

**MINUTES OF THE**  
**CITY OF GRASS VALLEY**  
**CITY COUNCIL MEETING**  
**OF MAY 13, 2014**

Dan Miller, Mayor  
Lisa Swarthout

Jan Arbuckle

Jason Fouyer, Vice Mayor  
Howard Levine

**REGULAR MEETING OF THE GRASS VALLEY CITY COUNCIL,  
CAPITAL IMPROVEMENTS AUTHORITY AND REDEVELOPMENT “SUCCESSOR  
AGENCY”**  
**7:00 P. M., TUESDAY, MAY 13, 2014**

COUNCIL CHAMBERS  
GRASS VALLEY CITY HALL (LOWER LEVEL)  
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**AGENDA**

- A. CALL TO ORDER: 7:01 PM**  
**PLEDGE OF ALLEGIANCE:**  
**ROLL CALL: Council Members Arbuckle, Fouyer, Levine, Swarthout and Mayor Miller were all present.**
- B. REPORT OUT OF CLOSED SESSION**
- C. AGENDA APPROVAL**  
Item F was moved and changed to Item IB.
- D. INTRODUCTIONS AND PRESENTATIONS**
1. Presentation of Proclamation Proclaiming May 16, 2014 as American Legion Auxiliary Veteran's Poppy Day  
RECOMMENDATION: Mayor to present Proclamation to Sandra Haines  
The Mayor presented the proclamation to Sandra Haines.
  2. Presentation of Proclamation Proclaiming May 2014 as Motorcycle Awareness Month  
RECOMMENDATION: Mayor to present Proclamation to Craig Griswold  
The Mayor presented the proclamation to Craig Griswold.

**E. PUBLIC COMMENT**

Catherine Perkins and Pat Nelson came forward to speak about the Local Heroes' Memorial Bridge Tours scheduled for Monday, May 26, 2014 at 9:00 AM beginning at Pioneer Park in Nevada City. Keith Davies, Executive Director of the Grass Valley Chamber of Commerce came forward to speak about "Paint the Town" on Saturday from 8:00 AM to 4:00 PM in downtown Grass Valley. Ed Thomas, Morgan Ranch Drive, spoke about Veteran's and the Center for the Arts campaign "We've got your back" where you can sponsor the purchase (\$125.00 each) of a chair to be put where the bleachers are now in the Vets Hall and dedicate it with a plaque with the name of a veteran on it.

**Item F was moved to Item IB**

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

(See Item IB below)

**H. PUBLIC HEARING**

**I. ADMINISTRATIVE**

13. Fiscal Year 2012/2013 Annual Financial and Management Reports  
RECOMMENDATION: Receive and file Fiscal Year 2012/2013 Redevelopment Successor Agency and City Financial Statements, Single Audit and Management Report prepared by JJACPA, Inc.

Mette Richardson, Finance Director introduced Joe Arch of JJACPA who reviewed the report with the Council. By consensus the Council approved this item.

14. Plastic Bag Ban Discussion  
RECOMMENDATION: That the City Council receives an update from Councilmembers Arbuckle and Levine on the Plastic Bag Ban discussion with Nevada County and Nevada City.

Council Members Arbuckle and Levine presented the update on the Plastic Bag Ban discussion and meeting with Nevada City and Nevada County. The Mayor opened this item for public comment and the following persons came forward in favor of the ban: Ed Thomas, Morgan Ranch Drive; Valerie Stewart, Grass Valley resident; Juni, Grass Valley Resident; Suzanne Bader; Scott Hickman. The mayor closed the public comment. Consensus of Council was to have City Manager Robert Richardson come back at the next meeting with a draft ordinance incorporating tonight's discussion.

15. Presentation and update on Measure N to date  
RECOMMENDATION: Receive and file

Lieutenant Alex Gammelgard presented this item to Council. Consensus of the Council was to receive and file the report.

16. Primary Clarifier Rehabilitation Project - Authorize Award of Contract  
RECOMMENDATION: That Council; 1) authorize the City Manager to approve a budget amendment of \$420,000 from the Sewer Fund (Fund 210); 2) adopt Resolution 14-11 declaring the work will be better performed by MISCOWater and to procure the construction contract without a competitive bid process to the urgent necessity of the work for the preservation of health and property in accordance with City Charter Article XIII and Municipal Code Section 3.08.140 Sole Source Procurement (requires 4/5 roll call vote); 3) authorize the Mayor to execute the construction contract, subject to legal review, for the Primary Clarifier Rehabilitation Project to MISCOWater for \$373,307; and, 4) authorize the Public Works Director/City Engineer to approve construction change orders for up to 10% of the total contract amount.

Tim Kiser, Public Works Director/City Engineer presented this item to Council. Council Member Swarthout moved to ; 1) authorize the City Manager to approve a budget amendment of \$420,000 from the Sewer Fund (Fund 210); 2) adopt Resolution 14-11 declaring the work will be better performed by MISCOWater and to procure the construction contract without a competitive bid process to the urgent necessity of the work for the preservation of health and property in accordance with City Charter Article XIII and Municipal Code Section 3.08.140 Sole Source Procurement (requires 4/5 roll call vote); 3) authorize the Mayor to execute the construction contract, subject to legal review, for the Primary Clarifier Rehabilitation Project to MISCOWater for \$373,307; and, 4) authorize the Public Works Director/City Engineer to approve construction change orders for up to 10% of the total contract amount. Council Member Levine seconded and the motion carried by a 5-0 roll call vote.

#### **F. CONSENT ITEMS**

Consent Item 8.2 was pulled from the agenda for a separate vote as Council Members Arbuckle, Fouyer and Swarthout have conflicts of interest with the item and papers will be drawn between those 3 to see who stays to make a quorum and vote on the item. Council Member Swarthout moved to approve the consent agenda with the exception of Item 8.2 which was pulled from the consent agenda and Council Member Arbuckle and Swarthout abstaining from voting on items 8.3 and 8.4. due to conflicts of interest. Vice Mayor Fouyer seconded and the motion carried by a 5-0 roll call vote. Council Member Arbuckle, Swarthout and Vice Mayor Fouyer all drew a slip of paper that the clerk handed out one of which said in and the other two saying out and Council member Swarthout was the Council Member who stayed in for the vote on item 8.2. Council Member Levine moved to approve Resolution No. 2014 – 08 Directing Filing of Annual Report Pursuant to the Landscaping and Lighting Act of 1972 – Assessment District No.1988-2, Residential Landscaping and Lighting District. Mayor Miller seconded and the motion carried by a 3-0 roll call vote.

3. Approval of Action Minutes of the Regular City Council Meeting of April 22, 2014.  
RECOMMENDATION: Approve minutes as submitted.
4. Warrant Register  
RECOMMENDATION: Approve warrant disbursements in the amount of \$1,319,085.17 for the period April 16, 2014 through May 7, 2014.

5. Synagro West, LLC Professional Services Agreement – Wastewater Treatment Plant Bio Solids Hauling Services – Contract Amendment and Budget Increase  
RECOMMENDATION: That Council: 1) approve the Professional Services Agreement (PSA) Amendment No. 1 with Synagro West, LLC, to increase the Contract amount to \$180,000; 2) authorize the Public Works Director/City Engineer to execute Professional Services Agreement (PSA) Amendment No. 1 with Synagro West, LLC, subject to legal review; 3) authorize the Public Works Director, City Engineer to increase the total maximum sum up to 10% per year for each of the additional years; and 4) authorize the City Manager to make the budget amendments and/or transfers to successfully complete this procurement.
  
6. Firehouse Reporting Software System Training and Development  
RECOMMENDATION: Approve the City Manager to authorize out of state travel for the Fire Department Administrative Assistant's attendance at Firehouse World in New Orleans, Louisiana.
  
7. Authorize Purchase Order increase for Construction Inspection Services  
RECOMMENDATION: That Council authorize the City Manager to increase Purchase Order 17068 an additional \$100,000 for construction inspection services relating to Grading Permit No. 12-02.
  
8. Adopt four Resolutions directing the filing of annual reports for Landscaping and Lighting Districts (LLD) – Annual Assessments for fiscal year 2014/2015 and Benefit Assessment Districts (A.D.) – Annual Assessments for fiscal year 2014/2015.  
RECOMMENDATION: Adopt Resolutions numbered 2014-07, 2014-08, 2014-09 and 2014-10 directing the filing of annual reports for Commercial LLD #1988-1, Residential LLD #1988-2, Morgan Ranch Unit 7 A.D. #2003-1 and Morgan Ranch West A.D. #2010-1. The four Resolutions related to the Commercial and Residential Landscaping and Lighting Districts as well as the Morgan Ranch-Unit 7 and Morgan Ranch West Benefit Assessment Districts are as follows:
  - 1) Resolution No. 2014 - 07 Directing Filing of Annual Report Pursuant to The Landscaping and Lighting Act of 1972 – Assessment District No. 1988-1, Commercial Landscaping and Lighting District.
  - 2) Resolution No. 2014 – 08 Directing Filing of Annual Report Pursuant to The Landscaping and Lighting Act of 1972 – Assessment District No. 1988-2, Residential Landscaping and Lighting District.

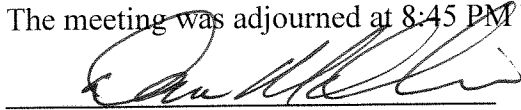
- 3) Resolution No. 2014 – 09 Directing Filing of Annual Report Pursuant to The Benefit Assessment Act of 1982 (Sections 54703 and following, California Government Code; hereafter the “1982 Act”) – Morgan Ranch – Unit 7 Benefit Assessment District No. 2003-1.
- 4) Resolution No. 2014 – 10 Directing Filing of Annual Report Pursuant to The Benefit Assessment Act of 1982 (Sections 54703 and following, California Government Code; here after the “1982 Act”) – Morgan Ranch West Benefit Assessment District No. 2010-1.
9. Railroad Avenue Lift Station Improvement Project - Transfer Funds  
RECOMMENDATION: That Council authorize the City Manager to execute a budget transfer for \$220,000.
10. Review of the Annual Housing Element Progress Report  
RECOMMENDATION: Receive and File. No formal action required.
11. Approval of Budget adjustment for reimbursement from Nevada County Consolidated Fire and Cal Fire from grant purchases.  
RECOMMENDATION: Increase revenue and expense accounts to offset cost related to grant award and purchasing of wildland fire personal protective equipment.
12. Authorization to Bid Annual Chemical and Lab Services  
RECOMMENDATION: That Council: 1) authorize the Public Works Director/City Engineer to advertise for bids for the annual chemical and lab services.

#### **J. BRIEF REPORTS BY COUNCIL MEMBERS**

Council Member Swarhout spoke about the League of Cities Article that spoke about Grass Valley and the Arts. Vice Mayor Fouyer attended the Grass Valley Downtown Association meeting, the Fire Departments Joint Meeting, and spoke about Deputy Public Works Director/Senior Engineer Trisha Tillotson and what a great job she is doing and kudos to the rest of engineer also. Council Member Arbuckle attended the Joint Fire Departments meeting and will be attending the League of Cities Sacramento Valley Meeting on May 30th and there will be a women's caucus meeting in Davis on June 3rd. Council Member Levine attended the Fire Departments Joint Meeting, Kid's Safety Day at Fire Station 2, Paint the Town, and the Kiwanis Club sponsoring a youth arts program to teach children about Art. Mayor Miller attended the Truckee Mayor/Manager's meeting, Contractor's Association meeting, the Fire Departments meeting, upcoming Armed Forces Day and Paint the Town.

**K. Adjourn**

The meeting was adjourned at 8:45 PM by Mayor Miller.

A handwritten signature in black ink, appearing to read "Dan Miller", written over a horizontal line.

**Mayor Dan Miller**

A handwritten signature in black ink, appearing to read "Kristi K. Bashor", written over a horizontal line.

**City Clerk Kristi K. Bashor**