REGULAR MEETING OF THE GRASS VALLEY CITY COUNCIL, 
CAPITAL IMPROVEMENTS AUTHORITY AND REDEVELOPMENT AGENCY 
7:00 P. M., TUESDAY, SEPTEMBER 8, 2009 
COUNCIL CHAMBERS 
GRASS VALLEY CITY HALL (LOWER LEVEL) 
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AGENDA

A. CALL TO ORDER: 7:00 pm
PLEDGE OF ALLEGIANCE: Tim Kiser
ROLL CALL: Vice Mayor Arbuckle, Council Member Cookson, Council Member Miller, Council Member Poston, and Mayor Swarthout were all present.

B. AGENDA APPROVAL
Approved with no changes

C. INTRODUCTIONS AND PRESENTATIONS

1. Presentation of Proclamation naming September 17-23, 2009 as CONSTITUTION WEEK
   RECOMMENDATION: None required
   The Mayor presented the proclamation to Janelle Dalton

2. Presentation from the California Preservation Foundation
   RECOMMENDATION: None required
   Cindy Heitzman and Steve Greco presented this item to Council. They spoke about being partners in the conference to be held across Nevada County in May of 2010. Mayor Swarthout spoke about being on the Executive Committee for the conference.

D. PUBLIC COMMENT –
Steve Enos, resident of Grass Valley spoke about the vegetation and security at the vacant Weaver Automotive Center. Fire Chief Tony Clarabut debriefed and gave an update to the Council regarding the recent Mill Street Fire.

E. BRIEF REPORTS BY COUNCIL MEMBERS
Council Member Arbuckle spoke about working at the County Booth at the State Fair and attending the Grand Opening of Sierra Star Winery. Council
Member Cookson spoke about her opportunity to Ride Along with the Fire Department for a 9 hour shift. She also spoke about touring the Medicinal Marijuana Facility in Colfax and attending Senator Tom McClintock’s town meeting. Mayor Swarthout spoke about her and Council Member Poston’s spoke about the California Preservation Executive Committee and that she and Nevada City’s Mayor are both on the committee. Mayor Swarthout acknowledged the death of former Fire Chief Tom Berry and offered her condolences to his family. She announced that former Parks and Recreation Manager Sandy Jacobson and Howard Levine, Executive Director of the Grass Valley Downtown Association are trying to put together a softball challenge between Grass Valley and Nevada City.

F. CONSENT ITEMS Council Member Poston moved to approve the Consent Agenda; Seconded by Vice Mayor Arbuckle. Approved by a 5-0 roll call vote.

3. Approval of Action Minutes of the Regular Meeting of August 25, 2009
RECOMMENDATION: Approve Minutes as submitted.

4. Warrant Registers
RECOMMENDATION: Approve warrant disbursements in the amount of $1,095,971.93 for the period August 15, 2009 through August 28, 2009.

5. Participation in the Safe Highway Coalition Highway III Grass Valley Corridor Grant # PT0907 with the California Highway Patrol
RECOMMENDATION: Approve contract for the reimbursement of overtime to participate in the Safe Highway Coalition Highway III Grass Valley Corridor Grant # PT0907 with the California Highway Patrol.

6. Dorsey Drive Interchange Project – Accept Easement Deeds
RECOMMENDATION: That Council accept the attached Easement Deeds for the construction of improvements associated with the Dorsey Drive Interchange Project and authorize the City Clerk sign the Certificate of Acceptance for the easements.

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

I. ADMINISTRATIVE

7. Historical Commission Interview Panel
RECOMMENDATION: Appoint two Council Members to interview applicants for the open position on the Historical Commission.

Community Development Director Joe Heckel Presented this item to Council. The Mayor stated that the City will be accepting applications for the next two weeks and those applicants must live in Nevada County. Council Member Poston moved to appoint Council Member Cookson and Mayor Swarthout to
8. Traffic Safety Review Committee Appointment
RECOMMENDATION: Approve the appointment of John Burnside for the vacant position for Public Member on the Traffic Safety Review Committee with a term ending February 27, 2011.

Tim Kiser, City Engineer/Public Works Director presented this item to Council. Council Member Miller moved to appoint John Burnside to the vacant public member position on the Traffic Safety Review Committee with a term ending February 27, 2011; Vice Mayor Arbuckle seconded and the motion carried by a 5-0 voice vote.

9. Grant Awards – Police Department
RECOMMENDATION: Authorize receipt of two Grant Awards in the amount of $279,137 to be applied toward the cost of hiring and maintaining one police officer for four years and $34,866 to be applied toward a new patrol vehicle.

Police Chief John Foster presented this item to Council. Council Member Poston moved to authorize the receipt of two grant awards; Vice Mayor Arbuckle seconded and the motion carried by a 5-0 voice vote.

H. PUBLIC HEARING

10. Formation of Morgan Ranch West Benefit Assessment District No. 2008-1 – Continued from the regular City Council Meeting of August 11, 2009
RECOMMENDATION: That Council: 1) continue the public hearing and announce that all ballots must be submitted to the City Clerk prior to closing the public hearing; 2) order the City Clerk to tabulate all submitted ballots and prepare a report for submittal to the Council; 3) Council shall read the results of the City Clerk’s report; and, 4) A) if there are more “Yes” votes than “No” votes, adopt Resolution No. 2009-75 approving the engineer’s report, establishing a formula for calculating the annual assessments based upon a prescribed index, levy assessment for Fiscal Year 2010-2011 and order maintenance services; or, B) if there is a majority protest (more “No” votes than “Yes” votes), direct staff to prepare a resolution for the following Council meeting resolving that Council is precluded from proceeding with the proposed assessment and is hereby abandoning the proceedings for adoption.

The Mayor recused herself from this item and the next item. Vice Mayor Arbuckle took over to chair both items. The Vice Mayor Continued the public hearing. Trisha Tillotson Assistant Engineer presented this item to Council. After the presentation the Vice Mayor reopened the public comment portion of the public hearing. Matthew Pauley – 960 Morgan Ranch Drive addressed Council regarding the item and was against the formation of an Assessment District. As there was no one else who wanted to comment the Vice Mayor called for any other ballots to be given to the City Clerk and closed the Public
Hearing. The Vice Mayor then called for a 10 minute recess to allow the City Clerk time to open and count the ballots. The Vice Mayor reconvened the meeting and announced the vote as 7 yes and 14 no votes. Council Member Miller moved to direct staff to prepare a resolution for the following Council meeting resolving that Council is precluded from proceeding with the proposed assessment and is hereby abandoning the proceedings for adoption. Council Member Cookson seconded and the motion carried by a 4-0 voice vote.

J. ADMINISTRATIVE CONTINUED

11. Morgan Ranch West Subdivision – Lighting and Drainage Maintenance Costs

RECOMMENDATION: That Council provide staff direction concerning the maintenance cost (lighting and storm drainage) for the Morgan Ranch west Subdivision

Tim Kiser, City Engineer/Public Works Director presented this item to Council. He suggested that Council might want to form a sub-committee for discussions on how to proceed with maintenance costs for the Morgan Ranch West Subdivision. Andy Cassanno came forward representing Mr. and Mrs. Tony Medler and agreed that the sub-committee was a good idea. Council Member Poston moved to place Council Members Cookson and Miller on the sub-committee. Council Member Cookson seconded and the motion passed by a 4-0 voice vote.

The Mayor rejoined the meeting.

J. ADJOURN

Mayor Swarthout adjourned the meeting at 8:40 PM.