

MINUTES OF THE
CITY OF GRASS VALLEY
CITY COUNCIL MEETING
OF JANUARY 26, 2010

Lisa Swarthout, Mayor
Yolanda Cookson

Dan Miller

Jan Arbuckle, Vice Mayor
Chauncey Poston

NOTICE OF SPECIAL MEETING (CLOSED SESSION)

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL and/or GRASS VALLEY REDEVELOPMENT AGENCY WILL HOLD A SPECIAL MEETING AT 6:00 P.M. ON TUESDAY, JANUARY 26, 2010, IN THE MAYOR'S CONFERENCE ROOM OF GRASS VALLEY CITY HALL, 125 EAST MAIN STREET, GRASS VALLEY, TO CONSIDER THE MATTER LISTED BELOW. ANY MEMBER OF THE PUBLIC MAY COMMENT ON THIS ITEM BEFORE ITS CONSIDERATION.

1. CLOSED SESSION

I. Anticipated Litigation Conference with Legal Counsel regarding potential of litigation pursuant to Government Code Section 54956.9(b) one anticipated case.

No reportable action taken.

II. Anticipated Litigation Conference with Legal Counsel regarding potential initiation of litigation pursuant to Government Code Section 54956.9(c) one anticipated case.

No reportable action taken.

**REGULAR MEETING OF THE GRASS VALLEY CITY COUNCIL,
CAPITAL IMPROVEMENTS AUTHORITY AND REDEVELOPMENT AGENCY
7:00 P. M., TUESDAY, JANUARY 26, 2010**


COUNCIL CHAMBERS

GRASS VALLEY CITY HALL (LOWER LEVEL)

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City Council and /or the Grass Valley Redevelopment Agency welcomes you to its meetings, which are scheduled at 7 p.m. on the 2nd and 4th Tuesdays of each month. Your interest is encouraged and appreciated. This meeting is being broadcast “live” on Comcast Channel 17 and this meeting is being recorded by NCTV and is scheduled for rebroadcast on NCTV Channel 17. Please consult NCTV program listings as to the schedule at www.nevadacountytv.org. In addition to being broadcast live on TV it is also being broadcast “live” on the internet at www.cityofgrassvalley.com (click on the upper right hand button “Video City Council Meetings” and follow the instructions. This meeting is also recorded on audio tape. 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. Action may be taken on any agenda item. Please turn off all cell phones or similar devices. Agenda materials are available at City Hall, the Grass Valley Public Library or on the City's web site by clicking on each item's  icon. Staff reports and background information related to regular agenda items are available at City of Grass Valley City Hall, 125 East Main Street, Grass Valley, California at the office of the City Clerk.

AGENDA

A. CALL TO ORDER: 7:02 PM

PLEDGE OF ALLEGIANCE: Police Chaplain Toby Nelson

ROLL CALL: Vice Mayor Arbuckle, Council Member Cookson, Council Member Miller, Council Member Poston, and Mayor Swarthout were all present.

B. AGENDA APPROVAL

No changes were made.

C. INTRODUCTIONS AND PRESENTATIONS

1. Proclamation Recognizing and Celebrating the 100th Anniversary of the Grass Valley/Nevada County Chamber of Commerce
RECOMMENDATION: Present Proclamation

The Mayor presented the proclamation to Maryanne Mueller, President/CEO.

2. Mayor Recognition for School Resource Officer Zack LaFerriere
RECOMMENDATION: Recognize School Resource Officer Zack LaFerriere for His Work with the GREAT Program

A presentation was made to Officer LaFerriere by Chief Foster and Captain Rex Marks for his work with the Great Program (Gang Resistance Education Awareness Trainng).

D. PUBLIC COMMENT

Steve Enos, resident of Grass Valley addressed the Council regarding his concerns that Council Member Cookson might have violated the Brown Act in attending a subcommittee meeting on inclusionary housing issues. Asked that Council Member Cookson recuse herself on Agenda Item number 15.

Howard Levine, Executive Director of the Grass Valley Downtown Association spoke regarding the Center for the Arts silent auction and the businesses that participated. The upcoming foothills celebration with tours of 30 wineries, the 25th annual car show and current business rental vacancies in downtown.

Toby Nelson, Police Chaplain came forward and spoke about his recent trip to Haiti and reported on the conditions there.

Steve Desena spoke regarding the upcoming 1st Italian Festival scheduled for September 18 and 19, 2010 at Memorial Park.

E. BRIEF REPORTS BY COUNCIL MEMBERS

Vice Mayor Arbuckle spoke about completing NIMS Training, the League of Cities Safety Committee and Disaster Corp.

Council Member Cookson spoke about the Live Oak Conference, attending an exchange meeting regarding the Amgen Tour. She also spoke about the Hospitality House and the League of Cities Policy Meeting.

Council Member Poston spoke about the NCTC special meeting coming up on February 17 at 8:15 AM and the Slide Ravine redevelopment meeting.

Mayor Swarthout spoke about the Library Ad Hoc Committee, LAFCO regarding

Fire Agencies, NCCLI, the Women's conference held at the Holiday Inn a luncheon held for Police Department volunteers and the Past Fire Chiefs dinner she attended.

F. CONSENT ITEMS – (roll call vote).

Council Member Miller moved and Vice Mayor Arbuckle seconded to approve the Consent Agenda. The motion carried by a 5-0 roll call vote.

3. Approval of Action Minutes of the Regular Meeting of January 12, 2010
RECOMMENDATION: Approve Minutes as submitted.
4. Warrant Registers
RECOMMENDATION: Approve warrant disbursements in the amount of \$1,273,369.49 for the period January 1, 2010 through January 15, 2010.
5. Investment Reports for November 2009
RECOMMENDATION: Approve Monthly Statement of Investments for November 2009.
6. 2007/2008 Sidewalk Project, Minnie and Brighton Streets Improvements - Project Acceptance
RECOMMENDATION: That Council; 1) accept the 2007/2008 Sidewalk Project, Minnie and Brighton Streets Improvements (Project No. 07-06A), as complete, 2) authorize final payment of Contract No. 09-47, and 3) authorize the Public Works Director/City Engineer to file a Notice of Completion with the County Recorder.
7. American Recovery and Reinvestment Act (ARRA) Street Rehabilitation Project - Authorization to Bid
RECOMMENDATION: That Council; 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act; and 2) authorize the advertisement for bids upon receiving authorization to bid from the State Department of Transportation.
8. New Cingular Wireless California Option and Lease Agreement - First Amendment
RECOMMENDATION: That Council authorize the Mayor to execute the First Amendment to the California Option and Lease Agreement with New Cingular Wireless, subject to legal review.
9. Approval of Job Descriptions for Engineering Technician and Senior Engineering Technician and Authorization to Recruit
RECOMMENDATION: That Council; 1) approve the job descriptions for the Engineering Technician and Senior Engineering Technician, 2) approve associated salary schedules, and 3) authorize the Public Works Director/City Engineer to recruit for an Engineering Technician and/or Senior Engineering Technician.
10. American Public Works Association (APWA) Sponsored Travel
RECOMMENDATION: That Council; 1) authorize out of state travel for Mike Healy, Assistant Public Works Director, to attend the APWA National Water Resources Management Technical Committee Meeting in Grapevine, Texas, on February 12, 2010, and to give a technical presentation to the APWA Texas Board of Directors, in conjunction with a two day continuing education seminar in Tyler, Texas, beginning February 14, 2010, and 2) authorize the Public Works Director/City Engineer to authorize reimbursement for the cost of the seminar up to \$500, depending on funding availability.

11. Park and Recreation Mitigation Fund – Approve Contracts and Amend Budget
RECOMMENDATION: That Council; 1) authorize the Mayor to execute Park and Recreation Mitigation Fund Agreements for the construction of accessibility improvements at Memorial Park and the installation of playground shade structures at Memorial and Mautino Parks, subject to legal review, 2) authorize the City Administrator to amend the City budget to include the Memorial Park Accessibility Improvements Project, and 3) authorize the City Administrator to amend the City budget to include the Memorial Park and Mautino Park Playground Shade Structures Project.
12. Slate Creek/Morgan Ranch Lift Station Improvements – Project Acceptance
RECOMMENDATION: That Council; 1) accept the Slate Creek/Morgan Ranch Lift Station Improvement Project (Project No. 03-07) as complete, 2) authorize final payment of Contract No. 08-40, and 3) authorize the Public Works Director/City Engineer to file a Notice of Completion with the County Recorder
13. City Designation of Bargaining Unit #2
RECOMMENDATION: Adopt Resolution 2010 - 05 recognizing and designating employees to Grass Valley Employee Bargaining Unit #2 –General Employees

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

Council Adjourned for a 5 minute break 7:35 pm – 7:40 pm

H. ADMINISTRATIVE

14. Annual Report from Nevada County Television (NCTV)
RECOMMENDATION: Provide Council comments and receive and file.

City Administrator Dan Holler introduced Paul Menackuchi and Judy Nielsen who presented the report to Council.

15. Consideration to rescind City’s Inclusionary Housing Policy for newly filed residential projects and its application on previously approved residential projects
RECOMMENDATION: Adopt Resolution No. 2010-03 to rescind Inclusionary Housing Policy.

City Attorney Kristin Hicks announced that there was no basis for recusal on the part of Council Member Cookson.

Community Development Director Joe Heckel presented this item to Council. Steve Enos resident of Grass Valley came forward to voice his objections to the resolution rescinding inclusionary housing. The following persons came forward in support of the resolution to rescind inclusionary housing: Steve Desena and Debby Arkel. Council Member Miller moved to adopt Resolution No. 2010-03 to rescind Inclusionary Housing Policy. Council Member Cookson seconded and the motion carried by a 4-1 roll call vote with Council Member Poston voting no.

16. Resolution No. 2010-04 in support of the local taxpayer, public safety, and transportation protection act of 2010.
RECOMMENDATION: Adopt Resolution No. 2010-04 expressing the City of Grass Valley's support for the local taxpayer, public safety, and transportation protection act of 2010.

City Administrator Dan Holler presented this item to Council. Vice Mayor Arbuckle moved to adopt Resolution No. 2010-04 expressing the City of Grass Valley's support for the local taxpayer, public safety, and transportation protection act of 2010. Council Member Cookson seconded and the motion carried by a 5-0 voice vote.

17. Appointment of Councilmember for Historic Preservation Subcommittee
RECOMMENDATION: Appoint Councilmember to Subcommittee

Community Development Director Joe Heckel presented this item to Council. Vice Mayor Arbuckle moved to appoint Council Member Cookson to the Historic Preservation Committee. Council Member Poston seconded and the motion carried by a 5-0 voice vote.

18. Capital Improvement Projects - Update
RECOMMENDATION: Receive and file an informational update on Capital Improvement Projects within the City of Grass Valley.

Senior Engineer Trisha Tillotson presented the update to Council. City Administrator Dan Holler suggested that Council Members bring the list of projects to the upcoming study sessions.

19. Council Study Session Meeting Dates.
RECOMMENDATION: The City Council is requested to set dates for Study Sessions on goals and priorities and the FY 10-11 Budget.

City Administrator Dan Holler presented this item to Council. Council agreed on the dates of February 17 and 25 and March 3, 2010 from 4:00 pm to 7:00 pm. The Mayor asked that Council Members try to meet with Department Heads to get input for study sessions prior to the meetings.

I. ADJOURN

The meeting was adjourned at 9:09 pm by Mayor Swarthout.

Lisa Swarthout, Mayor

Kristi Bashor, City Clerk