391.36
2.4	Coordination of Regional Planning	29,747.44	157,275.85									187,023.29
2.4.2	Airport Land Use Commission Planning & Reviews	23,321.46						15,000.00				38,321.46
2.4.4	RCTF Rural Induced Demand Study				125,000.00	43,391.36						168,391.36
2.4.6	Zero Emission Vehicle Transition Plan				230,000.00	26,492.60						256,492.60
	Contingency	122,052.87								59,000.00		181,052.87
Totals		892,449.04	177,192.70	0.00	355,000.00	294,000.00	0.00	15,000.00	5,000.00	213,154.84	69,997.82	2,021,794.41

Totals may not equal addition of amounts in columns due to rounding.

Table 5

Item # 5.

Expenditures - FY 2023/24 DRAFT

Work Elements		PY	Staff	Indirect	Transportation Engineering	Consulting	Local Agency	Other	Total
1.1	General Services	1.55	230,716.88	36,890.38		5,000.00			272,607.26
1.2	Fiscal Administration	1.58	259,368.49	41,471.62				53,045.00 (1)	353,885.12
2.1	Regional Transportation Plan	0.26	47,921.36	16,906.46	25,000.00		40,000.00 (2)		129,827.81
2.1.1	Regional Transportation Plan Update	0.32	57,813.65			144,997.82			202,811.47
2.2	Transportation Improvement Program	0.23	41,915.19	6,702.01					48,617.21
2.3	Transit & Paratransit Programs	0.26	49,517.04	14,855.55					64,372.59
2.3.3	Eastern Nevada County Transit Development Plan	0.22	43,391.36			75,000.00			118,391.36
	Nev. Co. Coordinated Public Transit-Human Service	0.00	0.00			0.00			0.00
2.4	Coordination of Regional Planning	0.51	97,970.32	30,567.97		50,000.00 (4)		8,485.00 (3)	187,023.29
2.4.2	Airport Land Use Commission Planning & Reviews	0.13	23,321.46			15,000.00			38,321.46
2.4.3	READY Nevada County	0.00	0.00			0.00			0.00
2.4.4	RCTF Rural Induced Demand Study	0.22	43,391.36			125,000.00			168,391.36
2.4.6	Zero Emission Vehicle Transition Plan	0.14	26,492.60			230,000.00			256,492.60
	Contingency							181,052.87	181,052.87
TOTAL		5.44	921,819.72	147,394.00	25,000.00	644,997.82	40,000.00	242,582.87	2,021,794.41

Totals may not equal addition of amounts in columns due to rounding.

Notes:

- (1) \$53,045 Fiscal Audit Contract
- (2) \$10,000 Traffic Counts, Local Agency (WE 2.1): Nev. Co. \$7,500; Truckee \$7,500; Nevada City \$7,500; Grass Valley \$7,500.
- (3) \$2,000 Rural Counties Task Force, \$5,735 PCTPA Rail Study, \$750 Statewide Local Streets and Roads
- (4) State Advocacy \$50,000

Indirect Costs are paid with local funds, no RPA or STIP planning funds are used.

Table 6 Budget Detail FY 2023/24 DRAFT

Item # 5.

ACCT	ITEM	ALLOCATION
1	Insurance	24,750.00
1.1	General Liability & Errors and Omissions	18,250.00
1.3	Workers' Compensation	6,500.00
2	Office Expenses	26,904.00
2.1	Phones	1,500.00
2.2	Equipment Rental	500.00
2.3	Records Storage	1,600.00
2.4	Equipment Maintenance Agreements	1,000.00
2.5	Publications/Legal Notices	2,500.00
2.6	Janitorial Services - carpets, blinds, interior painting, etc.	900.00
2.7	Payroll Service	1,800.00
2.8	Supplies	2,500.00
2.9	Printing & Reproduction	250.00
2.10	Subscriptions	300.00
2.11	Computer Software & Network Maintenance	10,254.00
2.12	Postage	300.00
2.13	Telework Reimbursement	3,500.00
3	Equipment	4,800.00
5	Training and Conferences	1,000.00
6	Office Lease	28,000.00
7	Utilities	3,000.00
8	Travel - Meals & Lodging	750.00
9	Travel - Mileage/ Fares/ Parking	1,250.00
10	Professional & Service Organizations	3,515.00
	Subtotal Items 1-10	93,969.00
11	Contingency	181,052.87
12	Salaries, Wages, & Benefits	921,819.72
12.1	Executive Director	240,246.49
12.11	Deputy Executive Director	210,385.86
12.2	Administrative Services Officer	152,234.50
12.3	Transportation Planner	146,558.50
12.4	Administrative Assistant	103,786.43
12.8	Temporary Employee	68,607.95
13	Other Services	824,952.82
13.1	Legal Counsel	15,000.00
13.2	Nevada County Auditor/Controller	21,800.00
13.3	TNT/TMA Membership	4,125.00
13.4	Fiscal Audits (WE 1.2)	53,045.00
13.7	Traffic Counts (WE 2.1)	10,000.00
13.8	Transportation Engineering (WE 2.1)	25,000.00
13.11a	Local Agencies (WE 2.1)	30,000.00
13.13	Reg. Transp. Mitigation Fee Update (WE 2.2.1)	0.00
13.16a	Rural Counties Task Force Membership (WE 2.4)	2,000.00
13.16b	Statewide Local Streets and Roads Needs Assessment (WE 2.4)	750.00
13.17	Nevada County ERC Membership	1,000.00
13.19	Eastern Nev. Co. Transit Development Plan (WE 2.3.3)	75,000.00
13.21	Website Update/Maintenance	11,500.00
13.23	Regional Transportation Plan Update (WE 2.1.1)	144,997.82
13.30	Airport Land Use Commission Project Reviews (WE 2.4.2)	15,000.00
13.48	Human Resources Consulting (WE 1.1)	5,000.00
13.57	RCTF Rural Induced Demand Study (WE 2.4.4)	125,000.00
13.58	Zero Emission Vehicle Transition Plan for County of Nevada (WE 2.4.6)	230,000.00
13.59	State Advocacy (WE 2.4)	50,000.00
13.60	PCTPA Rail Study (WE 2.4)	5,735.00
	TOTAL Budget Items 1-13	2,021,794.41
	Indirect Costs	
	Accounts 1 through 10	93,969.00
	Legal	15,000.00
	Nevada Co. Auditor/Controller	21,800.00
	TNT/TMA	4,125.00
	Nevada Co. ERC Membership	1,000.00
	Website Update/Maintenance	11,500.00
	Total Indirect Costs	147,394.00
	Calculated Indirect Rate Indirect Cost / Salaries & Benefits	15.99%



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

Title: Approve a Resolution Adopting Guidelines for the Submission and Tabulation of Protests in Rate Hearings Conducted Pursuant to the California Constitution.

CEQA: Not a Project.

Recommendation: That Council review and approve Resolution 2023-21 adopting guidelines for the submission and tabulation of protests in Rate Hearings conducted pursuant to Article XIII D, Section 6 of the California Constitution.

Prepared by: Tim Kiser, City Manager

Council Meeting Date: May 23, 2023

Date Prepared: May 18, 2023

Agenda: Consent

Background Information: Every few years, the City evaluates the utility user rates (water and sewer). As part of that process to change the rates, the City has to comply with the California Constitution. Article XIII D, Section 6 of the California Constitution requires the City Council of the City of Grass Valley to consider written protests to certain proposed increases to utility charges. However, the constitution does not offer specific guidance as to how written protests are submitted, or how the City tabulates protests. Thus, the City Attorney's office drafted the attached resolution on how the City shall conduct protest hearings for utility charges in relation to Article XIII D, Section 6 of the California Constitution.

Attached for Council's consideration, review, and approval is Resolution 2023-21 defining guidelines for the submission and tabulation of protests in rate hearings.

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

Fiscal Impact: No direct fiscal impact to the City.

Funds Available: N/A

Account #: N/A

Reviewed by: Tim Kiser, City Manager

Attachments: Resolution 2023-21

RESOLUTION NO. 2023-21

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF GRASS VALLEY ADOPTING GUIDELINES FOR THE
SUBMISSION AND TABULATION OF PROTESTS IN RATE
HEARINGS CONDUCTED PURSUANT TO ARTICLE XIII D,
SECTION 6 OF THE CALIFORNIA CONSTITUTION**

WHEREAS, article XIII D, section 6 of the California Constitution requires the City Council of the City of Grass Valley to consider written protests to certain proposed increases to utility charges; and

WHEREAS, this constitutional provision does not offer specific guidance as to how written protests are submitted, or how the City tabulates protests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grass Valley that the City shall conduct the protest hearings described in article XIII D, section 6 of the California Constitution as follows:

SECTION 1: Definitions. Unless the context plainly indicates another meaning was intended, the following definitions shall apply in construction of this Resolution.

- A. "Parcel" means a County Assessor's parcel, the owner or occupant of which is subject to the proposed charge at issue in the protest hearing.
- B. "Customer of record" means (i) a person whose name appears on the City's records as a person who has contracted for, or is obligated to pay for, utility services to a particular utility account, or (ii) another person who demonstrates to the reasonable satisfaction of the City Manager or his / her designee that the person is a tenant of real property directly liable to pay the proposed charge.
- C. "Record owner" means a person whose name appears on the County Assessor's latest equalized assessment roll as the owner of a parcel.
- D. "Protest hearing" does not mean an election. Nevertheless, the City will maintain the security and integrity of the protests described below at all times, and it will maintain those protests' confidentiality until they are subject to the disclosure requirements described in Section 7.

SECTION 2: Notice. The City shall provide notice of proposed rates, and of the protest hearing on those proposed rates, at least 45 days prior to the date of the protest hearing. This notice shall be sent via U.S. mail to either of the following:

- A. To the record owner of each identified parcel upon which the rate is proposed for imposition.
- B. If the proposed action is an increase to an existing service charge, the City may mail notice to the addresses to which it customarily mails the billing statements for that service charge.

SECTION 3: Submission of Protests

- A. Any record owner or customer of record who is subject to the proposed utility rates may submit a written protest to those proposed rates. The person submitting a written protest may do so by either of the following:
 - 1. Mailing or personally delivering the written protest to the City Clerk at Grass Valley City Hall, 125 East Main Street, Grass Valley, CA 95945.
 - 2. Submitting the written protest in person at the protest hearing.
- B. The City shall not accept written protests submitted via fax, email, or any other medium not included above.
- C. All written protests, including those mailed to the City, must be received by the end of the protest hearing. Any protest not actually received the close of that hearing, whether or not mailed and postmarked prior to the hearing, shall not be counted.
- D. The City welcomes all input from the community at or before the protest hearing on the proposed rates. However, only a properly formatted and submitted written protest will count toward the majority protest described below in Section 10. Oral objections do not qualify.

SECTION 4: Required Contents for Written Protest. A written protest must include all of the following. It will not be counted if any of the required elements outlined below (A through D) are omitted.

- A. A statement that it is a protest against the proposed charge that is the subject of the protest hearing.

- B. The legibly printed name of the record owner or customer of record who is submitting the protest.
- C. The identity, using its street address or utility account number, of the parcel for which the protest is submitted.
- D. An original signature from the record owner or customer of record who is submitting the protest.

SECTION 5: Protest Withdrawal. Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn prior to the close of the protest hearing. The withdrawal request must contain sufficient information to identify the affected parcel and the name of the record owner or customer of record who submitted both the protest and the request to withdraw it.

SECTION 6: Multiple Persons Qualified to Submit a Protest. More than one person may qualify to submit a written protest for a given parcel. For example, there may be more than one record owner, more than one customer of record, or the record owner and customer of record for the parcel may not be the same person. Any such qualified person may submit a protest. However, only one protest will be counted per parcel for purposes of determining whether there is a majority protest.

SECTION 7: Confidentiality and Disclosure of Protests. To protect the privacy rights of record owners and customers of record, the City will keep written protests confidential until tabulation begins following the protest hearing. Once a protest is opened during that tabulation, it becomes a disclosable public record under state law.

SECTION 8: Validity of Protests. The City Clerk shall not accept any protest as valid if he or she determines that any of the following is true:

- A. The protest does not include one or more of the required components listed in Section 4 of this Resolution.
- B. The required signature is not valid. Whether a signature is valid is entrusted to the reasonable judgment of the City Clerk, who may consult signatures on file with the County Elections Official.
- C. The protest has been altered in a way that raises a fair question as to whether the protest actually expresses the intent of a record owner or customer of record to protest the charges.

- D. The protest was not received by the City Clerk before the close of the protest hearing on the proposed rates.
- E. A request to withdraw the protest was received before the close of the protest hearing on the proposed rates.

SECTION 9: City Clerk's Decision Final. The City Clerk's decision that a protest is not valid shall constitute a final action of the City and shall not be subject to any internal appeal.

SECTION 10: Majority Protest. A majority protest exists if valid written protests are submitted with respect to a majority (50% plus one) of the parcels subject to the proposed rates. While the City may inform the public of the number of parcels served by the City when a notice of proposed rates is mailed, the number of parcels with active customer accounts served by the City on the date of the protest hearing shall control to determine whether a majority protest exists.

SECTION 11: Tabulation of Protests. At the conclusion of the protest hearing, the City Clerk shall tabulate all protests received, including those received the protest hearing itself, and shall report the results of that tabulation to the City Council. If the total number of protests received is insufficient to constitute a majority protest, the City Clerk may find the absence of a majority protest without validating the protests received, but may instead deem them all valid without further examination.

SECTION 12: Report of Tabulation. If the City Clerk determines that he or she will require a substantial amount of time to tabulate the protests, such that it would be unreasonable or inconvenient to complete that tabulation immediately following conclusion of the protest hearing, he or she shall so advise the City Council. The City Council may then adjourn the meeting to allow the tabulation to be completed at a later time. If so, the City Council shall declare when and where the tabulation will take place, and the tabulation must occur in a location where interested members of the public may observe it. The City Council shall also declare when and where it will reconvene to receive and act on the City Clerk's tabulation report.

SECTION 13: Immediate Effect. This Resolution shall become effective immediately upon adoption.

ADOPTED as a resolution of the City Council of the City of Grass Valley at a regular meeting held on the 23rd day of May, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Jan Arbuckle
Mayor

ATTEST:

APPROVED AS TO FORM:

Taylor Day
City Clerk

Michael G. Colantuono
City Attorney



City of Grass Valley City Council Agenda Action Sheet

Title: AB 481 - Military Equipment Annual Inventory and Report; renewal of ordinance #815

Recommendation: Approve the attached equipment inventory as well as the associated annual report, renew previously adopted ordinance #815 pursuant to requirements of AB-481

Prepared by: Alexander K. Gammelgard, Chief of Police

Council Meeting Date: 05/23/2023

Date Prepared: 05/16/2023

Agenda: Consent

Background Information: On 04/26/2022, the City Council heard and adopted its first reading of Ordinance #815 related to the police military equipment use policy (attached), pursuant to the requirements of AB-481, in accordance with Government Code 7070 et al. This was done to ensure the City of Grass Valley and its police department were in compliance with the new legislative changes. Now that we are one year into the policy, part of maintaining compliance is an annual report to City Council, updating the military equipment and policy as necessary, making the information public, and holding a meeting to discuss the policy and equipment with members of the public. The goal of this report and action of the Council is to ensure full compliance and transparency with the legislative requirements.

Analysis/Discussion:

There have been no legislative changes to Government Code 7070, GVPD Policy 706, and/or City of Grass Valley Ordinance 815 since their adoption.

Government Code Section 7070 (c) defines “Military equipment”. The attached Annual Inventory Report identifies equipment utilized by GVPD that matches those definitions. It also indicates the quantity of any equipment utilized during calendar year 2022, pursuant to the requirement of 7072(a). Additional information is included in the written report (attached).

The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

- (A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- (B) The proposed military equipment use policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- (C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

Staff has reviewed these safeguards and finds that all of them have been met to the best of the police department’s knowledge, training, and experience.

The governing body (City Council) shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, vote on whether to renew the ordinance at a regular meeting. The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth above. If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval, the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

The police department believes that the military equipment used by, and in possession of, the police department, as well as the previously adopted policy and ordinance, complies with the standards of the law.

The police department will hold a public meeting no more than 30 days from the approval of this action item, where the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment (Government Code 7072(b)). We will also post our annual report and associated documents to the police department webpage (Government Code 7072(a)).

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

Fiscal Impact: Any costs will be budgeted in the police department budget, or made by special request if a need arises beyond acquisition requests included in this action.

Attachments:

- Annual Inventory Report
- Annual Military Equipment Report
- Ordinance #815
- Grass Valley Police Department Policy

Funds Available: N/A

Account #: N/A

Reviewed by:

GRASS VALLEY POLICE DEPARTMENT								
2022 Calendar Year - Annual Inventory Report - AB 481 Defined Military Equipment						Fiscal Impact		
Item(s)	Quantity		Notes	Lifespan	Price per unit	Acquisition Cost for Existing Equipment	Fiscal 2023 Acquisition Cost	Estimated Annual Maintenance Costs
	Possess	Sought						
Section 1: Unmanned, remotely piloted, powered aerial or ground vehicles								
DJI Matrice 210	Inventory:	1	UAS (Drone) - End of Life	3-5 Years	\$21,550.00	\$21,550.00		\$2,500.00
DJI Mavic II Enterprise Pro	Inventory:	1	UAS (Drone)	3-5 Years	\$7,851.00	\$7,851.00		\$250.00
DJI Spark	Inventory:	1	UAS (Drone)	3-5 Years	\$411.00	\$411.00		\$50.00
SKYDIO	Inventory:	1	UAS (Drone)	3-5 Years	\$2,680.18	\$2,680.18		\$150.00
DJI Matrice 300RTK	Inventory:	0	UAS (Drone)	3-5 Years				
	Sought:	1			\$25,000.00		\$25,000.00	\$500
Section 2: Mine -resistant ambush-protected (MRAP) vehicles or armored personnel carriers								
Not Utilized		0						
Section 3: High mobility multipurpose wheeled vehicles (HMMWV)								
Not Utilized		0						
Section 4: Tracked armored vehicles								
Not Utilized		0						
Section 5: Command and Control vehicles								
Not Utilized		0						
Section 6: Weaponized aircraft, vessels, or vehicles of any kind								
Not Utilized		0						
Section 7: Battering rams, slugs, and breaching apparatuses (Explosives in nature)								
Not Utilized		0						
Section 8: Firearms of .50 caliber or greater (Not including shotguns)								
Not Utilized		0						
Section 9: Ammunition of .50 caliber or greater (Not including shotgun ammunition)								
Not Utilized		0						
Section 10: Specialized firearms and ammunition less than .50 caliber								
12GA Less Lethal shotgun with LL Stock	Inventory:	1	Patrol Orange stock with sling	N/A	\$593.00	\$593.00		
12GA Drag Stabilized Rounds	Inventory:	216	Bean Bag Rounds Model 3027	5 Years	\$5.65	\$1,220.40		

	Deployed:	54	Used for annual re-certification					
	Inventory:	163						
	Sought:	75	Bean Bag Rounds Model 3027	5 Years	\$7.50		\$562.50	\$562.50
12GA Rubber Buck Shot	Inventory:	125	15 shot (load / charges)	5 Years	\$23.99	\$599.75		
12GA CTS CS Liquid Barricade	Inventory:	30	Model 2330	5 Years	\$8.00	\$240.00		
12GA Breaching Round	Inventory:	0						
	Sought:	50	Defense Technology Model 3105		\$7.95		\$397.50	\$198.85

Section 11: Any firearm or firearm accessory designed to launch explosives

Not Utilized 0

Section 12: 'Flashbang' grenades and explosive breaching tools, 'tear gas,' and 'pepper balls'

CTS Mini Bang	Inventory:	11	Model 7290M	5 years	\$40.00	\$440.00		
	Sought:	12	Model 7290M	5 years	\$48.01		\$815.09	\$815.09
Defense Technology	Inventory:	11	Multi-Port plus Model 7000 Body	10 years	\$29.95	\$329.45		
Defense Technology Charge	Inventory:	7	DD Reload Steel Collar Model 8901	5 Years	\$38.60	\$115.80		
40mm CTS White Smoke Multi-Projectile (3)	Inventory:	4	Model 4213	5 Years	\$28.00	\$112.00		
40mm CTS Liquid CS	Inventory:	10	Model 4330 Barricade Projectile	5 Years	\$23.13	\$231.30		
CTS Baffled Riot CS Smoke	Inventory:	10	Model 5230B	5 Years	\$38.50	\$385.00		
Defense Tech White Smoke	Inventory:	4	Han-Ball Rubber Ball - Saf-Smoke	5 Years	\$32.95	\$131.80		

Section 13: Taser Shockwave, microwave weapons, water cannons, and Long Range Acoustic Device (LRAD)

Not Utilized 0

Section 14: 40mm projectile launchers, 'bean bag,' rubber bullet, and specialty impact munition (SIM) weapons

40mm Defense Technology eXact iImpact	Inventory:	45	Sponge Rounds. Model 6325	5 Years	\$26.50	\$1,192.50		
Defense Technology 40mm Bean Bag Rounds	Inventory:	12	Model 6025	5 Years	\$28.15	\$337.80		
Defense Tech 40mm Training Rounds	Inventory:	157	Models 6530	5 Years	\$5.45	\$855.65		
	Deployed:	103	Used for annual re-certification					
	Inventory:	54		5 years				
	Sought:	250	Model 6503	5 years	\$5.37		\$1,342.00	\$1,342.00
40mm LMT Launcher	Inventory:	1	Tactical Readiness	N/A	\$1,025.00	\$1,025.00		
40mm LMT Launcher	Inventory:	1	Patrol	N/A	\$819.00	\$819.00		
40mm LMT Launcher	Inventory:	1	Patrol	N/A	\$819.00	\$819.00		

Section 15: Any other equipment as determined needing additional oversight

Not Utilized 0



GRASS VALLEY POLICE DEPARTMENT

129 S. Auburn Street • Grass Valley, CA 95945
(530) 477-4600 main • (530) 274-4329 fax

To: City of Grass Valley City Council
From: Alexander K. Gammelgard, Chief of Police
Subject: Annual Military Equipment Report

This report is prepared in accordance with department policy, and associated legislative requirements and is provided to the Grass Valley City Council and members of the public regarding the possession and use of certain equipment in the possession of the Grass Valley Police Department.

Government Code Section 7070 (c) - subsections 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, and 15: There are no updates or impacts as no new equipment as defined in the above referenced sections is in the police department's possession or was purchased in calendar year 2022, and there is no intention to make any purchases of military equipment as during this calendar year (2023).

Government Code Section 7070 (c) - subsections 1, 10, 12, and 14: Below are items of military equipment as defined in Government Code Section 7070 (c) which have been in the possession of the police department since January of 2022, the use of which was approved pursuant to Ordinance #815, first considered and adopted by the City Council on April 26, 2022 (see attached).

Pursuant to 7072 (a), this report will outline, for each type of equipment, the following:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

Section 1, Unmanned, remotely piloted, powered aerial or ground vehicles:

(1) The police department DJI Matrice 210 UAS was utilized at least six (6) times for crime scene investigations and/or public relations events. The DJI Mavic Enterprise was utilized at least six (6) times for crime scene investigation, tactical training, the Donation Day Parade, the grand opening of Memorial Park pool, National Night Out, and Mount Saint Mary's public relations event. The DJI Spark was not utilized, other than limited training and familiarization for interested operators. The Skydio was utilized eight (8) times by our School Resource Officer for public relations.

(2) No complaints were reported.

(3) The DroneSense software platform records data and logs flight information for the Matrice 210 UAS. The Mavic platform records that it was used, but no additional flight or operator information. No violations of policy were identified. The police department is developing additional manual flight tracking data collection.

(4) Total Annual Costs

Acquisition: N/A - Previously acquired

Personnel: No specialized personnel - ancillary duty

Training: \$75 per operator x 4 operators

Transportation: N/A

Maintenance: N/A

Storage: N/A

Upgrade: See below

Other ongoing costs: Unknown. Some additional maintenance costs may be required (see estimate in Annual Inventory Report)

Source of funds: City general funds allocated to the police department operating budget and training budget will be utilized.

The cost of a replacement to the DJI Matrice 210 UAS is approximately \$25,000.

(5) Refer to Attachment - 2023 Annual Inventory Report

(6) The Grass Valley Police Department would like to purchase one (1) DJI Matrice 300RTK and associated accessories in calendar year 2023. The current DJI Matrice 210 platform is no longer supported by DroneSense software, has been in service for more than 5 years, and new technology will assist in maintaining and improving our capabilities that have proven successful with our UAS program.

Section 10, Specialized firearms and ammunition less than .50 caliber:

(1) Fifty-four (54), 12GA Drag Stabilized bean bag rounds were used for mandatory annual re-certification training. The additional equipment identified in Section 10, was not utilized.

(2) No complaints were reported.

(3) An audit of use in conjunction with training was conducted. No violations of policy were identified. The quantity of all items at year end match the documented quantity of use.

(4) Total Annual Costs

Acquisition: 12GA Drag Stabilized Rounds - Sought Qty. 75 - Total Cost approximately \$562.50

12GA Breaching Round - Sought Qty. 50 - Total Cost approximately \$397.50

Personnel: No specialized personnel - ancillary duty

Training: Unknown. Specialized training is required to become an instructor for some items of this equipment. Should a trainer's certification expire or they no longer are available to train, another department member may seek training, the cost of which is not known at this time as training opportunities, locations, and costs are only known once available.

Transportation: N/A

Maintenance: N/A

Storage: N/A

Upgrade: N/A

Other ongoing costs: Not anticipated.

Source of funds: City general funds allocated to the police department operating budget and training budget will be utilized.

(5) Refer to Attachment - 2023 Annual Inventory Report

(6) Refer to Attachment - 2023 Annual Inventory Report. Seventy-five (75) 12GA Drag Stabilized Rounds are being sought to resupply items used for training and to ensure enough equipment is on hand for additional/on-going training as well as for any field use that may be needed. Fifty (50) 12GA Breaching Rounds are being sought to provide breaching capability (and required for training) in the event of the need for such breaching capability.

Section 12, 'Flashbang' grenades and explosive breaching tools, 'tear gas,' and 'pepper balls':

(1) No items of inventory identified in Section 12 were used

(2) No complaints were reported.

(3) No violations of policy were identified. A use log is completed for every deployment.

(4) Total Annual Costs

Acquisition: CTS Mini Bang - Sought Qty. 12 - Total Cost approximately \$815.09

Personnel: No specialized personnel - ancillary duty

Training: N/A

Transportation: N/A

Maintenance: N/A

Storage: N/A

Upgrade: N/A

Other ongoing costs: Not anticipated.

Source of funds: City general funds allocated to the police department operating

budget and training budget will be utilized.

(5) Refer to Attachment - 2023 Annual Inventory Report

(6) Twelve (12) CTS Mini Bang devices are being sought to supply items used for training and to ensure enough equipment is on hand for additional/on-going training as well as for any field use that may be needed.

Section 14, 40mm projectile launchers, 'bean bag,' rubber bullets, and specialty impact munition (SIM) weapons:

(1) One-hundred and three (103), Defense Tech 40mm Training Rounds were used for mandatory annual re-certification.

(2) No complaints were reported.

(3) No violations of policy were identified. Quantity on hand match that on hand at time of AB481 implementation.

(4) Acquisition: Defense Tech 40mm Training Rounds - Sought Qty. 250 - Total Cost approximately \$1,342.00.

Personnel: No specialized personnel - ancillary duty

Training: N/A

Transportation: N/A

Maintenance: N/A

Storage: N/A

Upgrade: N/A

Other ongoing costs: Not anticipated.

Source of funds: City general funds allocated to the police department operating budget and training budget will be utilized.

(5) Refer to Attachment - 2023 Annual Inventory Report

(6) Two hundred fifty (250), 40mm Training Rounds are being sought to be used for annual and additional less-than-lethal training.

CITY COUNCIL OF THE CITY OF GRASS VALLEY

ORDINANCE NO. 815

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF GRASS VALLEY ADOPTING A POLICY
FOR THE USE OF MILITARY EQUIPMENT BY THE
GRASS VALLEY POLICE DEPARTMENT

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies;

WHEREAS, Assembly Bill No. 481 (“AB 481”), codified as Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval from their governing body before requesting, funding, acquiring, using, or collaborating in the use of military equipment, as defined in Government Code section 7070;

WHEREAS, any elected body that oversees a law enforcement agency with military equipment must adopt a military equipment use policy by ordinance at a regular meeting held pursuant to open meeting laws;

WHEREAS, the elected body must make specific findings before approving a military equipment use policy;

WHEREAS, the Grass Valley Police Department’s proposed Military Equipment Use Policy (the “Policy”) is attached hereto as Exhibit “A” and incorporated herein by this reference;

WHEREAS, a draft Policy was presented to before the City Council on March 22, 2022; and

WHEREAS, the Policy was published on the Grass Valley Police Department’s internet website on March 23, 2022, more than 30 days before the Policy was considered at a public hearing before the City Council on April 26, 2022; and

WHEREAS, a public engagement meeting was held by the Police Department, open to the public, related to the Police Department’s possession and use of military equipment on April 7, 2022; and

WHEREAS, the Policy meets the requirements of California Government Code section 7070, subdivision (d).

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

SECTION I: DETERMINATIONS

The City Council finds recitals above are true and correct and incorporates them herein. Based on the recitals and the information provided to the City Council at the public hearing on the Military Equipment Use Policy, the City Council finds as follows:

1. The military equipment identified in the Military Equipment Use Policy is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.
2. The Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
3. The military equipment identified in the Military Equipment Use Policy is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
4. All prior military equipment use complied with the City's policies that were in effect at the time, or if prior uses did not comply with the accompanying Military Equipment Use Policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

SECTION II: IMPLEMENTATION

The City Council authorizes the Chief of Police to designate a Military Equipment Coordinator to implement the Policy.

SECTION III. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Grass Valley hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION IV. PUBLICATION AND EFFECTIVE DATE

This ordinance shall be published in accordance with applicable provisions of law, by either:

publishing the entire ordinance once in a newspaper of general circulation, published in the City of Grass Valley, within fifteen (15) days after its passage and adoption, or

publishing the title or appropriate summary in a newspaper of general circulation, published in the City of Grass Valley, at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those City Councilmembers voting for and against the ordinance. This Ordinance shall become effective thirty (30) days from and after the date of its passage.


SECTION V. CEQA FINDINGS

This ordinance is exempt from the California Environmental Quality Act (“CEQA”) under 14 Cal. Code Regs. Section 15061(b)(3) because it can be seen with certainty that there is no possibility that its adoption will have a significant adverse effect on the environment and under Section 15378 because this ordinance is not a project because it involves administrative activities that will not result in direct or indirect physical changes in the environment.

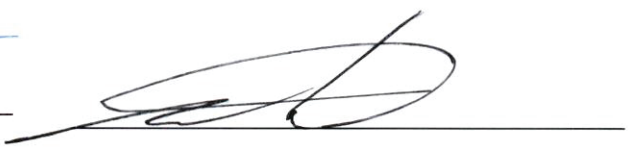
* * * * *

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly adopted by the City Council of the City of Grass Valley, California, at a meeting thereof, held on the _____ day of _____, by the following vote, to wit:
5th May

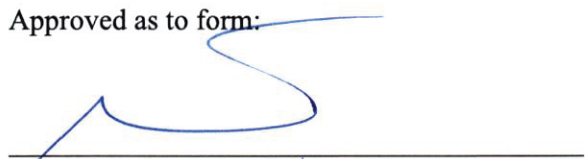
AYES: Councilmembers *Branstrom, Hodge, Iuy, Vice Mayor Arbockle, & Mayor Aguilar*
NOES: Councilmembers *NONE*
ABSTAIN: Councilmembers *NONE*
ABSENT: Councilmembers *NONE*



City Clerk
City of Grass Valley



Mayor of the City of Grass Valley

Approved as to form:


Michael G. Colantoni
City Attorney of the City of Grass Valley

Military Equipment

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department. (i.e. the Grass Valley City Council).

Military equipment – AB 481's definition of "military equipment" is not "equipment used by the military" or "equipment acquired from the military," but instead reaches 15 categories of equipment however acquired from whatever source:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

Military Equipment

11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. 'Flashbang' grenades and explosive breaching tools, 'tear gas,' and 'pepper balls,' excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device(LRAD).
14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, 'bean bag,' rubber bullet, and specialty impact munition (SIM) weapons.
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.

706.2 POLICY

It is the policy of the Grass Valley Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the city council.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Grass Valley Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 1. Publicizing the details of the meeting.
 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

Military Equipment

See attachment: [Grass Valley PD Military Equipment List](#)

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the city council by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the city council and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the city council prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the city council.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this Department, or otherwise conducting law enforcement activities in this jurisdiction, shall comply with their respective military equipment use policies in performing such actions.

706.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee shall submit a military equipment report to the city council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee shall also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

Military Equipment

706.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.



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

Title: 2022/23 Annual Street Rehabilitation Project - Authorization to Bid

CEQA: Categorically Exempt - Section 15301 “Existing Facilities”

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and 2) authorize the advertisement for bids.

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

Council Meeting Date: 5/23/2023

Date Prepared: 5/18/2023

Agenda: Consent

Background Information: The 2022/23 Annual Street Rehabilitation Project involves resurfacing of the following residential streets; Lucas Avenue, Miners Trail, French Street, and portions of Clark Street, Clipper Lane, Wiley Lane, Fiddick Lane, and Neville Way. Project work includes concrete construction, asphalt concrete pavement removal, replacement and overlay, utility adjustments, and pavement striping and marking.

The street improvements associated with this project are exempt from environmental review pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines.

Copies of the plans and specifications for the 2022/23 Annual Street Rehabilitation Project are available for review in the Engineering Division office at City Hall. The Engineer’s Estimate of probable construction costs is \$600,000.

The award of a construction contract is anticipated to occur in Summer 2023, with construction to follow soon thereafter. Staff requests that Council authorize the bidding process for construction of this project.

Council Goals/Objectives: The 2022/23 Annual Street Rehabilitation Project executes portions of work tasks towards achieving/maintaining Strategic Plan Goal #2 - Transportation.

Fiscal Impact: The 2022/23 Annual Street Rehabilitation Project was budgeted at \$600,000 in the 22/23 FY CIP Budget, funded with a combination of Road Maintenance and Rehabilitation (RMRA) and Regional Surface Transportation Program (RSTP) funds.

Funds Available: Yes

Account #: 300-406-61330

Reviewed by: _____ City Manager



City of Grass Valley City Council Agenda Action Sheet

Title: Grass Valley Professional Services Agreement for Consultant Services for Nevada Cemetery District (NCD)

CEQA: Not a Project

Recommendation: That City Council authorize the City Manager to sign a contract, subject to legal review, with Nevada Cemetery District to provide financial services.

Prepared by: Catrina Olson, Deputy Administrative Services Director

Council Meeting Date: 05/23/23

Date Prepared: 05/18/23

Agenda: Consent

Background Information: Nevada Cemetery District is a California Municipal Corporation in Nevada City that provides a variety of affordable interment services. NCD has determined that it requires professional accounting services. Grass Valley staff were approached by NCD with the idea that Grass Valley Finance and Administrative Staff provide these necessary services.

February 1, 2023, the City provided a proposal to begin providing the District these services on February 27, 2023. The City will provide a variety of professional accounting services for time and materials at the rate of \$95.95 per hour for the Deputy Administrative Director, \$60.44 per hour for the Senior Accountant and \$44.04 for the Accounting Specialist. The term of the agreement initially begins at two years with the option to extend services for two additional one-year terms based on need and performance. Professional fees not to exceed \$18,000 annually. More specific details are outlined in exhibit A, Scope of Services.

The finance staff has commenced providing the District with professional accounting services which has thus far been extremely successful and helpful to the District.

Council Goals/Objectives: Executing a contract to provide financial consulting professional services with Nevada Cemetery District executes portions of work tasks towards achieving and maintaining Strategic Plan Goal - High Performance Government and Quality Service and Community Leadership in communicating and collaborating with other agencies.

Fiscal Impact: None.

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments:

1. Grass Valley Professional Services Agreement to Provide Consultant Services for the Nevada Cemetery District

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF GRASS VALLEY
AND
THE NEVADA CEMETERY DISTRICT
FOR ACCOUNTING SERVICES**

This Memorandum of Understanding (the “Agreement”) is entered into by and between the Nevada Cemetery District, a California Independent Special District under Section 9007 of the Health and Safety Code (the “District”), and the City of Grass Valley, a California municipal corporation (the “City”) (collectively, the “Parties”).

WHEREAS, the District is seeking support with the District’s accounting functions;

WHEREAS, the City is willing and able to provide the District with the necessary accounting services as set forth in **Exhibit A** and incorporated herein by this reference;

WHEREAS, the District desires to enter into this Agreement with the City for the requested accounting services in accordance with the terms and conditions set forth therein.

NOW, THEREFORE, in consideration of the premises and covenants contained herein, the PARTIES agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide accounting services to the District in accordance with the terms and conditions set forth in **Exhibit A**.
2. **Term.** The Term of this Agreement shall commence at 12:00a.m. on February 27, 2023, irrespective of the date(s) executed, and shall expire at 11:59 p.m. on the January 31, 2025, unless extended, amended, or terminated as provided herein. The Parties shall have the authority to extend the term of this Agreement in writing, for a period suitable to both agencies. Extensions of time shall be memorialized by execution of a written amendment to this Agreement.
3. **City’s Rights and Obligations.**
 - (a) **Scope of Services.** The City shall perform the accounting services identified in the Scope of Services, attached hereto as Exhibit A. The District shall have the right to request, in writing, changes to the Scope of Services. Any such changes mutually agreed upon by the Parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. The City does not guarantee or warrant the accuracy or reliability of any financial reporting or information provided by the District. The City is not responsible for managing the District’s finances and is entitled to rely on the information provided by the District to carry out the services provided under this Agreement. The District is responsible for notifying the City of any changes to financial reports relied upon by the City in order to make them accurate or suitable for particular

purposes.

- (b) **Invoices.** The City shall submit to the District an invoice, on a monthly basis or as otherwise agreed to between the Parties, for services performed pursuant to this Agreement.
- (c) **Insurance.** The City agrees to procure and maintain for the duration of this Agreement liability insurance or a program of self-funding for liability, or a combination of the two, sufficient to protect against claims for injuries or damages which may arise from or in connection with the performance of the City's duties under this Agreement.

4. **District's Rights and Obligations.**

- (a) **Compensation.** The District agrees to compensate the City for the services provided under this Agreement, and the City agrees to accept payment in accordance with **Exhibit A**. The City shall not be reimbursed for any expenses unless provided for in this Agreement or authorized in writing by the District in advance.
- (b) **Scope of Services.** The District hereby acknowledges that the City does not guarantee or warrant the accuracy or reliability of any financial reporting or information provided by the District. The City is not responsible for managing the District's finances and is entitled to rely on the information provided by the District to carry out the services provided under this Agreement. The District is responsible for notifying the City of any changes to financial reports relied upon by the City in order to make them accurate or suitable for particular purposes.
- (c) **Insurance.** The District agrees to procure and maintain for the duration of this Agreement liability insurance or a program of self-funding for liability, or a combination of the two, sufficient to protect against claims for injuries or damages which may arise from or in connection with the performance of the District's duties under this Agreement.

5. **Indemnification.**

- (a) The City must indemnify, defend, and hold harmless the District and its officers, employees, representatives, and agents from any and all liability, claims, demands, causes of action, and expenses or losses of any kind, arising out of or in any way connected with this Agreement.
- (b) The District must indemnify, defend, and hold harmless the City and its officers, employees, representatives, and agents from any and all liability, claims, demands, causes of action, and expenses or losses of any kind, arising out of or in any way connected with this Agreement.

6. Settlement of Disputes.

- (a) The Parties will attempt in good faith to resolve any dispute or claim arising out of or in relation to this Agreement through negotiations between a director of each of the Parties with authority to settle the relevant dispute. If the dispute cannot be settled amicably within thirty (30) days from the date on which either Party has served written notice on the other of the dispute, then the remaining provisions of this Clause shall apply.
- (b) The Parties hereto agree to mediate any dispute or claim arising between them out of this Agreement, or any resulting transaction, before resorting to arbitration. Mediation fees shall be divided equally among the Parties involved. If any Party commences an action based on a dispute or claim to which this paragraph applies, without first attempting to resolve the matter through mediation, then that Party shall not be entitled to recover attorney fees, even if fees would otherwise be available to the Party in any such action.
- (c) THE PARTIES AGREE THAT ANY DISPUTE OR CLAIM IN LAW OR EQUITY ARISING BETWEEN THEM OUT OF THIS AGREEMENT, OR ANY RESULTING TRANSACTION, WHICH IS NOT SETTLED BY MEDIATION, SHALL BE DECIDED BY NEUTRAL, BINDING ARBITRATION. THE ARBITRATION SHALL BE UNDER THE RULES OF THE JUDICIAL ARBITRATION AND MEDIATION SERVICES (JAMS). THE ARBITRATOR SHALL BE AN IMPARTIAL RETIRED JUDGE OR JUSTICE, WITH AT LEAST 15 YEARS OF FULL TIME LAW EXPERIENCE, UNLESS THE PARTIES MUTUALLY AGREE TO A DIFFERENT ARBITRATOR, WHO SHALL RENDER AN AWARD WITH DETAILED REASONED FINDINGS AND CONCLUSIONS IN ACCORDANCE WITH THE SUBSTANTIVE CALIFORNIA LAW. IN ALL OTHER RESPECTS, THE ARBITRATION SHALL BE CONDUCTED IN ACCORDANCE WITH PART III, TITLE 9 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. JUDGMENT UPON THE AWARD OF THE ARBITRATOR(S) MAY BE ENTERED IN ANY COURT HAVING JURISDICTION. THE PARTIES SHALL HAVE THE RIGHT TO DISCOVERY IN ACCORDANCE WITH CODE OF CIVIL PROCEDURE §1283.05. EXCEPT THAT EACH PARTY SHALL BE ENTITLED AS A MATTER OF RIGHT TO TAKE ONE DEPOSITION OF THE OTHER PARTY WITHOUT THE REQUIREMENT OR CONSENT OF THE ARBITRATOR. IN ANY CONTROVERSY OR DISPUTE REQUIRING LEGAL LITIGATION/ATTORNEYS, THE PREVAILING PARTY SHALL BE ENTITLED TO REASONABLE ATTORNEY FEES AND COSTS.

CONSULTAIN INTIALS:

DISTRICT INITIALS:

CONSULTAIN INTIALS:

DISTRICT INITIALS:

7. **Notices.** Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during City's and District's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the Parties may, from time to time, designate in writing).

To City:

Catrina Olson
 125 E Main St
 Grass Valley, CA 95945
 Telephone: 530-274-4302
 Facsimile: 530-274-4399
 Email:

To District:

General Manager
 Nevada Cemetery District
 PO Box 2400
 10523 Willow Valley Rd.
 Nevada City, CA 95959-2400
 Telephone: 530-265-3461
 Facsimile:
 Email:

With courtesy copy to:

Michael G. Colantuono, Esq.
 Colantuono, Highsmith & Whatley, PC
 420 Sierra College Drive, Suite 140
 Grass Valley, CA 95945
 Telephone: (530) 432-7357
 Facsimile: (530) 432-7356
 Email:

8. **Governing Law.** This Agreement and the rights and obligations of the Parties shall be governed by and construed according to the laws of the State of California. The venue for any litigation shall be Nevada County, California, and City and District hereby consents to jurisdiction there for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.
9. **Liberal Construction.** Any general rule of construction to the contrary notwithstanding, this Agreement must be liberally construed in favor of and to effect the purpose of this Agreement. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Agreement that would render the provision valid must be favored over any interpretation that would render it invalid.
10. **Severability.** If a court of competent jurisdiction voids or invalidates on its face any provision of this Agreement, such action does not affect the remainder of this Agreement. If a court of competent jurisdiction voids or invalidates the application of any provision of this Agreement to a person or circumstance, such action does not affect the application of the provision to other persons or circumstances.
11. **Entire Agreement.** This instrument, together with any attached exhibits and documents

referred to in it, sets forth the entire agreement of the Parties with respect to its subject matter and supersedes all prior discussions, negotiations, understandings, or agreements relating to the subject matter of this Agreement. No alteration or variation of this instrument is valid or binding unless contained in an amendment in accordance with the provisions of this Agreement.

- 12. **Amendment.** The Parties may amend this Agreement only by mutual written agreement.
- 13. **Termination.** This Agreement, and the rights and obligations of the Parties, may be terminated by the District for any reason upon five calendar days' written notice to the City. The City may terminate this Agreement for any reason upon ninety calendar days' written notice to allow the District time to procure replacement services.
- 14. **Successors and Assigns.** The covenants, terms, conditions, and restrictions of this Agreement are binding upon, and inure to the benefit of, the Parties and their respective personal representatives, heirs, successors, and assigns.
- 15. **Headings.** The headings in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and have no effect upon its construction or interpretation.
- 16. **Counterparts.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed one and the same instrument.

IN WITNESS WHEREOF, each Party represents and warrants that its undersigned signatories have the authority to and do hereby execute this Agreement as follows:

“District”
Nevada Cemetery District

“City”
City of Grass Valley

By: _____

By: _____

Tim Kiser, City Manager

Date: _____

Date: _____

Approved as to form:

By: _____
(NAME HERE), County Counsel

By: _____
Michael G. Colantuono, City Attorney

Date: _____

Date: _____

EXHIBIT A
SCOPE OF SERVICES

SCOPE OF WORK:

Nevada Cemetery District (NCD) is seeking support with the District's accounting functions. The City of Grass Valley (GV) has agreed to provide NCD with the necessary accounting services for the cost of time and materials at the rates listed below. The service period to begin February 1, 2023, through January 31, 2025. Two additional one-year service extensions based on performance. It is estimated the services to be provided will require on average 15-25 hours per month. Work performed will be logged and provided with a monthly invoice to NCD.

SERVICES TO BE PROVIDED BY:

- 1) GV Deputy Administrative Services Director @ \$95.95/hour
- 2) GV Senior Accountant @ \$60.44
- 3) GV Accounting Technician @ \$44.04

REQUIRE SERVICES – typical services include but are not limited to:

- 1) Perform Accounting Services
 - a) Processing payroll monthly including tax and benefits payments and reporting. CalPERS retirement payment and reporting.
 - b) Invoicing and recording of deposits.
 - c) Processing accounts payable.
 - d) Reconciling all cash accounts.
 - e) Provide monthly financial statements and monthly financial reports to the District Manager.
 - f) Update the financial system as needed to improve performance and to accommodate changing requirements.
 - g) Quarterly payroll tax reporting and sales tax reporting.
 - h) Other duties as necessary.
- 2) Prepare for and participate in NCD's Annual Audit
 - a) Assemble and prepare documents required the auditor.
 - b) Verify and, if necessary, reconcile revenues and expenses.
 - c) Reconcile year end expenses and bank statements.
 - d) Reconcile payroll taxes with reporting.
 - e) Update fixed asset inventory.
 - f) Provide support for updating depreciation schedule.
 - g) Prepare list of year-end accounts payable accrued expenses and deferred revenues.
 - h) Participate in audit field work and response to questions and requests from the auditor.
 - i) Complete other duties as necessary.
- 3) Other Services
 - a) Perform conversion of Quickbooks from the desktop version to the cloud version.
 - b) Provide input into documentation of administrative procedures as they relate to financial system management.
 - c) Work with Nevada County in providing all of the financial information into the FinPlus system timely.

The City of Grass Valley will agree to provide payment processing services for payroll and accounts payable for the flat rate of \$800 per month, upon NCD's request. If requested the cost

DRAFT



City of Grass Valley City Council Agenda Action Sheet

Title: FY 2023-24 Preliminary Budget Overview

CEQA: Not a Project

Recommendation: It is recommended that the City Council, by motion,
 (1) approve the FY 2023-24 Preliminary Budget and provide further direction to staff as it relates to the preparation of the FY 2023-24 Final Budget; and
 (2) Set June 27, 2023 as the date for the public hearing for the FY 2023-24 Final Budget.

Prepared by: Andy Heath

Council Meeting Date: 05/23/2023

Date Prepared: 05/15/2023

Agenda: Administrative

Discussion:

The City of Grass Valley Charter requires submission of a preliminary budget to the City Council no later than June 1st each year for the ensuing fiscal year. The Charter also requires that the City Council set a public hearing for consideration of the Final Budget prior to the first day of the fiscal year.

Staff will present a brief overview of the recommended FY 2023-24 Preliminary Budget, focusing primarily on the following funds which account for the majority of citywide operations:

- General Fund
- Measure E Fund
- Water and Sewer Enterprise Funds
- Capital Projects Fund
- Special Projects Fund
- Gas Tax Fund
- Traffic Safety Fund
- Development Impact Fee Fund

The preliminary budget has been prepared consistent with information previously presented to the City Council on March 15, 2023 with the FY 2022-23 Mid-Year Update. As discussed during the Mid-Year Update, management continues to focus on

various issues affecting the local economy and thus impacting current and future budgets. Although forecasts for revenues most impacted by the Pandemic (Sales Tax and Transient Occupancy Tax) have fully recovered from COVID Pandemic lows, factors including continued high inflation, the State budget deficit and general economic uncertainty all impact the City’s current and future fiscal framework. As the economy continues to be impacted by these negative externalities, staff will periodically present updates to this budget after its final adoption in June 2023 in a manner similar to the updates provided during previous fiscal years. With the presentation of this information, it is recommended that the City Council provide staff with any further direction related to preparation and ultimate consideration of the FY 2023-24 Final Budget in June 2023.

The following attachments are included with this report:

- Attachment A: General Fund Revenue and Expenditure Detail - FY 2023-24 Preliminary Budget
- Attachment B: General Fund Revenue and Expenditure Account Detail - FY 2023-24 Preliminary Budget
- Fund Schedules: FY 2023-24 Preliminary Budgets for citywide major operating funds

General Fund

FY 2023-24 General Fund Preliminary Budget:

	<u>Revenues</u>	<u>Expenditures</u>
FY 2022-23 Updated Budget	\$ 16,444,611	\$ 17,502,605
FY 2023-24 Preliminary Budget	\$ 17,034,501	\$ 16,563,472

The FY 2023-24 General Fund Preliminary Budget reflects revenues of \$17,034,501 and expenditures of \$16,563,472. Revenues are higher than expenditures by \$471,029 primarily due to reductions in certain base expenditures and projected discretionary tax collections increases. Specific revenue and expenditure impacts to the City’s General Fund for FY 2023-24 are noted below.

FY 2023-24 budgeted revenue of \$17,034,501 reflects an approximate \$590,000 increase from revenues anticipated to be collected in FY 2022-23, primarily due to:

- Anticipated 3.0% increase in Property Taxes consistent with current housing market activity and increase in State CPI;
- Increases in Sales Tax consistent with the forecast provided by HdL (the City’s Sales Tax Consultant) and the addition of the new Target to the City’s tax base;
- Anticipated 1.5% increase in Transient Occupancy Taxes as room rates are projected to rise due to inflation;

- Increase in Franchise Fees related to garbage collections, cable TV and utilities as these costs continue to increase;
- Increase in Interest Earnings based on the City's active participation in the investment market as interest rates rise; and
- Increase in Worker's Compensation expense reimbursements related to funds held by the City's Worker's Compensation provider due to rebates available from previous years (note: there is approximately \$800,000 available to the City and the City is recommending annual reimbursements Of \$200,000 for the next three fiscal years to offset operational costs).

FY 2023-24 budgeted expenditures of \$16,563,472 reflects an approximate decrease of \$939,000 from anticipated expenditures to be incurred in FY 2022-23, primarily due to:

- Anticipated reduction in legal costs due to one-time case fees incurred in FY 2022-23;
- Reduction in Planning Department personnel costs related to the restructuring of staffing;
- Anticipated reduction in CalPERS Unfunded Liability amortization due to high CalPERS investment return recognized in FY 2020-21;
- Reduction of outside media costs (website / marketing) built into FY 2022-23 base budget (from \$100,000 to \$50,000 annually);
- Lowering the annual contingency appropriation from \$250,000 to \$150,000; and
- A reduction of one-time use of designated reserves / capital appropriations towards the PSPS Fuel Station Project (\$360,000) and the Mill Street Pedestrian Plaza (\$400,000); offset by
- An increase in Police Reserves, Dispatch, Training and Software costs;
- The presumed filling of all positions citywide (i.e. no vacancy savings built into the budget)
- The addition of 1.0 Full Time Equivalent (FTE) Maintenance Worker in the Streets Department; and
- A slight increase in debt service costs related to the Pension Obligation Bonds consistent with the prescribed debt service schedule.

It should be mentioned that the FY 2023-24 Preliminary Budget schedules do not include costs for any labor increases that may ultimately be approved by the City Council at the conclusion of labor negotiations currently taking place.

As part of the FY 2023-24 Budget development process, it should be mentioned that the City maintains specific key contingency reserves in the General Fund:

- CalPERS Pension Stabilization Reserve - \$1,500,000
- Other Post-Employment Benefits (OPEB) Reserve - \$500,000
- Capital and Deferred Maintenance Reserve - \$1,000,000
- Economic Contingency Reserve - \$2,500,000

These *Assigned Reserves* can be used in the future to offset unanticipated pension and/or health benefit cost swings; to offset having to use General Fund discretionary funds for immediate capital outlay and maintenance needs; and to mitigate the exposure of having to significantly reduce service levels in the event of an economic downturn.

Taking into account the above, staff is recommending a preliminary General Fund Budget that currently anticipates a surplus of \$471,029. Total General Fund reserves are anticipated to be approximately \$9.51 million at the end of FY 2023-24. Projected reserve levels as of June 30, 2024 are expected to include:

- \$ 6,180,314 Designated Reserves (See Attachment A for list)
- 3,332,849 Undesignated Reserves

- \$ 9,513,163 Total General Fund Reserves

Measure E Fund

FY 2023-24 Measure E Fund Preliminary Budget:

	<u>Revenues</u>	<u>Expenditures</u>
FY 2022-23 Updated Budget	\$ 6,930,000	\$ 8,097,407
FY 2023-24 Preliminary Budget	\$ 7,280,000	\$10,246,777

The Measure E Fund accounts for the City’s voter-approved 1-cent transaction and use tax (general-purpose tax) that is used to support police and fire services; and streets and parks projects.

FY 2023-24 budgeted revenue of \$7,280,000 reflects an approximate \$350,000 increase from FY 2022-23 estimated revenues of \$6,930,000, primarily due to higher sales tax collections forecasted by the City’s Sales Tax Consultant (HdL), which includes a minor upward adjustment due the opening of a Target store in the City.

FY 2023-24 budgeted expenditures of \$10,246,777 reflects an approximate \$2.1 million increase from estimated expenditures for FY 2022-23 primarily due to the one-time use of carryover fund balance from FY 2021-22 towards streets and parks projects and fire apparatus and the addition of 1.0 FTE EMS / Fire Administration

Captain. In addition to purchasing and outfitting a new fire truck (purchase authorized in a prior fiscal year), projects anticipated to be funded by Measure E include the Condon Skate Park, E. Daniels Park & Church Parking Lot Restrooms, Wolf Creek Trail Engineering & Environmental costs, partial funding towards the Sierra College Field Turf Replacement, Pavement Management Plan, Mill Street Pedestrian Plaza (funds carried over) and \$2 million towards Street Pavement Rehabilitation projects.

It should be mentioned that the Measure E Fund allocates funding for 22.1 FTE (position allocations) - 10.9 FTE in the Police Department and 11.2 FTE in the Fire Department (note: this includes the new position recommended for the EMS Program. All positions allocated to Measure E are funded in the FY 2023-24 budget and assumed filled for the entirety of the fiscal year. City staff will meet with the Measure E Oversight Committee to review FY 2023-24 budget elements prior to the consideration of the Final Budget in June.

It is anticipated that the Measure E Fund will have approximately \$340,921 in Fund Balance on June 30, 2024. These funds may be appropriated for any Measure E related purpose in future fiscal years.

Water Fund

FY 2023-24 Water Fund Preliminary Budget:

	<u>Revenues</u>	<u>Expenditures</u>
FY 2022-23 Updated Budget	\$ 2,317,319	\$ 2,868,817
FY 2023-24 Preliminary Budget	\$ 2,303,000	\$ 4,259,913

FY 2023-24 Water Fund revenues are currently projected slightly lower than prior year budgeted amounts, primarily as a result of lower anticipated collections of connection fees offset by higher levels of interest earnings for FY 2023-24. FY 2023-24 Water Fund expenditures are recommended to be approximately \$1.4 million higher than those budgeted in the prior year primarily due to anticipated carryover of Water Fund capital projects. Any capital projects not fully completed by the end of FY 2022-23 are being carried over into FY 2023-24. It should be mentioned although a rate increase is not anticipated for FY 2023-24, the City should be completing a Water (and Sewer) rate study to assure fee structures are in line with operational and capital needs expectations in the coming years.

Also recommended for the Water Fund is the continued funding of a Pension Reserve like the one currently in place in the General Fund. Staff is recommending maintaining the set-aside of \$75,000 from Unobligated Fund Balance into the Pension Reserve, which can be used to offset unanticipated swings in annually required pension obligations and/or reduce the pension unfunded liability related to staff funded by the Water Enterprise Fund.

It is anticipated that the Water Fund will have approximately \$1.14 million in Fund Balance at the end of FY 2023-24, all of which is reserved for specific purposes. The \$1.14 million ending Fund Balance assumes all capital projects are completed by the end of the fiscal year.

Sewer Fund

FY 2023-24 Sewer Fund Preliminary Budget:

	Revenues	Expenditures
FY 2022-23 Updated Budget	\$ 5,481,351	\$ 4,486,281
FY 2023-24 Preliminary Budget	\$ 5,275,000	\$ 8,992,382

FY 2023-24 Sewer Fund revenues are currently projected to be approximately \$200,000 lower than those budgeted in FY 2022-23, primarily due to the reduction in Sewer Connection Fees offset by an anticipated increase in interest earnings. FY 2023-24 Sewer Fund expenditures are recommended to be \$4.5 million higher than those budgeted in the prior year primarily due to the carryover of projects related to Annual Wastewater Treatment Plant Upgrades and the Slate Creek Lift Station; and the addition of a new project related to Sewer Lining (\$2 million). As mentioned in the discussion for the Water Fund, a Sewer Rate Study should be completed early in the upcoming fiscal year to assure appropriate fee structures are in place.

Similar to the Water Fund, continued funding of a Pension Reserve is recommended for the Sewer Fund. Staff recommends maintaining the set-aside of \$175,000 from Unobligated Fund Balance into the Pension Reserve, which can be used to offset unanticipated swings in annually required pension obligations and/or reduce the pension unfunded liability related to staff funded by the Sewer Enterprise Fund.

It is anticipated that the Sewer Fund will have approximately \$5.63 million in Fund Balance at the end of FY 2023-24, \$3.65 million of which is reserved for specific purposes. The \$5.63 million ending Fund Balance assumes all capital projects are completed by the end of the fiscal year.

Capital Projects Fund

FY 2023-24 Capital Projects Fund Preliminary Budget:

	Revenues	Expenditures
FY 2022-23 Updated Budget	\$11,654,227	\$11,160,100
FY 2023-24 Preliminary Budget	\$12,501,181	\$12,501,181

The Capital Projects Fund accounts for the majority of non-enterprise Capital Projects citywide (some projects are wholly funded in the General Fund and the Measure E

Fund; and are not part of the Capital Projects Fund). Capital projects are typically funded with non-discretionary (grants, fees, etc.) revenue sources and transfers in from other funds. Capital Projects Fund revenues and expenditures are estimated at \$12.50 million for FY 2022-23. Projects were updated consistent with current cost and funding estimates.

New and continuing projects accounted for the in the Capital Projects Fund include the Sierra College Field, Main Street Resealing, Mill Street Parking Lot, McCourtney Road Pedestrian Improvements, Bennett Street Bridge, Centennial Drive Realignment, S. Auburn / Colfax Avenue Roundabout, Bennett & Ophir Recirculation, Matson Creek - Phase I, Condon Skate Park and Mill Street Pedestrian Plaza. As previously mentioned, funding for these projects comes from specific grant sources (CMAQ, ATP, ARPA funding, etc.) and transfers in from other funding sources (General Fund, Measure E, Gas Tax, Mitigation Fees, Special Projects, etc.).

The negative (\$42,221) in fund balance anticipated by the end of Fiscal Year 2023-24 is related to unreimbursed costs for storm damage costs incurred by the City over the past two years. City staff will work to determine how to best fund these unreimbursed expenditures.

Special Projects Fund

FY 2023-24 Special Projects Fund Preliminary Budget:

	Revenues	Expenditures
FY 2022-23 Updated Budget	\$ 3,483,549	\$ 5,510,329
FY 2023-24 Preliminary Budget	\$ 150,000	\$ 3,000,000

The Special Projects Fund accounts for capital projects funded by other specific revenue sources. For the coming fiscal year, revenues only include anticipated interest earnings in the fund. It should be mentioned that during FY 2021-22, the City issued debt in the amount of \$6 million to be used towards future park projects. To date, \$3 million of this funding has been spent on the Condon / Scotten Turf Project. The remaining \$3 million in debt proceeds is recommended for appropriation in FY 2023-24 towards the Sierra College Field / Turf Project.

It is anticipated that the Special Projects Fund will have approximately \$3.1 million in fund balance on June 30, 2024 which may be used for future projects.

Gas Tax Fund

FY 2023-24 Gas Tax Fund Preliminary Budget:

	<u>Revenues</u>	<u>Expenditures</u>
FY 2022-23 Updated Budget	\$ 970,307	\$ 1,153,000
FY 2023-24 Preliminary Budget	\$ 791,514	\$ 984,800

The Gas Tax Fund accounts for the receipt of gas tax, SB-1 (RMRA) and NCTC pass-through revenues which may be used towards applicable transportation-related expenditures. Gas Tax revenues anticipated to be collected during FY 2023-24 are expected to approximately \$179,000 lower than those anticipated to be received in FY 2022-23, due to elimination of a one-time transfer from the Measure E Fund (too much Gas Tax funding originally used towards a Street-related project); offset by a higher allocation of Gas Tax and SB-1 funding for the upcoming fiscal year.

Gas Tax Fund appropriations are anticipated to be \$168,200 lower in the upcoming fiscal year; and are recommended primarily for street maintenance & rehabilitation, sidewalk, utility and project costs (Main Street Resealing / Bennett Street Bridge).

It is anticipated the Gas Tax Fund will have \$26,460 in fund balance remaining at the end of the 2023-24 fiscal year.

Traffic Safety Fund

FY 2023-24 Traffic Safety Fund Preliminary Budget:

	<u>Revenues</u>	<u>Expenditures</u>
FY 2022-23 Updated Budget	\$ 160,100	\$ 156,000
FY 2023-24 Preliminary Budget	\$ 156,900	\$ 161,000

The Traffic Safety Fund accounts for the receipt of parking citation revenues and a transfer in from the Gas Tax Fund used to pay for streetlight utilities costs. Traffic Safety Fund revenues anticipated for FY 2023-24 are expected to be slightly lower due to a reduced transfer in from the Gas Tax Fund required to offset utilities costs. Traffic Safety Fund appropriations are also anticipated to increase by \$5,000 due to higher utility costs stemming from higher prices (inflation). It is anticipated the Traffic Safety Fund will have nothing in fund balance remaining at the end of the 2023-24 fiscal year.

Development Impact Fee Fund

FY 2023-24 Development Impact Fee Fund Preliminary Budget:

	Revenues	Expenditures
FY 2022-23 Updated Budget	\$ 283,190	\$ 841,057
FY 2023-24 Preliminary Budget	\$ 75,000	\$ 2,356,181

The Development Impact Fee Fund accounts for the receipt AB-1600 Development Impact Fees to be used towards nexus-based future projects that mitigate the impacts new development. Development Impact Fee Fund revenues anticipated during FY 2023-24 only include interest earnings of \$75,000. Due to the unpredictability of collections of these fees, the budget will be periodically updated as the fiscal year progresses. At this time, the following projects are anticipated to be funded during FY 2023-24 using development impact fees: Storm Drain Plan, Centennial Drive Realignment, Mill Street Parking Lot and Matson Creek Phase I. To the extent any projects anticipated during FY 2023-24 are not completed, the appropriations will likely be carried over into FY 2024-25.

The Development Impact Fee Fund is expected to have \$500,882 in funds available for specific projects at the end of FY 2023-24.

FY 2023-24 Final Budget Development

Staff will incorporate any further direction received from the City Council based on the presentation of the FY 2023-24 Preliminary Budget into the FY 2023-24 Final Budget. Additionally, staff is expected to meet with the Measure E Oversight Committee to review the Preliminary Budget for the Measure E Fund prior to the presentation of the Final Budget in June.

COUNCIL GOALS / OBJECTIVES

The Fiscal Year 2023-24 Preliminary Budget executes portions of the work tasks towards achieving / maintaining the Strategic Plan goal to maintain a High-Performance Government and Quality Service.

CEQA

Not applicable - not a project.

FISCAL IMPACT

The Fiscal Year 2023-24 recommended Preliminary Budget balances expenditures with anticipated revenues and carryover monies for noted funds.

Attachment A: General Fund Revenue and Expenditure Detail - FY 2023-24
Preliminary Budget

Attachment B: General Fund Revenue and Expenditure Account Detail - FY 2023-24
Preliminary Budget

Other Attachments - Fund Schedules for:

- Fund 200 - Measure E Fund
- Fund 500 - Water Enterprise Fund
- Fund 510 - Sewer Enterprise Fund
- Fund 300 - Capital Projects Fund
- Fund 310 - Special Projects Fund
- Fund 201 - Gas Tax Fund
- Fund 202 - Traffic Safety Fund
- Fund 206 - Developer Impact Fee Fund
- Fund 203 - Fire Reserve Fund
- Fund 204 - DUI Grant Fund
- Fund 205 - EPA Grant Fund
- Fund 225 - Vehicle Replacement Fund
- Fund 450 - E. Daniels Park Fund
- Fund 451 - Animal Shelter Fund

REVIEWED BY:

____ City Manager

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund Revenue and Expenditure Detail

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
REVENUES				
Taxes	12,185,414	12,683,922	12,968,665	13,306,579
Franchises	886,159	916,544	915,000	927,450
Licenses	201,927	200,072	190,100	191,050
Services Charges / Fees	1,361,064	1,853,241	1,686,237	1,673,498
Interest & Use of Money	27,984	37,983	120,000	200,000
Other Agencies	515,690	771,574	505,109	489,924
Cost Reimbursements / Transfers	206,561	110,049	34,000	233,000
Other Revenues	169,020	81,501	25,500	13,000
Other Financing Sources	-	-	-	-
Total Revenues	15,553,819	16,654,886	16,444,611	17,034,501
EXPENDITURES				
City Council	31,365	45,194	35,585	35,713
City Manager	271,026	344,266	367,872	369,236
Finance Department	472,421	532,773	554,854	611,586
Personnel	28,434	17,418	30,500	30,958
Information Systems	408,582	294,223	295,127	298,619
City Attorney	167,130	275,662	340,000	275,000
Police Department	4,523,063	5,279,305	5,461,727	5,754,404
Police Department - Animal Control	178,199	211,124	252,815	255,572
Fire Department	2,567,289	3,283,481	3,535,303	3,591,691
Community Development - Planning	492,210	453,687	419,795	313,943
Community Development - Building	474,812	434,439	511,118	503,720
Public Works - Engineering	370,398	333,301	363,015	418,015
Public Works - Facilities	112,361	144,680	133,390	127,034
Public Works - Fleet Services	222,073	261,303	303,981	268,277
Public Works - Streets	474,231	504,117	484,855	562,469
Parks and Recreation - Swimming Pool	31,706	19,604	59,968	59,295
Parks and Recreation - Parks Maintenance	279,024	407,689	458,820	405,707
Parks and Recreation - Recreation	-	-	-	-
Non-Departmental	1,426,798	1,672,628	2,482,259	1,405,775
Debt Service	1,019,104	988,223	1,026,621	1,041,458
Appropriation for Contingency	250,000	278,772	250,000	150,000
Transfers Out	192,326	45,501	135,000	85,000
Total Expenditures	\$ 13,992,552	\$ 15,827,390	\$ 17,502,605	\$ 16,563,472
Excess / (Deficit) of Revenues over Expenditures	1,561,267	827,496	(1,057,994)	471,029
Reserve Transfer to Impact Fee Fund	-	-	-	-
Beginning Fund Balance	7,711,365	9,272,632	10,100,128	9,042,134
Ending Fund Balance	9,272,632	10,100,128	9,042,134	9,513,163
Less - Designated Reserves:				
Police Department Property Deposits	69,431	69,431	69,431	69,431
Asset Forfeiture Funds	9,252	9,252	9,252	9,252
Narcotics Investigation	12,823	12,823	12,823	12,823
North Star Rock Road Mitigation	16,543	16,543	16,543	16,543
Infrastructure Repair and Replacement	19,187	19,187	19,187	19,187
Tree Preservation	10,700	10,700	10,700	10,700
Whispering Pines	153,160	153,160	153,160	153,160
PARSAC Claim Reserves	75,000	75,000	75,000	75,000
ADA Access - SB 1186	14,232	22,167	22,167	22,167
PSPS Grant (Fuel Station) Reserve	187,051	187,051	-	-
Corporation Yard Remodel Funds	-	400,000	267,051	267,051
Nevada City Fire Apparatus Funds	-	25,000	25,000	25,000
Pension Stabilization Reserve	1,500,000	1,500,000	1,500,000	1,500,000
OPEB Stabilization Reserve	500,000	500,000	500,000	500,000
Capital and Deferred Maintenance Reserve	1,000,000	1,000,000	1,000,000	1,000,000
Economic Contingency Reserve	2,500,000	2,500,000	2,500,000	2,500,000
Amount Not Obligated at Year End	3,205,253	3,599,814	2,861,820	3,332,849

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund Revenue Account Detail**

Description	Actuals FY 2020-21	Actuals FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Property Taxes	\$ 2,990,699	3,057,833	3,261,000	3,306,430
RPTTF Residual Property Tax Distributions	310,844	311,452	310,000	314,650
Property Tax in Lieu of MVLF	1,380,634	1,437,038	1,503,671	1,548,781
Sales Taxes	7,641,707	7,874,242	8,050,000	8,295,750
ERAF in Lieu of Sales Tax	-	-	-	-
Sales Tax Payment to Nevada County	(1,131,479)	(1,185,867)	(1,252,256)	(1,271,040)
Transient Occupancy Taxes	881,875	1,058,697	1,000,000	1,015,000
Real Estate Transfer Taxes	89,205	110,037	75,750	76,508
Property Tax Homeowners Exemption	21,929	20,490	20,500	20,500
Property Tax Payment to NCCFPD	-	-	-	-
TOTAL TAXES	\$ 12,185,414	12,683,922	12,968,665	13,306,579
Franchise - Gas & Electric	\$ 162,288	172,721	170,000	175,000
Franchise - Solid Waste	495,547	528,128	530,000	535,300
Franchise - Cable TV	228,324	215,695	215,000	217,150
TOTAL FRANCHISES	\$ 886,159	916,544	915,000	927,450
Business Licenses	\$ 201,894	200,044	190,000	190,950
Business License Penalties	33	28	100	100
TOTAL LICENSES	\$ 201,927	200,072	190,100	191,050
Planning Department Fees / Permits	\$ 102,579	202,123	65,000	65,000
Building Department Fees / Permits	339,917	270,482	270,000	235,000
Code Enforcement Penalties	-	38,897	-	-
Fire Department Fees / Permits	560,256	882,840	930,150	948,150
Fire Department Assessments	253,492	256,710	253,750	257,556
Public Works / Engineering Fees / Permits	15,290	22,940	13,500	13,500
Animal Shelter Fees / Other Revenues	35,881	63,908	63,162	63,162
Police Department Fees / Other Revenues	30,359	80,897	45,175	45,175
Parks Department Fees	23,290	34,444	45,500	45,955
TOTAL SERVICE CHARGES / FEES	\$ 1,361,064	1,853,241	1,686,237	1,673,498

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund Revenue Account Detail**

Description	Actuals FY 2020-21	Actuals FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Interest Earnings	\$ 27,984	37,983	120,000	200,000
Unrealized Gain / (Loss) on Investments	-	-	-	-
TOTAL INTEREST & USE OF MONEY	\$ 27,984	37,983	120,000	200,000
Motor Vehicle License Fees	\$ 9,436	14,856	9,500	9,500
Beverage Recycling Program	4,361	5,000	5,000	5,000
Public Safety - Proposition 172	109,853	169,424	162,293	154,924
Public Safety Grants	211,791	167,372	147,000	155,000
FEMA Grants	-	-	-	-
COPS Grant - AB 3229	100,000	307,495	160,000	160,000
SB-2 / LEAP Planning Grant	57,058	70,514	-	-
POST Reimbursements	12,094	24,978	15,816	-
Other State Reimbursements	4,000	4,000	4,000	4,000
ADA Disability (SB-1186 Fee)	7,097	7,935	1,500	1,500
TOTAL FROM OTHER AGENCIES	\$ 515,690	771,574	505,109	489,924
Expense Reimbursements	\$ 206,561	110,049	31,000	230,000
Transfer In from Gas Tax Fund	-	-	3,000	3,000
Transfer In from AB1600 Fire Fac Reserve	-	-	-	-
Transfer in from Developer Impact Fees	-	-	-	-
TOTAL COST REIMBURSEMENTS / TRANSFERS	\$ 206,561	110,049	34,000	233,000
TOTAL OTHER REVENUES	\$ 169,020	81,501	25,500	13,000
TOTAL OTHER FINANCING SOURCES	\$ -	-	-	-
TOTAL GENERAL FUND	\$ 15,553,819	16,654,886	16,444,611	17,034,501

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund**

Departmental Expenditure Account Detail

	<u>Actual FY 2020-21</u>	<u>Actual FY 2021-22</u>	<u>Mid-Year Budget FY 2022-23</u>	<u>Prelim. Budget FY 2023-24</u>
<u>City Administration</u>				
City Council - 101				
Personal Services	\$ 20,007	\$ 18,085	\$ 18,085	\$ 18,085
Services and Supplies	11,358	27,109	17,500	17,628
Cost Allocation	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ 31,365	45,194	35,585	35,713
City Manager - 102				
Personal Services	\$ 242,210	321,817	335,101	348,270
Services and Supplies	28,816	22,449	32,771	20,966
Cost Allocation	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ 271,026	344,266	367,872	369,236
Finance Department - 104				
Personal Services	\$ 364,725	443,247	473,554	539,295
Services and Supplies	107,696	89,526	81,300	72,291
Cost Allocation	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ 472,421	532,773	554,854	611,586
Personnel - 103				
Personal Services	\$ -	-	-	-
Services and Supplies	28,434	17,418	30,500	30,958
Cost Allocation	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ 28,434	17,418	30,500	30,958
Information Services - 105				
Personal Services	\$ -	-	-	-
Services and Supplies	271,498	473,730	408,545	414,365
Cost Allocation	-	(196,149)	(163,418)	(165,746)
Capital Outlay	137,084	16,642	50,000	50,000
Total:	\$ 408,582	294,223	295,127	298,619

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund**

Departmental Expenditure Account Detail

	<u>Actual FY 2020-21</u>	<u>Actual FY 2021-22</u>	<u>Mid-Year Budget FY 2022-23</u>	<u>Prelim. Budget FY 2023-24</u>
City Attorney - 106				
Personal Services	\$ -	-	-	-
Services and Supplies	167,130	275,662	340,000	275,000
Cost Allocation	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ 167,130	275,662	340,000	275,000
 <u>Public Safety</u>				
Police - 201				
Personal Services	\$ 3,403,108	4,010,372	4,293,727	4,329,846
Services and Supplies	1,093,970	1,191,235	1,163,000	1,419,558
Capital Outlay	25,985	77,698	5,000	5,000
Total:	\$ 4,523,063	5,279,305	5,461,727	5,754,404
 Police - Animal Control - 202				
Personal Services	\$ 149,257	163,239	201,315	210,197
Services and Supplies	28,942	47,885	51,500	45,375
Capital Outlay	-	-	-	-
Total:	\$ 178,199	211,124	252,815	255,572
 Fire - 203				
Personal Services	\$ 1,979,554	2,571,513	2,889,678	2,952,931
Services and Supplies	587,735	711,968	645,625	638,760
Capital Outlay	-	-	-	-
Total:	\$ 2,567,289	3,283,481	3,535,303	3,591,691
 <u>Community Development</u>				
Planning - 301				
Personal Services	\$ 319,847	333,165	355,595	269,575
Services and Supplies	172,363	120,522	64,200	44,368
Capital Outlay	-	-	-	-
Total:	\$ 492,210	453,687	419,795	313,943

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund**

Departmental Expenditure Account Detail

	<u>Actual FY 2020-21</u>	<u>Actual FY 2021-22</u>	<u>Mid-Year Budget FY 2022-23</u>	<u>Prelim. Budget FY 2023-24</u>
Building - 302				
Personal Services	\$ 361,010	268,196	434,368	436,119
Services and Supplies	113,802	166,243	76,750	67,601
Capital Outlay	-	-	-	-
Total:	\$ 474,812	434,439	511,118	503,720
 <u>Public Works</u>				
Engineering - 401				
Personal Services	\$ 350,213	307,278	351,015	405,850
Services and Supplies	20,185	26,023	12,000	12,165
Capital Outlay	-	-	-	-
Total:	\$ 370,398	333,301	363,015	418,015
 Facilities - 404				
Personal Services	\$ 73,144	76,043	79,290	82,347
Services and Supplies	39,217	35,800	54,100	44,687
Capital Outlay	-	32,837	-	-
Total:	\$ 112,361	144,680	133,390	127,034
 Fleet Services - 403				
Personal Services	\$ 149,354	187,805	237,981	201,287
Services and Supplies	72,719	73,498	66,000	66,990
Capital Outlay	-	-	-	-
Total:	\$ 222,073	261,303	303,981	268,277
 Streets - 402				
Personal Services	\$ 343,974	371,749	366,855	442,729
Services and Supplies	130,257	132,368	118,000	119,740
Capital Outlay	-	-	-	-
Total:	\$ 474,231	504,117	484,855	562,469

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund**

Departmental Expenditure Account Detail

	<u>Actual FY 2020-21</u>	<u>Actual FY 2021-22</u>	<u>Mid-Year Budget FY 2022-23</u>	<u>Prelim. Budget FY 2023-24</u>
<u>Parks and Recreation</u>				
Swimming Pool - 502				
Personal Services	\$ 16,067	14,789	16,113	15,397
Services and Supplies	15,639	4,815	43,855	43,898
Capital Outlay	-	-	-	-
Total:	\$ 31,706	19,604	59,968	59,295
Parks Maintenance - 501 / 504				
Personal Services	\$ 202,763	212,024	238,820	218,982
Services and Supplies	76,261	195,665	220,000	186,725
Capital Outlay	-	-	-	-
Total:	\$ 279,024	407,689	458,820	405,707
Recreation - XX (In Parks FY 2020-21 Amended)				
Personal Services	\$ -	-	-	-
Services and Supplies	-	-	-	-
Capital Outlay	-	-	-	-
Total:	\$ -	-	-	-
<u>Non-Departmental / Other</u>				
Non-Departmental - 601				
Personal Services	\$ 440,487	521,976	549,257	240,000
Services and Supplies	1,140,468	1,150,652	1,213,002	1,165,775
Cost Allocation	-	-	-	-
Appropriation for Contingency	95,843	278,772	250,000	150,000
Appropriation from Designated Reserves	-	-	320,000	-
Reimbursable Costs	-	-	-	-
Capital Outlay	-	-	400,000	-
Total:	\$ 1,676,798	1,951,400	2,732,259	1,555,775

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
General Fund**

Departmental Expenditure Account Detail

	<u>Actual FY 2020-21</u>	<u>Actual FY 2021-22</u>	<u>Mid-Year Budget FY 2022-23</u>	<u>Prelim. Budget FY 2023-24</u>
Debt Service - 5275				
Facility Improvements	\$ -	-	-	-
Pension Obligation Bonds	908,914	890,491	890,326	906,633
Opterra Solar / Backhoe Leases	110,190	97,732	136,295	134,825
Total:	\$ 1,019,104	988,223	1,026,621	1,041,458
Transfers Out - 5899				
Capital Projects - Fund 180	\$ 192,326	45,501	135,000	85,000
Vehicle Replacement - Fund 310	-	-	-	-
Fire Reserve Fund - Fund 121	-	-	-	-
Dorsey Marketplace - 6208 <i>(Reimbursed)</i>	-	-	-	-
Total:	\$ 192,326	45,501	135,000	85,000
Total Appropriations - General Fund	\$ 13,992,552	\$ 15,827,390	\$ 17,502,605	\$ 16,563,472
Total Personal Services:	\$ 8,415,720	\$ 9,821,298	\$ 10,840,754	\$ 10,710,910
Total Services and Supplies:	4,106,490	4,762,568	4,638,648	4,686,850
Total Cost Allocations:	-	(196,149)	(163,418)	(165,746)
Total Capital Outlay:	163,069	127,177	455,000	55,000
Total Debt Service:	1,019,104	988,223	1,026,621	1,041,458
Total Appropriation Of Designated Reserves:	-	-	-	-
Total Reimbursable Costs:	-	-	-	-
Total Transfers Out:	192,326	45,501	135,000	85,000
Total Appropriation For Contingency:	95,843	278,772	250,000	250,000

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Measure E Fund (Fund 200)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Measure N Sales Tax	\$ -	-	-	-
Measure E Sales Tax	6,634,724	6,987,724	6,900,000	7,250,000
Fire Department Response Reimbursement	23,087	3,576	5,000	5,000
Interest Income	17,371	16,131	25,000	25,000
Other Income	5,790	227,362	-	-
	<u>\$ 6,680,972</u>	<u>7,234,793</u>	<u>6,930,000</u>	<u>7,280,000</u>
Expenditures:				
Police - Personal Services	\$ 1,442,142	1,474,359	1,628,988	1,596,647
Police - Non-Personal Services	46,818	129,807	188,475	195,975
Fire - Personal Services	902,742	1,351,543	1,247,207	1,554,398
Fire - Non-Personal Services	95,286	129,072	175,204	168,894
Public Works - Personal Services	-	-	-	-
Public Works - Non-Personal Services	20,433	34,560	-	-
Safety - CalPERS UAAL Amortization	253,308	312,237	194,586	124,036
Safety - Liability Insurance	58,965	70,688	92,121	84,779
Safety - Worker's Compensation Costs	43,734	71,990	59,644	61,135
	-	-	-	-
Police - Capital Outlay	\$ 129,937	283,037	725,000	250,000
Fire - Capital Outlay	265,298	89,489	238,913	981,913
Debt Service - Parks Funding	-	-	654,000	654,000
Direct Capital Outlay - Streets / Parks / PS	1,011,674	1,794,564	900,000	975,000
Transfers Out - Capital Projects Fund	916,780	1,445,910	1,625,000	3,600,000
Transfers Out - Gas Tax Fund	-	-	368,269	-
	<u>\$ 5,187,117</u>	<u>7,187,256</u>	<u>8,097,407</u>	<u>10,246,777</u>
Excess (deficit) of revenues over expenditures	\$ 1,493,855	47,537	(1,167,407)	(2,966,777)
Beginning Fund Balance	\$ 2,933,713	4,427,568	4,475,105	3,307,698
Ending Fund Balance	<u>\$ 4,427,568</u>	<u>4,475,105</u>	<u>3,307,698</u>	<u>340,921</u>

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Measure E Fund (Fund 200)**

Capital Expenditure Detail

Capital Expenditures	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Police Capital - Vehicles / Buildout	\$ 118,900	215,325	175,000	200,000
Police Capital - Equipment	11,037	67,712	50,000	50,000
Fire Capital - Fire Truck	-	-	-	928,000
Fire Capital - Vehicles / Buildout	8,311	8,429	213,913	53,913
Fire Capital - Equipment / Radios	256,987	81,060	25,000	-
63910 - Police Dept. Radio Infrastructure	6,428	921,984	500,000	-
64100 - Lyman Gilmore Field	-	-	-	-
64110 - Park Bathrooms	-	-	-	-
64130 - Minnie Park / Memorial Park Projects	-	-	-	-
64140 - Measure E Park Projects / Maintenance	1,005,246	872,580	200,000	875,000
63350 - Wolf Creek Train Eng / Enivoronmental	-	-	-	100,000
XXXX - Condon Parking Lot Improvement	-	-	200,000	-
66100 - Bank Street Park Playground Upgrade	-	-	500,000	-
Trf to Gas Tax 61220 - Annual Street Mtc	-	-	368,269	-
Trf to Capital 66101 - Sierra College Fields	-	-	-	1,300,000
Trf to Capital 61220 - Annual Street Mtc	-	-	50,000	-
Trf to Capital 61330 - Annual Street Rehab	38,726	389,156	-	-
Trf to Capital 61420 - Pavement Mgmt Plan	1,699	-	-	50,000
Trf to Capital 63850 - Measure E Street Projects	806,290	-	100,000	2,000,000
Trf to Capital 64140 - Measure E Parks	60,017	47,008	75,000	-
Trf to Capital 64150 - Memorial Park Pool / Fac	10,048	748,883	400,000	-
Trf to Capital 63370 - Condon Connector	-	-	-	-
Trf to Capital 63420 - City Hall / GVPD Video	-	-	-	-
Trf to Capital 63440 - Mill Street Pkg Lot	-	5,601	-	-
Trf to Capital 63850 - Measure E Park Projects	-	9,636	-	-
Trf to Capital 66005 - Mill Street Ped Plaza	-	-	1,000,000	200,000
Trf to Capital 66006 - Slate Creek Drainage	-	243,014	-	-
Trf to Capital 66007 - HSIP Improvements	-	2,612	-	50,000
	\$ 2,323,689	3,613,000	3,857,182	5,806,913

FY 2023-24 Staff Allocations - Measure E Fund:

Police Department - 10.9 FTE
Fire Department - 11.2 FTE

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Water Fund (Fund 500)

	Actuals FY 2020-21	Actuals FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Water User Fees	\$ 2,241,783	2,148,476	2,200,000	2,200,000
Water Connection Fees	184,881	23,000	34,319	10,000
Lease Revenues	45,707	50,843	50,000	50,000
Interest Earnings	126,435	13,234	30,000	40,000
Miscellaneous Revenues	25	1,548	3,000	3,000
Proceeds of Debt	-	-	-	-
Transfers In From Other Funds	-	-	-	-
	<u>\$ 2,598,831</u>	<u>2,237,101</u>	<u>2,317,319</u>	<u>2,303,000</u>
Expenditures:				
Administration - Personal Services	\$ 154,301	176,048	220,000	233,432
Administration - Non-Personal Services	195,826	132,346	190,000	190,000
Plant - Personal Services	179,566	142,825	165,000	157,633
Plant - Non-Personal Services	455,248	568,331	580,000	580,000
Distribution - Personal Services	183,765	183,134	180,000	217,065
Distribution - Non-Personal Services	152,723	193,708	140,000	140,000
CalPERS UAAL Payment	11,136	22,276	26,428	-
Workers Compensation Expenses	11,376	11,904	20,000	20,000
Debt Service	329,547	402,401	400,680	358,910
Information Technology Cost Allocation	-	98,074	81,709	82,873
Capital Outlay	1,172	28,378	-	-
Capital Expenses	114,845	210,435	165,000	2,280,000
Transfers Out - Capital Projects Fund	29,650	-	700,000	-
	<u>\$ 1,819,155</u>	<u>2,169,860</u>	<u>2,868,817</u>	<u>4,259,913</u>
Excess (deficit) of revenues over expenditures	\$ 779,676	67,241	(551,498)	(1,956,913)
Beginning Fund Balance	\$ 2,805,306	3,584,982	3,652,223	3,100,725
Ending Fund Balance	<u>\$ 3,584,982</u>	<u>3,652,223</u>	<u>3,100,725</u>	<u>1,143,812</u>
Reserved Fund Balance:				
Safe Drinking Water Loan Debt Svc. Reserve	\$ 148,700	148,700	148,700	148,700
Trustee Cash - Capital Leases Payable	-	-	-	-
Pension Reserve	75,000	75,000	75,000	75,000
Working Capital Reserve	325,000	325,000	325,000	250,000
Water System Reinvestment Reserve	360,663	360,663	360,663	360,663
Emergency Reserve	300,000	300,000	300,000	300,000
Connection Fee Capital Reserve	-	-	-	-
Unobligated Fund Balance	<u>\$ 2,375,619</u>	<u>2,442,860</u>	<u>1,891,362</u>	<u>9,449</u>

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Water Fund (Fund 500)**

Capital Expenditure Detail

Capital Expenditures	Actuals FY 2020-21	Actuals FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Trf Capital 61430 - Financial System Replemt	\$ 29,650	-	-	-
Trf Capital 64150 - Memorial Park CDBG Project	-	-	700,000	-
XXXX - Water Line Repl - Linden / Church	-	-	-	530,000
65240 - Water Systems Plan	-	-	-	50,000
65280 - 2011 Water Line (Depot Street)	-	-	-	600,000
65300 - Broadview Heights Booster Stn	-	-	-	250,000
65330 - Water Treatment Plant Maintenance	54,105	-	5,000	250,000
65340 - Annual Water System Maintenance	60,727	191,565	150,000	250,000
65340X - Water Sampling Station Rplcmts	-	-	-	250,000
65350 - Annual Flushing Program	-	-	-	100,000
65230 - Water Rate Impact Fee Study	-	18,870	10,000	-
65370 - Richardson St Line Replacement	13	-	-	-
	\$ 144,495	210,435	865,000	2,280,000

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Sewer Fund (Fund 510)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Wastewater Service Fees	\$ 4,792,139	4,910,741	4,750,000	4,750,000
Industrial Waste Permits	362,183	243,645	250,000	250,000
Sewer Connection Fees	428,155	177,005	406,351	50,000
Grants	1,513,809	-	-	-
Lease Agreement Revenues	-	-	-	-
Miscellaneous Revenues	-	-	-	-
Interest Earnings	16,668	25,878	75,000	225,000
Expense Reimbursements	-	-	-	-
Gain on Sales of Assets	-	-	-	-
Transfers In From Other Funds	-	-	-	-
	<u>\$ 7,112,954</u>	<u>5,357,269</u>	<u>5,481,351</u>	<u>5,275,000</u>
Expenditures:				
Administration - Personal Services	\$ 182,033	230,279	260,000	296,471
Administration - Non-Personal Services	385,774	263,491	325,000	325,000
Plant - Personal Services	784,471	597,945	640,000	611,153
Plant - Non-Personal Services	1,259,149	998,174	1,350,000	1,350,000
Collection - Personal Services	184,535	118,085	160,000	172,296
Collection - Non-Personal Services	90,433	168,376	80,000	80,000
CalPERS UAAL Payment	32,675	48,726	44,844	-
Workers Compensation Costs	28,994	22,774	32,575	33,000
Debt Service	1,448,310	1,515,867	1,467,153	931,589
Information Technology Cost Allocation	-	98,074	81,709	82,873
Other Expenses	-	-	-	-
Capital Outlay - Equipment	-	124,369	-	-
Capital Expenses	1,429,108	30,369	45,000	5,110,000
Transfers Out - Capital Projects Fund	29,650	-	-	-
	<u>\$ 5,855,132</u>	<u>4,216,529</u>	<u>4,486,281</u>	<u>8,992,382</u>
Excess (deficit) of revenues over expenditures	\$ 1,257,822	1,140,740	995,070	(3,717,382)
Beginning Fund Balance	\$ 5,948,751	7,206,573	8,347,313	9,342,383
Ending Fund Balance	<u>\$ 7,206,573</u>	<u>8,347,313</u>	<u>9,342,383</u>	<u>5,625,001</u>
Reserved Fund Balance:				
Bond Reserve	\$ -	-	-	-
Trustee Cash - Leases and Other Debt	1,109,052	585,453	-	-
FHMA Debt Service Reserve	134,362	134,362	134,362	134,362
Glenbrook Sewer Improvement Reserve	-	-	-	-
Working Capital Reserve	850,000	850,000	850,000	850,000
Pension Reserve	175,000	175,000	175,000	175,000
System Reinvestment Reserve	1,735,887	1,735,887	1,735,887	1,735,887
Emergency Reserve	750,000	750,000	750,000	750,000
Connection Fee Capital Reserve	-	-	-	-
Unobligated Fund Balance	<u>\$ 2,452,272</u>	<u>4,116,611</u>	<u>5,697,134</u>	<u>1,979,752</u>

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Sewer Fund (Fund 510)**

Capital Expenditure Detail

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Capital Expenditures				
Trf Capital 61430 - Financial System Replcmt	\$ 29,650	-	-	-
66590 - NPDES 2008-13	-	-	-	60,000
66820 - Annual Sewer Maintenance	20,157	895	15,000	200,000
66890 - Annual WWTP Projects	154,261	141	5,000	2,200,000
66960 - 2018 WWTP Improvements Project	1,247,245	-	5,000	50,000
66940 - Slate Creek Lift Station	7,445	4,711	5,000	600,000
XXXX - Sewer Lining Project	-	-	-	2,000,000
65230 - Sewer Rate Study	-	24,622	15,000	-
	\$ 1,458,758	30,369	45,000	5,110,000

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Capital Projects Fund (Fund 300)

Revenues:	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Federal Aid / FEMA	-	-	-	-
Misc. Intergovernmental Revenue	-	-	608,687	-
RSTP Funding	240,000	150,000	-	300,000
HSIP Funding	-	-	-	250,000
Miscellaneous Grants	532,645	-	50,590	750,000
CARES Act Funding	158,846	-	-	-
CDBG Federal Grant	-	2,416,473	600,000	-
CMAQ / SRF / HBSP / ATP Misc Grant Revenues	457,846	21,719	120,000	1,315,000
General Expense Reimbursements	5,146	3,506	3,000	-
General Fund Direct Funding (Mill St Ped Plz)	-	-	400,000	-
General Fund Reserve Funding (Fuel Stn)	-	-	320,000	-
Transfers In - General Fund	192,326	45,501	135,000	85,000
Transfer In - Measure E Fund	916,780	1,445,911	1,625,000	3,600,000
Transfer In - Gas Tax Fund	631,620	187,005	1,010,000	845,000
Transfers In - Mitigation Fee Fund	-	-	571,621	2,356,181
Transfers In - Spl Proj Fund	1,324,385	688,038	5,510,329	3,000,000
Transfers In - Water Fund	29,650	-	700,000	-
Transfers In - Sewer Fund	29,650	-	-	-
Transfers In - Animal Shelter Fund	-	-	-	-
CDBG Funding	366,094	393,906	-	-
	<u>4,884,988</u>	<u>5,352,059</u>	<u>11,654,227</u>	<u>12,501,181</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Capital Projects Fund (Fund 300)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Capital Projects Expenditures:				
Undistributed Capital	-	34,222	-	-
61100 - Storm Drain Plan	-	-	-	300,000
61220 - 2009 Street Maintenance Projects	122,296	11,631	150,000	220,000
61330 - Annual Street Rehabilitation	783,426	714,156	850,000	595,000
61360 - Annual Storm Drain Maintenance	46,379	23,518	35,000	35,000
61380 - COVID-19 Expenditures	156,214	-	-	-
61390 - PSPS Grant Projects	43,324	3,938	-	-
61400 - ARPA Expenditures	4,559	112,637	-	-
61420 - Pavement Mngt Plan	1,699	-	-	100,000
61430 - Financial System Replacement	163,124	-	-	-
61450 - Memorial Park Pool Renovation	10,048	5,548	-	-
62610 - NCTC Planning	5,707	3,701	3,000	-
XXXX - Condon / Scotten Field	-	-	3,000,000	-
XXXX - Sierra College Field	-	-	-	4,300,000
63260 - Storm Damage / Repairs	206,259	13,794	-	-
63270 - Peabody Creek Restoration	53,415	-	-	-
63280 - 2021 Winter Storm Damage	-	514,362	165,150	-
63300 - Main Street Resealing	-	-	-	200,000
63350 - Wolf Creek Trail Project Study Report	49,129	109,144	120,000	-
63370 - Condon Connector	461,327	-	-	-
63440 - Mill Streert Parking Lot	4,189	5,600	10,000	506,181
63450 - McCourtney Road Ped Imp	2,004	-	10,000	950,000
63451 - Bennett & Ophir Circulation	-	-	-	200,000
63452 - Centennial Drive Realignment	-	-	-	1,200,000
XXXX - S Auburn / Colfax Roundabout	-	-	-	300,000
63630 - Annual Sidewalk Repairs / Maintenance	4,324	374	25,000	30,000
63740 - Florance Avenue Project	-	-	-	-
63750 - Playground Maintenance Projects	162	-	50,000	50,000
XXXX - Bennett Street Bridge	-	-	35,000	115,000
63820 - Maston Creek Phase I	-	-	-	150,000
63850 - Measure E Street Rehabilitation	806,290	9,636	100,000	2,000,000
63900 - Aerial Survey Update	39,959	7,993	-	-
61390 - Fuel Station Installation	-	-	360,000	-
64140 - Meas. E Park Prj (Condon Skate Park)	60,016	47,008	75,000	750,000
64150 - CDBG Memorial Park Facility Impv	366,094	3,553,714	1,700,000	-
66005 - Mill Street Pedestrian Plaza	2,030	575,421	4,471,950	200,000
66007 - HSIP Improvements	-	2,611	-	300,000
66006 - Slate Creek Drainage	-	243,014	-	-
	<u>3,391,974</u>	<u>5,992,022</u>	<u>11,160,100</u>	<u>12,501,181</u>
Excess (deficit) of revenues over expenditures	1,493,014	(639,963)	494,127	-
Beginning Fund Balance	(1,389,399)	103,615	(536,348)	(42,221)
Ending Fund Balance	<u>103,615</u>	<u>(536,348)</u>	<u>(42,221)</u>	<u>(42,221)</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Special Projects Fund (Fund 310)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Intergovernmental Revenue	\$ -	404,523	1,950,000	-
RTMF Reimbursements	124,000	307,666	-	-
Debt Proceeds - Parks Projects	-	6,003,493	-	-
ARPA Funding	-	1,533,049	1,533,049	-
Interest Earnings	5,038	24,094	500	150,000
	<u>\$ 129,038</u>	<u>8,272,825</u>	<u>3,483,549</u>	<u>150,000</u>
Expenditures:				
Streets Materials Costs	\$ -	35,828	-	-
Purchase of Property	-	-	-	-
Capital Outlay - Parking Lot Construction	-	-	-	-
Trf to Capital - XXXX - Sierra College Field	-	-	-	3,000,000
Trf to Capital 64140 - Condon / Scotten Turf	-	-	3,000,000	-
Trf to Capital 63260 - Storm Damage Repairs	1,320,196	-	-	-
Trf to Capital 66005 - Mill Street Ped Plaza	-	575,421	2,510,329	-
Trf to Capital 61400 - ARPA Expenditures	-	112,617	-	-
Trf to Capital 63440 - Mill Street Parking Lot	4,189	-	-	-
	<u>\$ 1,324,385</u>	<u>723,866</u>	<u>5,510,329</u>	<u>3,000,000</u>
Excess (deficit) of revenues over expenditures	\$ (1,195,347)	7,548,959	(2,026,780)	(2,850,000)
Beginning Fund Balance	\$ 1,661,406	466,059	8,015,018	5,988,238
Ending Fund Balance	<u>\$ 466,059</u>	<u>8,015,018</u>	<u>5,988,238</u>	<u>3,138,238</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Gas Tax Fund (Fund 201)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Section 2103 Apportionment	\$ 85,832	102,053	116,885	134,935
Section 2105 Apportionment	65,543	71,718	82,164	89,355
Section 2106 Apportionment	92,323	107,667	106,233	115,282
Section 2107 Apportionment	88,690	79,655	98,427	107,327
Section 2107.5 Apportionment	3,000	3,000	3,000	3,000
Road Repair / Accountability Act / Loan Repay	238,498	263,269	295,329	336,615
Proposition 42 Local Improvements	-	-	-	-
LTF / RSTP Funding (NCTC Pass-Through)	-	-	-	-
Transfers In - Measure E Fund	-	-	263,269	-
Interest Earnings	3,497	1,528	5,000	5,000
	<u>\$ 577,383</u>	<u>628,890</u>	<u>970,307</u>	<u>791,514</u>
Expenditures:				
Capital Outlay - Street Sweeper	\$ -	-	-	-
Transfers Out - General Fund	-	-	3,000	3,000
Transfers Out - Traffic Safety Fund	175,147	134,079	140,000	136,800
Transfers Out - Capital Projects Fund	631,620	187,005	1,010,000	845,000
	<u>\$ 806,767</u>	<u>321,084</u>	<u>1,153,000</u>	<u>984,800</u>
Excess (deficit) of revenues over expenditures	\$ (229,384)	307,806	(182,693)	(193,286)
Beginning Fund Balance	\$ 324,017	94,633	402,439	219,746
Ending Fund Balance	<u>\$ 94,633</u>	<u>402,439</u>	<u>219,746</u>	<u>26,460</u>

Capital Expenditure Detail

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Capital Expenditures				
Trf to Capital 61220 - Street Maintenance	\$ 122,296	11,631	100,000	220,000
Trf to Capital 61300 - Dorsey Drive	-	-	-	-
Trf to Capital 61330 - Street Rehab	505,000	175,000	850,000	295,000
Trf to Capital 61420 - Pavement Mgt Plan	-	-	-	50,000
Trf to Capital 63630 - Annual Sidewalks	4,324	374	25,000	30,000
Trf to Capital 63350 - Wolf Creek Trail	-	-	-	-
Trf to Capital 63450 - McCourtney Road ATP	-	-	-	10,000
Trf to Capital XXXX - Main Street Resealing	-	-	-	200,000
Trf to Capital XXXX - Bennett St Bridge	-	-	35,000	40,000
	<u>\$ 631,620</u>	<u>187,005</u>	<u>1,010,000</u>	<u>845,000</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Traffic Safety Fund (Fund 202)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Parking Citation Revenue	\$ 19,452	25,500	20,000	20,000
Transfer In - Gas Tax Fund	175,147	134,079	140,000	136,800
Expense Reimbursements	-	-	-	-
Interest Earnings	(90)	-	100	100
	<u>\$ 194,509</u>	<u>159,579</u>	<u>160,100</u>	<u>156,900</u>
Expenditures:				
Utilities Costs	\$ 108,076	119,600	125,000	130,000
Professional Services / Contracts	52,408	41,500	30,000	30,000
Parking Citations	-	-	1,000	1,000
	<u>\$ 160,484</u>	<u>161,100</u>	<u>156,000</u>	<u>161,000</u>
Excess (deficit) of revenues over expenditures	\$ 34,025	(1,521)	4,100	(4,100)
Beginning Fund Balance	\$ (32,504)	1,521	-	4,100
Ending Fund Balance	<u>\$ 1,521</u>	<u>-</u>	<u>4,100</u>	<u>-</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Developer Impact Fee Fund (Fund 206)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Local Drainage Impact Fees	\$ 38,625	10,591	10,440	-
Parking in Lieu Fees	-	14,518	-	-
Fire Services Impact Fees	64,197	14,461	7,846	-
Police Services Impact Fees	25,249	7,144	7,841	-
Admin / General Facilities Impact Fees	34,525	7,245	2,602	-
Subdivision Map Act Fees	4,700	-	-	-
Regional Circulation Impact Fees	3,902	-	-	-
Regional Storm Drainage Impact Fees	-	-	-	-
Parks / Recreation Impact Fees	205,840	37,932	16,019	-
GV Transportation Improvement Impact Fees	231,586	53,300	157,859	-
GV Transportation Administrative Fees	6,137	529	1,579	-
Glenbrook Basin Traffic Impact Fees	1,388	1,729	4,004	-
McKnight Way Recapture Impact Fees	5,580	-	-	-
Interest Earnings	28,391	14,098	75,000	75,000
	<u>\$ 650,120</u>	<u>161,547</u>	<u>283,190</u>	<u>75,000</u>
Expenditures:				
Police Department Capital Outlay	\$ -	17,795	-	-
Fire Department Capital Outlay	-	103,828	-	-
City Hall / Park Impvmts Capital Outlay	-	24,157	-	-
Property Purchase / Regional Circulation	-	284,996	269,436	-
Transfers Out - General Fund	-	-	-	-
Net Transfers Out - Capital Projects Fund	-	-	571,621	2,356,181
	<u>\$ -</u>	<u>430,776</u>	<u>841,057</u>	<u>2,356,181</u>
Excess (deficit) of revenues over expenditures	\$ 650,120	(269,229)	(557,867)	(2,281,181)
Beginning Fund Balance	\$ 2,959,039	3,609,159	3,339,930	2,782,063
Ending Fund Balance	<u>\$ 3,609,159</u>	<u>3,339,930</u>	<u>2,782,063</u>	<u>500,882</u>

Capital Expenditure Detail

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Capital Expenditures				
Trf Capital 66005 - Mill Street Ped Mall.	\$ -	-	561,621	-
Trf Capital 61100 - Storm Drain Plan	-	-	-	300,000
Trf Capital 63452 - Centennial Dr Realignment	-	-	-	1,200,000
Trf Capital 63440 - Mill Street Parking Lot	-	-	10,000	506,181
Trf Capital 63420 - City Hall / PD Security	-	-	-	-
Trf Capital 63451 - Bennett & Ophir Circulation	-	-	-	200,000
Trf Capital 63750 - Playground Maintenance	-	-	-	-
Trf Capital 63770 - McKnight Analysis	-	-	-	-
Trf Capital 63970 - East Main Improvements	-	-	-	-
Trf Capital 63820 - Matson Creek Phase I	-	-	-	150,000
Trf Capital 63840 - WM/S/C Ped Impvmets	-	-	-	-
Trf Capital 63870 - GVTIF Update	-	-	-	-
Trf Capital 63360 - Wolf Creek Trail	-	-	-	-
	<u>\$ -</u>	<u>-</u>	<u>571,621</u>	<u>2,356,181</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Developer Impact Fee Fund (Fund 206)

Fund Balance Detail

Fund Balances	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Reserve for Parking In Lieu	\$ 75,152	89,670	-	-
Reserve for Local Circulation	471,951	471,951	-	-
Reserve for Local Drainage	279,872	290,463	300,903	903
Reserve for Police Services	45,736	35,085	42,926	42,926
Reserve for Fire Services	101,592	12,225	20,071	20,071
Reserve for Admin / General Facilities	71,759	79,004	81,606	81,606
Reserve for Regional Circulation	801,177	516,181	506,181	-
Reserve for Regional Drainage	153,994	153,994	153,994	3,994
Reserve for Parks and Recreation	266,011	303,943	50,526	50,526
Reserve for SMA Map Act Fees	39,292	39,292	39,292	39,292
Reserve for GVTIF	1,261,370	1,314,670	1,472,529	72,529
Reserve for GVTIF Administration	27,407	27,936	29,515	29,515
Reserve for Glenbrook Basin	5,032	6,761	10,765	10,765
Reserve for Glenbrook Basin Administration	268	268	268	268
Reserve for McKnight Recapture	15,958	15,958	15,958	15,958
Unobligated Fund Balance	(7,412)	(17,471)	57,529	132,529
	\$ 3,609,159	3,339,930	2,782,063	500,882

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Fire Reserve Fund (Fund 203)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Strike Team Revenues	\$ 131,212	107,230	50,000	50,000
Other Revenues	-	899	-	-
Interest Earnings	825	972	2,000	2,000
	<u>\$ 132,037</u>	<u>109,101</u>	<u>52,000</u>	<u>52,000</u>
Expenditures:				
Fire Department Expenditures	\$ 27,359	70,554	100,000	100,000
	<u>\$ 27,359</u>	<u>70,554</u>	<u>100,000</u>	<u>100,000</u>
Excess (deficit) of revenues over expenditures	\$ 104,678	38,547	(48,000)	(48,000)
Beginning Fund Balance	\$ 82,234	186,912	225,459	177,459
Fund Balance Reserved - Nev. City Apparatus	\$ -	15,000	15,000	15,000
Ending Fund Balance	<u>\$ 186,912</u>	<u>210,459</u>	<u>162,459</u>	<u>114,459</u>

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
DUI Grant Fund (Fund 204)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Other Revenues	\$ -	-	-	-
Interest Earnings	14	11	25	25
	<u>\$ 14</u>	<u>11</u>	<u>25</u>	<u>25</u>
Expenditures:				
Safety Expenditures	\$ -	-	-	-
	<u>\$ -</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess (deficit) of revenues over expenditures	\$ 14	11	25	25
Beginning Fund Balance	\$ 4,515	4,529	4,540	4,565
Ending Fund Balance	<u>\$ 4,529</u>	<u>4,540</u>	<u>4,565</u>	<u>4,590</u>

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
EPA Site Grant Fund (Fund 205)**

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Grant Revenues	120,424	114,041	74,599	500,000
Interest Earnings	-	-	-	-
	120,424	114,041	74,599	500,000
Expenditures:				
EPA Site Assessment Expenditures	121,841	122,632	51,438	500,000
	121,841	122,632	51,438	500,000
Excess (deficit) of revenues over expenditures	(1,417)	(8,591)	23,161	-
Beginning Fund Balance	(13,153)	(14,570)	(23,161)	-
Ending Fund Balance	(14,570)	(23,161)	-	-

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Vehicle Replacement Fund (Fund 225)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Transfers In - General Fund	\$ -	-	-	-
Transfers In - Measure N Fund	-	-	-	-
Other Revenues - Surplus Sales	131,249	14,585	-	-
Interest Earnings	12	190	-	-
	\$ 131,261	14,775	-	-
Expenditures:				
Capital Outlay - Vehicle Replacement	\$ -	110,842	-	-
Vehicle Lease Expenses	31,476	36,556	34,962	2,694
	\$ 31,476	147,398	34,962	2,694
Excess (deficit) of revenues over expenditures	\$ 99,785	(132,623)	(34,962)	(2,694)
Beginning Fund Balance	\$ 70,494	170,279	37,656	2,694
Ending Fund Balance	\$ 170,279	37,656	2,694	-

City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
E. Daniels Park Fund (Fund 450)

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Other Revenues	\$ -	-	-	-
Interest Earnings	316	418	1,000	2,500
	<u>\$ 316</u>	<u>418</u>	<u>1,000</u>	<u>2,500</u>
Expenditures:				
Park Expenditures	\$ -	-	-	-
	<u>\$ -</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess (deficit) of revenues over expenditures	\$ 316	418	1,000	2,500
Beginning Fund Balance	\$ 101,409	101,725	102,143	103,143
Ending Fund Balance	<u>\$ 101,725</u>	<u>102,143</u>	<u>103,143</u>	<u>105,643</u>

**City of Grass Valley
Fiscal Year 2023-24 Preliminary Budget
Animal Shelter Fund (Fund 451)**

	Actual FY 2020-21	Actual FY 2021-22	Mid-Year Budget FY 2022-23	Prelim. Budget FY 2023-24
Revenues:				
Other Revenues	\$ -	-	-	-
Interest Earnings	3	22	-	-
	<u>\$ 3</u>	<u>22</u>	<u>-</u>	<u>-</u>
Expenditures:				
Police Expenditures	\$ -	4,895	-	2,145
Trf to Capital - 63420 - City Hall / GVPS Security	-	-	-	-
	<u>\$ -</u>	<u>4,895</u>	<u>-</u>	<u>2,145</u>
Excess (deficit) of revenues over expenditures	\$ 3	(4,873)	-	(2,145)
Beginning Fund Balance	\$ 7,015	7,018	2,145	2,145
Ending Fund Balance	<u>\$ 7,018</u>	<u>2,145</u>	<u>2,145</u>	<u>-</u>