NOTICE OF CLOSED SESSION MEETING

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF GRASS VALLEY WILL

HOLD A CLOSED SESSION MEETING ON TUESDAY, APRIL 10, 2018 AT 6:30 PM IN THE

MAYOR’S CONFERENCE ROOM OF GRASS VALLEY CITY HALL, 125 EAST MAIN

STREET, GRASS VALLEY, CA 94945

Call to Order: 6:30 pm
Roll Call: Council Members Aguilar, Arbuckle, Fouyer, Swarthout and Mayor Levine were all present.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
   (Gov. Code § 54956.8)

   Property: 600 Freeman Lane
   Negotiating parties: Tripp’s Auto Body Shop and Tripp’s Auto Body and Paint Shop, Inc.
   Under negotiation: Price and terms

2. LIABILITY CLAIMS
   (Gov. Code § 54956.95)

   Claimant: Tripp’s Auto Body Shop and Tripp’s Auto Body and Paint Shop, Inc.
   Name of Claimant
   Claim Against: X City of Grass Valley
   City / Agency

3. Conference with Legal Counsel; Initiation of Litigation
   (Gov. Code § 54956.9(d)(4))

   Number of Potential Cases: 1

Adjourn: 6:57 pm
A. CALL TO ORDER: 7:00 pm
PLEDGE OF ALLEGIANCE: Dan Landon
ROLL CALL: Council Members Aguilar, Arbuckle, Fouyer, Swarthout and Mayor Levine were all present

B. AGENDA APPROVAL
No changes were made

C. REPORT OUT OF CLOSED SESSION
No reportable action was taken

D. INTRODUCTIONS AND PRESENTATIONS
1. Presentation of California Highway Patrol Operations
   RECOMMENDATION: Presentation only. No action required.
   Lieutenant George Stefansson of the California Highway Patrol Operations in Grass Valley made a presentation to the Council regarding local operations.

E. PUBLIC COMMENT
Police Chief Alex Gammelgard came forward and spoke regarding the Aegis Methadone Clinic on Margaret Lane. He said they have been having meetings with the Neighbors and the Clinic and are working to build a strong partnership with both and that the next meeting is scheduled for April 19th.
Elizabeth Poston, 232 Main Street, came forward and spoke in support of Measure E. She is a member of the Measure E Committee that brought this measure forward “Citizens for the Future of Grass Valley”. Judy Lantz, 417 Kate Hayes Street, came forward and spoke regarding the Soccer League and said they are looking for land for additional fields. She invited City Council Members to their opening day which set for July 28 from 10:00 am to 2:00 pm at the Nevada Union Turf Field.
Laura Patt, who owns a business at 123 Margaret Lane, spoke in opposition of the location of the Aegis
Methadone Clinic. Patti Galle, 120 Race Street, came forward and spoke in favor of Measure E and encouraged voting yes for Measure E.
Terry Matthew 103 Margaret lane spoke in opposition of the location of the Aegis Methadone Clinic.
Jonathan Keene, Wolf Creek Community Alliance came forward and spoke about “Know your Watershed Week, April 28 – May 6”. For additional information he said people could go to www.knowyourwatershed.org on their computer.
Anna Yun, her parents live at 106 Margaret Lane, she spoke in opposition to the location of the Aegis Methadone Clinic.
Jean Yun, her parents live at 106 Margaret Lane, she spoke in opposition to the location of the Aegis Methadone Clinic.
Karen Bridger is a co-owner of a business at 101 Margaret Lane she spoke in opposition to the location of Aegis Methadone Clinic.
Ed Thomas, Morgan Ranch Drive, he spoke on the behalf of NEO and invited Council Members to a gratis Luncheon or Dinner on April 21st at 11:30 for lunch or 5:30 for dinner. They will be showing their facility expansion.
Dave Kozwalski, 108 Spree Avenue, spoke in opposition of the location of the Aegis Methadone Clinic.
Matthew Coulter, Grass Valley commented on the cost of rentals increasing up to high rates. He also commented on police and fire services being wasted.
The Mayor closed Public Comment.

F. CONSENT ITEMS – (roll call vote).
Council Member Fouyer recused himself from 3 due to a conflict of interest. Matthew Coulter asked that item 3 be removed from the consent agenda for separate consideration. Vice Mayor Swarthout moved to approve the consent agenda except for item 3 that was removed by Matthew Coulter. Council Member Aguilar seconded and the motion carried by a 5-0 roll call vote.

2. Approval of Action Minutes (closed session and regular meeting) of the City Council Meetings of March 27, 2018
RECOMMENDATION: Approve minutes as submitted.

3. Professional Services Agreement – American Rivers
RECOMMENDATION: That Council 1) award a professional services agreement to American Rivers, a non-profit organization, for oversight and assistance in the execution of the Peabody Creek Restoration Project, and 2) authorize the City Manager to execute the professional services agreement for a two-year period for a total amount not to exceed $123,000, subject to legal review.

4. Battalion Chief Eligibility List Extension
RECOMMENDATION: That Council 1) approve the extension of the eligibility list for Battalion Chief until December 31st, 2018 pursuant to Civil Service Rules and Regulations Section 5.7 (b).

5. Local Emergency Proclamation
RECOMMENDATION: Continuance of proclamation declaring a Local State of Emergency due to extreme weather.

6. Consideration of Four Revised and New Job Descriptions
RECOMMENDATION: Council take the following actions:
1. Approve the updated and amended flexibly staffed Community Services Officer I/II job description;
2. Approve the updated and amended flexibly staffed Community Services Analyst I/II job description;
3. Approve the revised Utility Maintenance Worker job description;
4. Approve the new Principal Planner job description;
5. Authorize the Finance Director to make the budget transfers or amendments as needed.

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

Professional Services Agreement – American Rivers

RECOMMENDATION: That Council 1) award a professional services agreement to American Rivers, a non-profit organization, for oversight and assistance in the execution of the Peabody Creek Restoration Project; and 2) authorize the City Manager to execute the professional services agreement for a two-year period for a total amount not to exceed $123,000, subject to legal review.

Council Member Fouyer recused himself from this item and left the Council Chambers.

Matthew Coulter commented that it is time to get real about waterways and stuff running down creeks. Vice Mayor Swarthout moved to 1) award a professional services agreement to American Rivers, a non-profit organization, for oversight and assistance in the execution of the Peabody Creek Restoration Project; and 2) authorize the City Manager to execute the professional services agreement for a two-year period for a total amount not to exceed $123,000, subject to legal review.

This item was requested to be removed from the consent agenda by Matthew Coulter for comments. Mr. Coulter spoke about run off from development and businesses into our creeks. Commented it is time to get real about waterways. Vice Mayor Swarthout moved to 1) award a professional services agreement to American Rivers, a non-profit organization, for oversight and assistance in the execution of the Peabody Creek Restoration Project; and 2) authorize the City Manager to execute the professional services agreement for a two-year period for a total amount not to exceed $123,000, subject to legal review.

Council Member Arbuckle seconded and the motion carried by a 4-0-1 voice vote. Council Member Fouyer abstained.

H. PUBLIC HEARING

7. Development Code Amendment (17PLN-35), Planning Commission recommendation to the City Council on amendments to the Development Code, including short-term rental units.

RECOMMENDATION: Conduct a public hearing and approve the amendments to the Development Code by: 1) introducing the ordinance amendments, Title 17 of the Grass Valley Municipal Code; and, 2) waiving the first reading of the ordinance in its entirety read by title only.

Mayor Levine recused himself from this item and left the Council Chambers due to a conflict of interest.

Tom Last presented this item to Council. The Mayor opened the public hearing. Ed Thomas, Morgan Ranch Drive, does not want limitations to go from 60 to 20. Matthew Coulter, Grass Valley, said it isn’t fair to cut down from 60 to 20. Matthew Gross, Brighton Street, don’t limit STR’s. Ralph Silberstein, Grass Valley spoke about needing clear language for hosting, hold the limit at 20 allowed. He also spoke about STR’s contributing to the housing shortage. Thinks a lottery system would work to choose who gets to have a STR. Thinks that the driving distance of the host be reduced from 30miles to 10 miles. Would like Open Space zoning in parks to be changed to Recreation. Elizabeth Poston, 232 Main Street, said that STR’s are not a detriment to hotels Limiting to 20 seems crazy, considering we have 50 to 60 already.
Justin Gross, 959 Butler Street, said he was shocked that Community Development had not gone out to look at short term rentals. Does not think they should be limited to 20. The Mayor closed the Public Hearing. Council Member Fouyer moved to 1) introduce the ordinance amendments, Title 17 of the Grass Valley Municipal Code; and, 2) waiving the first reading of the ordinance in its entirety read by title only and to not put a limit on Short Term Rentals revisit in 6 months. Also remove the zoning in the parks and deal with it separately. Council Member Aguilar seconded and the motion carried by 3-1-1 roll call vote with Council Member Swarthout voting no and Mayor Levine abstaining.

I. ADMINISTRATIVE

8. Community Funding Requests

RECOMMENDATION: That the City Council consider community group funding request presentations and direct staff on desired funding for the Fiscal Year 2018/19.

The Mayor introduced this item and the following groups came forward to request funding for help with their group: Center for the Arts, Nevada County Arts Council, Wild and Scenic Film Festival, Economic Resource Council with the Grass Valley Chamber of Commerce, Grass Valley Downtown Association.

The Mayor opened this item up for public comment. Matthew Coulter, Grass Valley, Loves the Arts but wonders why groups come back each year. JoAnn Marie, wants to encourage approval of Nevada County Arts Council request, John Blinder, Nevada City, Board President of the Arts Council was in support of all the requests. Gil Dominguez, spoke in favor of supporting the Grass Valley Downtown Association, Barbara Thomas spoke in favor of funding for Center for the Arts. Because this was a presentation only item there was no Council Action.

9. Nevada County Transportation Commission FY 2018/19 Overall Work Program – Approval of Proposed Projects

RECOMMENDATION: That Council: 1) review the projects proposed for inclusion in the Nevada County Transportation Commission FY 2018/19 Overall Work Program, 2) request that available funding be programmed for a Traffic Intersection Analysis at the South Auburn/Neal Street intersection, and for bicycle facility improvements, and 3) adopt Resolution No. 2018-18 approving the projects for inclusion in the Nevada County Transportation Commission Overall Work Program.

Senior Civil Engineer Bjorn Jones presented the Nevada County Transportation Commission FY 2018-19 Overall Work Program for approval of the projects. Council Member Fouyer moved to 1) review the projects proposed for inclusion in the Nevada County Transportation Commission FY 2018/19 Overall Work Program, 2) request that available funding be programmed for a Traffic Intersection Analysis at the South Auburn/Neal Street intersection, and for bicycle facility improvements, and 3) adopt Resolution No. 2018-18 approving the projects for inclusion in the Nevada County Transportation Commission Overall Work Program. Council Member Aguilar seconded and the motion carried by a 5-0 roll call vote.
10. Playground Maintenance Project- Authorization to Purchase New Playground Improvements

RECOMMENDATION: That Council: 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) approve the purchase and installation of new playground improvements at Memorial Park for $214,117 to BCI Burke Company; 3) authorize the City Manager to execute an agreement to donate existing play equipment at Memorial Park; and 4) authorize the City Manager to execute all agreements associated with the purchase and installation of the new playground, subject to legal review.

Community Development Director Tom Last presented this item to Council. The Mayor opened this item for public comment. Matthew Coulter, Grass Valley, said that he wishes we could buy the playground equipment locally. The Mayor closed public comment. Council Member Arbuckle moved to 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) approve the purchase and installation of new playground improvements at Memorial Park for $214,117 to BCI Burke Company; 3) authorize the City Manager to execute an agreement to donate existing play equipment at Memorial Park; and 4) authorize the City Manager to execute all agreements associated with the purchase and installation of the new playground, subject to legal review. Council Member Swarthout seconded and the motion carried by 5-0 roll call vote.

11. Adopt a Resolution No. 2018-19 – Opposing proposed State Ballot Measure Restricting Local Taxing Authority

RECOMMENDATION: That the City Council consider and adopt Resolution No. 2018-19 opposing proposed State Ballot Measure Restricting Local Taxing Authority.

City Manager Tim Kiser presented this item to Council. Vice Mayor Swarthout moved to adopt Resolution No. 2018-19 opposing proposed State Ballot Measure Restricting Local Taxing Authority. Council Member Arbuckle seconded and the motion carried by a 5-0 voice vote.

J. BRIEF REPORTS BY COUNCIL MEMBERS

Council Member Fouyer attended ERC meetings. Mayor Levine attended Sierra Nevada Hospital Foundation’s Martinis and Movie fund raiser and he attended a Saturday meeting with the Hospital Foundation regarding improvements to the hospital emergency Department.

K. ADJOURN

The meeting was adjourned at 9:45 pm by Mayor Levine.

Howard Levine, Mayor
Kristi Bashor, City Clerk