

**CITY OF GRASS VALLEY**  
**CLOSED SESSION**  
**CITY COUNCIL MEETING**

**Lisa Swarthout, Mayor**

**Ben Aguilar, Vice Mayor**

**Jan Arbuckle**

**Howard Levine**

**Hilary Hodge**

**NOTICE OF CLOSED SESSION MEETING**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF GRASS VALLEY WILL HOLD A CLOSED SESSION MEETING ON TUESDAY, NOVEMBER 10, 2020 AT 6:00 PM IN THE MAYOR'S CONFERENCE ROOM OF GRASS VALLEY CITY HALL, 125 EAST MAIN STREET, GRASS VALLEY, CA 94945**

**Public Comments for Closed Session Items Only**

**Call to Order:**

**Roll Call:**

1.

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

Property Address: 109 South School St.

Agency Negotiator: City of Grass Valley

Negotiating Parties: BPOE Lodge 538

Under Negotiation:  Price

Terms of Payment

Both

2.

**CONFERENCE WITH LABOR NEGOTIATOR (GOV. CODE § 54957.6)**

**Name of City/Agency Negotiator(s) to Attend Closed Session:**

**Tim Kiser, Andy Heath, and Patrick Clark**

**Employee Organization(s):**

**Unit 2 – The International Union of Operating Engineers, Stationary Engineers, Local 39**

3.

**CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION  
(Gov. Code § 54956.9(d)(1))**

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

**Name of Case:** *Tripps Auto Body Paint Shop, et al. v. City of Grass Valley*

**Names of Parties or Claimants:** Tripps Auto Body Paint Shop, a California Partnership; Tripps Auto Body and Paint Shop, Inc.; Doe 1 through Doe 50, inclusive

**Case No.** CU18-082927

4.

**PERSONNEL**

**Public Employee Performance Evaluation (Gov. Code § 54957)**

Title: City Manager

**Adjourn:**

**Posted:**

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**Date**

**Time**

**Taylor Day, Deputy City Clerk**

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**REGULAR MEETING OF THE GRASS VALLEY CITY COUNCIL,  
CAPITAL IMPROVEMENTS AUTHORITY AND REDEVELOPMENT “SUCCESSOR  
AGENCY”**

**7:00 P. M., TUESDAY, NOVEMBER 10, 2020**

COUNCIL CHAMBERS  
GRASS VALLEY CITY HALL (LOWER LEVEL)  
125 EAST MAIN STREET, GRASS VALLEY, CALIFORNIA  
Telephone: (530) 274-4310 – Fax: (530) 274-4399

E-Mail: [info@cityofgrassvalley.com](mailto:info@cityofgrassvalley.com) Web Site: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com)

In response to Governor Newsom's Executive Order N-29-20 and Resolution 2020-09 Declaring the Existence of a Local Emergency related to the COVID-19 pandemic, public participation in the City of Grass Valley City Council and other public meetings shall be electronic only, and without a physical location for public participation, until further notice in compliance with California state guidelines on social distancing. City Council welcomes you to attend the meetings electronically, which are scheduled at 7:00 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 by Nevada County Media, on the internet at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com), or on the City of Grass Valley YouTube channel at <https://www.youtube.com/channel/UCdAaL-uwdN8iTz8bI7SCuPQ>. Indexed archives of meetings are available via this link as well. Members of the public are encouraged to submit public comments via voicemail at (530) 274-4390 and email to [public@cityofgrassvalley.com](mailto:public@cityofgrassvalley.com). Comments will be reviewed and distributed before the meeting if received by 5pm. Comments received after that will be addressed during the item and/or at the end of the meeting. Council will have the option to modify their action on items based on comments received. Action may be taken on any agenda item. Agenda materials, staff reports, and background information related to regular agenda items are available on the City of Grass Valley website: [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com). Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Grass Valley website at [www.cityofgrassvalley.com](http://www.cityofgrassvalley.com) subject to City staff’s ability to post the documents before the meeting. If you do not have the means to participate in meetings electronically, contact the City at (530) 274-4390 and staff will be happy to identify alternative means for you to participate.

**AGENDA**

**A. CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**B. AGENDA APPROVAL**

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

**C. REPORT OUT OF CLOSED SESSION**

**D. INTRODUCTIONS AND PRESENTATIONS**

- **National Hospice Month Proclamation**

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

**F. 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 (roll call vote).

1. Approval of the Regular Meeting Minutes of October 27, 2020  
RECOMMENDATION: Council approve minutes as submitted.
2. Local Emergency Proclamation (COVID-19)  
RECOMMENDATION: Continuance of Novel Coronavirus (COVID-19) proclamation declaring a Local State of Emergency.
3. Local Emergency Proclamation  
RECOMMENDATION: Continuance of sinkhole proclamation declaring a Local State of Emergency due to extreme weather.
4. Adoption of Joint Powers Agreement and Bylaws for California Intergovernmental Risk Authority, which permits the merger of Public Agency Risk Sharing Authority of California and the Redwood Empire Municipal Insurance Fund.  
RECOMMENDATION: That Council 1) approve and adopt Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the merger or joining of the Public Agency Risk Sharing Authority of California and the Redwood Empire Municipal Insurance Fund, 2) authorize the City Manager to sign the Agreement subject to legal review, and 3) authorize the City Manager or his designee to work with CIRA on steps necessary to complete the merger.
5. WWTP Soil Removal Project – Final Acceptance  
RECOMMENDATION: That Council, 1) authorize final payment for the WWTP Soil Removal Project, 2) accept the project as complete, 3) authorize the Assistant City Engineer to file a Notice of Completion with the County Recorder and 4) authorize the Finance Director to execute a budget transfer of Sewer Rate funds to fully fund the project.
6. Update Job Descriptions for Battalion Chief, Fire Captain and Fire Engineer  
RECOMMENDATION: That Council 1) approve the updated job description for Battalion Chief, Fire Captain and Fire Engineer.

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

**H. PUBLIC HEARING**

7. Consideration of a Planning Commission recommendation to amend the Grass Valley Municipal Code and Development Code to allow certain cannabis uses in the Heavy Commercial (C-3) and Light Industrial (M-1) zoning districts.  
RECOMMENDATION: That Council, after holding the public hearing: 1) make the findings listed below; 2) waive the reading of the ordinance in its entirety and read by title only; and 3) introduce an ordinance approving the attached ordinance.

**I. ADMINISTRATIVE**

8. Review and consider adopting the Amended Final Budget for the City of Grass Valley and the Successor Agency for Fiscal Year 2020-21  
RECOMMENDATION: By MOTION approve the Final Amended Budget for the City of Grass Valley and the Successor Agency for fiscal year 2020-21. A 4/5s vote of the Council is required for adoption of budget modifications.
9. Fire Protection Services Agreement & Implementing Documents  
RECOMMENDATION: That Council approve the following items, and authorize the City Manager to execute the same as necessary: 1) Fire Protection Services Agreement between the Cities of Grass Valley and Nevada City, including the Worker’s Compensation Agreement and Fire Station No. 54 Lease Agreement attached thereto as exhibits (pending final legal review of each); 2) Resolution 2020-55 waiving certain requirements of Civil Service Rules and Regulations regarding examination and selection of candidates; and (3) Side Letter to Memorandum of Understanding for Unit #8, Grass Valley Career Firefighters, IAFF Local 3800.

**J. BRIEF REPORTS BY COUNCIL MEMBERS**

**K. ADJOURN**

**Posted:**

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<b>Date</b>	<b>Time</b>	<b>Andy Heath, Acting City Clerk</b>
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