

**MINUTES OF THE**  
**CITY OF GRASS VALLEY**  
**CITY COUNCIL MEETING**  
**OF JUNE 24, 2014**

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

Dan Miller, Mayor  
Lisa Swarthout

Jan Arbuckle

Jason Fouyer, Vice Mayor  
Howard Levine

**NOTICE OF CLOSED SESSION MEETING**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF GRASS VALLEY WILL HOLD A CLOSED SESSION MEETING BEGINNING AT 6:00 PM. ON TUESDAY, JUNE 24, 2014 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**  
**Roll Call**

- I. Conference with Legal Counsel; Initiation of Litigation  
(Gov. Code § 54956.9(d)(4))  
Number of Potential Cases 1
  
- II. Conference with Labor Negotiator  
(Gov. Code § 54957.6)  
Name of City Negotiator to Attend Closed Session - Robert Richardson, City Manager  
Employee Organization - Local 39

The closed session was called to order at 6:00 pm. Council Members Arbuckle, Fouyer, Levine, Swarthout and Mayor Miller were all present. The meeting adjourned without motion and by consensus at 6:50 PM with no reportable action.

**CITY OF GRASS VALLEY**  
**CITY COUNCIL MEETING**

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, JUNE 24, 2014**

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

- A. CALL TO ORDER: 7:00 pm**  
**PLEDGE OF ALLEGIANCE:**  
**ROLL CALL: Council Members Arbuckle, Fouyer, Levine, Swarthout and Mayor Miller were all present.**
- B. REPORT OUT OF CLOSED SESSION**  
**No reportable action was taken.**
- C. AGENDA APPROVAL**  
No changes were made
- D. INTRODUCTIONS AND PRESENTATIONS**
1. Pinning Ceremony for Officer Joseph Bush  
RECOMMENDATION: Pin Officer Joseph Bush with his Police Officer Badge. Police Chief introduced this item. Mayor Miller presented the Pin and Officer Bush's wife Trisha pinned him.
- E. PUBLIC COMMENT**  
No one from the public came forward to make comment.
- F. CONSENT ITEMS (roll call vote).**  
Vice Mayor Fouyer requested that Item Number 17 be pulled from the consent agenda and that changed it to Item Number 20A. Council Member Arbuckle moved to approve the consent agenda with the exception of item 17 and Council Member Levine seconded. The motion carried by a 5-0 roll call vote.

2. Approval of Action Minutes of the Regular City Council Meeting of June 24, 2014.  
RECOMMENDATION: Approve minutes as submitted.
3. Warrant Register  
RECOMMENDATION: Approve warrant disbursements in the amount of \$2,255,337.77 for the period June 1, 2014 through June 16, 2014.
4. Resolution 2014-28 adopting regulations for candidates for elective office pertaining to candidates statements submitted to the voters at an election to be held on Tuesday, November 4, 2014.  
RECOMMENDATION: Adopt Resolution No. 2014-28 adopting regulations for candidates for elective office pertaining to candidates statements submitted to the voters at an election to be held on Tuesday, November 4, 2014.
5. Resolution 2014-27 Calling and Giving Notice of Holding a General Municipal Election November 4, 2014.  
RECOMMENDATION: Adopt Resolution No. 2014-27 calling and giving notice of holding a General Municipal Election to be held on Tuesday, November 2, 2014, for the election of two Council Members for the City of Grass Valley.
6. Chemical Purchase of Sodium Hypochlorite – Memorial Park Pool  
RECOMMENDATION: That Council: 1) award an agreement for Chemical Sodium Hypochlorite with Univar USA, Inc., Kent, WA; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$3,000; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
7. Annual Chemical Purchase of Calcium Chloride – Memorial Park Pool  
RECOMMENDATION: That Council: 1) award an agreement for Calcium Chloride with Univar USA Inc., Kent, WA; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$500.00; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
8. Chemical Purchase of Cyanuric Acid - Memorial Park Pool  
RECOMMENDATION: That Council: 1) award a bid for Chemical Cyanuric Acid to Sierra Chemical Co., Sparks, NV; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$200.00; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.

9. Annual Chemical Purchase of Muriatic Acid – Memorial Park Pool  
RECOMMENDATION: That Council: 1) award a bid for Muriatic Acid with Sierra Chemical Company, Sparks, NV; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$1,000; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
10. Annual Chemical Purchase of Sodium Hypochlorite  
RECOMMENDATION: That Council: 1) award a bid for Chemical Sodium Hypochlorite with Sierra Chemical, Sparks, NV; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$9,000.00; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
11. Annual Chemical Purchase of Caustic Soda (30%)  
RECOMMENDATION: That Council: 1) award a bid for Caustic Soda with Sierra Chemical, Sparks, NV; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$4,200; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
12. Annual Chemical Purchase of Sodium Bicarbonate – Memorial Park Pool  
RECOMMENDATION: That Council: 1) award a bid for Sodium Bicarbonate with Univar USA Inc., Kent, WA; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$700.00; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
13. Annual Chemical Purchase of Liquid Alum  
RECOMMENDATION: That Council: 1) award a bid for Sodium Bicarbonate with Univar USA Inc., Kent, WA; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$700.00; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
14. Annual Chemical Purchase of Hydrated Lime  
RECOMMENDATION: That Council: 1) award a bid for Hydrated Lime with LHoist North America of Arizona, Inc., Chicago, IL; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$97,500; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.

15. Annual Chemical Purchase of Emulsion Polymer (Cationic)  
RECOMMENDATION: That Council: 1) award a bid for Emulsion Polymer (Cationic) to Hercules Inc., Ashland Water Technologies Division, Wilmington, DE; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$23,800; and, 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amount, subject to legal review.
  
16. Laboratory Testing Analysis Services for Water and Wastewater Treatment Plants  
RECOMMENDATION: That Council: 1) award bids for Laboratory Analysis Testing Services based upon lowest responsible bidder of each specific test to Western Environmental Testing Laboratory of Sparks, NV, Diamond Water Laboratory, of Auburn, CA, and Alpha Analytical Labs, Inc., of Sparks, NV; 2) authorize the Public Works Director/City Engineer to execute a purchase order up to \$25,000.00 with Western Environmental Testing Laboratory, \$300.00 with Diamond Water Laboratory and \$8,000.00 with Alpha Analytical Labs, Inc.; and 3) authorize the Public Works Director/City Engineer to approve amendments up to 10% of the original agreement amounts.
  
17. Park and Recreation Mitigation Fund – Approve Contract  
RECOMMENDATION: That Council authorize the Mayor to execute a Park and Recreation Mitigation Fees Agreement for the construction of the Condon Park Community Building Parking Lot Project, subject to legal review.
  
18. Approval of 2nd Lieutenant Position  
RECOMMENDATION: Authorize creation of 2nd lieutenant position in the police department and approve filling the position from the active eligibility list.
  
19. Adoption of Annual Investment Policy  
RECOMMENDATION: By Resolution No. 2014-31, adopt the City of Grass Valley's Investment Policy for fiscal year 2014/2015.

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

- 20A. Park and Recreation Mitigation Fund – Approve Contract  
RECOMMENDATION: That Council authorize the Mayor to execute a Park and Recreation Mitigation Fees Agreement for the construction of the Condon Park Community Building Parking Lot Project, subject to legal review.

Vice Mayor Fouyer explained that he requested this item be pulled to make comment on it. He wanted to be sure that City Staff was made aware of how much Council appreciates the work they are doing and applying for the grant. Council Member Fouyer moved and Council Member Arbuckle seconded to authorize the Mayor to execute a Park and Recreation Mitigation Fees Agreement for the construction of the Condon Park Community Building Parking Lot Project, subject to legal review. The motion carried by a 5-0 roll call vote.

## H. PUBLIC HEARING

- 20B. Collection of delinquent sewer and/or waste accounts on the Nevada County tax roll  
RECOMMENDATION: After holding a public hearing, adopt Resolution 2014-33 requesting that the County of Nevada levy and collect delinquent water and sewer service charges on the tax roll.

Tim Kiser Public Works Director/City Engineer presented this item to Council. The Mayor opened the public hearing. As no one wished to speak on this item the Mayor Closed the Public Hearing. Council Member Levine moved to adopt Resolution 2014-33 requesting that the County of Nevada levy and collect delinquent water and sewer service charges on the tax roll. Council Member Swarthout seconded and the motion carried by a 5-0 roll call vote.

21. Adopt eight Resolutions confirming diagram and assessment and levying assessment, and requesting the County Auditor to place assessment on tax roll for fiscal year 2014-2015 Landscaping and Lighting Districts - (LLD) and Benefit Assessment Districts - (A.D.)

After conducting public hearings, adopt resolutions related to the Commercial (District No. 1988-1) Landscaping and Lighting Districts, as follows:

- 1) Resolution No. 2014 - 17 Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2014-2015 Assessment District No. 1988-1.
- 2) Resolution No. 2014 - 18 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-1.

Mette Richardson, Finance Director presented all the Landscaping and Lighting items to Council. The Mayor opened the public hearing. As no one wished to speak on these items the Mayor Closed the Public Hearing. Council Member Fouyer moved and council Member Arbuckle seconded and both resolution 2014-17 and 2014-28 were adopted in one motion by a 5-0 roll call vote.

After conducting public hearings, adopt resolutions related to the Residential (District No. 1988-2) Landscaping and Lighting Districts as follows:

- 3) Resolution No. 2014 - 19 Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2014-2015 Assessment District No. 1988-2.
- 4) Resolution No 2014 - 20 Requesting the County Auditor to Place Assessment on Tax Roll-Landscaping and Lighting District No. 1988-2.

Council Members Arbuckle, Fouyer and Swarthout had conflicts with these items but it was necessary that one Council Member stay to make a quorum for a vote on the items. Straws were drawn by the three Council Members with Council Member Fouyer drawing the short straw allowing him to vote on these items. Council Members Arbuckle and Swarthout left the chambers. The Mayor opened the public hearing. As no one wished to speak on this item the Mayor Closed the Public Hearing. Council Member Levine moved and Mayor Miller seconded

to adopt both resolution 2014-19 and 2014-20 in one motion. The motion carried by a 3-0-2 roll call vote with Council Members Arbuckle and Swarthout absent.

After conducting public hearings, adopt resolutions related to the Morgan Ranch Unit 7 (District 2003-1) Assessment District as follows:

- 5) Resolution No 2014 – 21 Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2014-2015 Assessment District No. 2003-1.
- 6) Resolution No. 2014 - 22 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-Unit 7 Benefit Assessment District No. 2003-1.

Council Members Arbuckle and Swarthout had conflicts of interest with items 5 and 6 and recused themselves on these items and left the chambers. The Mayor opened the public hearing. As no one wished to speak on these items the Mayor Closed the Public Hearing. Council Member Levine moved and Council Member Fouyer seconded to adopt resolution 2014-21 and 2014-22. The motion carried by a 3-0-2 vote with Council Members Arbuckle and Swarthout absent.

After conducting public hearings, adopt resolutions related to the Morgan Ranch West (District 2010-1) Assessment District as follows:

- 7) Resolution No. 2014 – 23 Confirming Diagram and Assessment and Levying Assessment for Fiscal Year 2014-2015 Assessment District No. 2010-1.
- 8) Resolution No. 2014 – 24 Requesting the County Auditor to Place Assessment on Tax Roll - Morgan Ranch-West Assessment District No 2010-1.

Council Members Arbuckle and Swarthout rejoined the meeting in the chambers. The Mayor opened the public hearing. The Mayor opened the public hearing. As no one wished to speak on these items the Mayor Closed the Public Hearing. Council Member Swarthout moved and Council Member Arbuckle seconded to adopt resolution 2014-23 and 2014-24. The motion carried by a 5-0 roll call vote.

22. Introduction and review of the draft 2014-2019 Housing Element

RECOMMENDATION: Conduct the public hearing, provide recommended changes to the draft Housing Element, and direct staff to forward the draft element to the State Department of Housing and Community Development.

Community Development Director Tom Last presented this item to Council. The Mayor opened the public hearing. Justin Hamford, 265 Sutton Way, came forward and spoke about the importance of subsidized and affordable housing. The Mayor closed the public hearing. Council Member Swarthout moved to direct staff to forward the draft element to the State Department of Housing and Community Development. Council Member Arbuckle seconded and the motion carried by a 5-0 voice vote.

23. Appropriations Limit for Fiscal Year 2014-15  
RECOMMENDATION: After considering public comment adopt Resolution 2014-32 establishing the Appropriations limit for the City of Grass Valley for the Fiscal Year 2014-15.

Mette Richardson, Finance Director presented this item to Council. The Mayor opened the public hearing. As no one wished to speak on these items the Mayor Closed the Public Hearing. Council Member Levine moved to adopt Resolution 2014-32 establishing the Appropriations limit for the City of Grass Valley for the Fiscal Year 2014-15. Council Member Fouyer seconded and the motion carried by a 5-0 roll call vote.

## **I. ADMINISTRATIVE**

24. Plastic Bag Ban Discussion  
RECOMMENDATION: Discuss and provide direction to staff

City Manager Bob Richardson presented this item to Council. The Mayor opened the item up for public comment and the following persons came forward to speak: Dave Grassbock, Tim James of the California Grocers Association, and Justin Hamford. Direction was made to staff to bring back an ordinance by consensus.

25. Preliminary FY 2014-15 Budget  
RECOMMENDATION: Hear presentation and provide direction to staff

Mette Richardson, Finance Director and City Manager Bob Richardson presented this item to Council. They explained that the next item was a continuing budget resolution allowing staff additional time to prepare the final budget and present it for adoption in late July or Early August.

26. Fiscal Year 2014-15 Continuing Budget Resolution  
RECOMMENDATION: Adopt Resolution 2014-30 authorizing a continuing budget resolution from July 1, 2014 through August 31, 2014, pending adoption of the Fiscal Year 2014-15 Budget

Mette Richardson presented this item to Council. Council Member Levine moved and Council Member Arbuckle seconded to adopt Resolution 2014-30 authorizing a continuing budget resolution from July 1, 2014 through August 31, 2014, pending adoption of the Fiscal Year 2014-15 Budget. The motion carried by a 5-0 roll call vote.

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

Council Member Swarthout said the next Lafco conference will be held partly in Grass Valley and partly in Nevada City. Council Member Fouyer attended the Grass Valley Downtown Association meeting. Council Member Arbuckle attended the Sacramento League of Cities meetings. Attended Gold Rush Days and came in second for the waiter race. Council Member Levine attended the SEDCorp meeting and Gold Rush Days, and Music in the Mountains. Mayor Miller attended Gold Rush Days and the Fireman's fund presentation.



**K. ADJOURN**

The meeting was adjourned at 8:42 pm by Mayor Miller.



**Mayor Dan Miller**



**City Clerk Kristi K. Bashor**