MINUTES
CITY OF GRASS VALLEY
CITY COUNCIL

Lisa Swarthout, Mayor
Yolanda Cookson
Dan Miller
Chauncey Poston
Jan Arbuckle, Vice Mayor

REGULAR MEETING OF THE GRASS VALLEY CITY COUNCIL,
CAPITAL IMPROVEMENTS AUTHORITY AND REDEVELOPMENT AGENCY
7:00 P. M., TUESDAY, FEBRUARY 10, 2009
COUNCIL CHAMBERS
GRASS VALLEY CITY HALL (LOWER LEVEL)
125 EAST MAIN STREET, GRASS VALLEY, CALIFORNIA
Telephone: (530) 274-4310 – Fax: (530) 274-4399

AGENDA

A. CALLED TO ORDER: Mayor Swarthout called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE: Led by Cliff Newell.

ROLL CALL: Vice Mayor Arbuckle __Y__, Council Member Cookson __Y__ Council Member Miller __Y__, Council Member Poston __Y__, Mayor Swarthout __Y__.
__ALL__ Members present tonight.

B. AGENDA APPROVAL
No changes to the agenda order.

C. INTRODUCTIONS AND PRESENTATIONS

1. Employees of the Year Recognition
   RECOMMENDATION: Recognize Police Officer James Amaral, Reserve Officer Jerry Eason, Records Clerk Ronda McIntosh, and Volunteer Scot Hutchison as 2008 Employees of the Year.
   Police Chief John Foster recognized several police department employees for their dedication and service to the department. Mayor Swarthout presented the recipients with plaque.

   2. Recognition of Students attending President Obama’s Inauguration
      RECOMMENDATION: Present Mayor’s certificate of recognition.
      Taylor DeGraw and Blake Miles gave a power point presentation of their trip to the inauguration of President Obama. Mayor Swarthout presented them with a certificate of recognition.

   3. Recognition of Carol Fish, Director of Finance
      RECOMMENDATION: Recognize Ms. Carol Fish for her ten years of service to the City.
      Mayor Swarthout presented Ms. Carol Fish with a plaque for her ten years of service to the city.

D. PUBLIC COMMENT – NONE.
E. BRIEF REPORTS BY COUNCIL MEMBERS

Mayor Swarthout and Vice Mayor Arbuckle attended the first class of the Citizen’s Police Academy, CSI. They saw this program as a great opportunity for the citizen’s and a real benefit to the city.

Council Member Poston wanted to alert the citizen’s of the on-going financial problems our transit services is facing. The program does not have enough funds to sustain the current services; further cuts are inevitable, which may result in providing the core service routes.

Council Member Poston took a tour of the Hospitality House and commented that it was interesting.

F. CONSENT ITEMS – (roll call vote).

Mayor Swarthout requested Item #8 be pulled from the Consent Items for separate discussion at the end of the meeting; to be discussed as Item #20.

Council Member Poston moved to approve the Consent Items, with the exception of item #8; seconded by Vice Mayor Arbuckle. Passed in favor 5/0.

4. Approval of Action Minutes of 01/27/09
   RECOMMENDATION: Approve Action Minutes as submitted.

5. Warrant Register
   RECOMMENDATION: Approve warrant disbursements in the amount of $1,335,530.99 for the period January 19, 2009 through January 30, 2009.

   RECOMMENDATION: That the Redevelopment Agency Board authorize the deposit and withdrawal of Grass Valley Redevelopment Project Tax Allocation Bonds, 2008 Series A monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer’s Office of all banking information provided in that regard. (AGENCY)

7. Appointment of City Representatives to PARSAC Board of Directors
   RECOMMENDATION: Approve Resolution 2009-05 appointing Daniel C. Holler, City Administrator as a director and Maryanne Hoffler, Accountant II as the alternate director to the Public Agency Risk Sharing Authority of California (PARSAC) board of directors.

8. Memorial Park Softball Field Improvements – Authorization to Bid and Budget Modifications
   RECOMMENDATION: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), 2) authorize the advertisement for bids, 3) approve Resolution 2009-04 declaring the damaged backstop to be surplus and authorizing the disposition of the materials, 4) authorize the City Administrator to award a Construction Contract, subject to available
funding, 5) authorize the Public Works Director/City Engineer to approve Construction Change Orders for up to 10% of the total contract amount, and 6) authorize the City Administrator to approve budget transfers/amendments to account for Insurance proceeds, and SMA/Quimby funds associated with the Memorial Park Ball Field Improvements Project.

9. Notice of Intent to Vacate Public Service Easements on 160 East Main Street
RECOMMENDATION: That Council 1) adopt Resolution No. 2009-03, Intention to Vacate Public Service Easements along the street frontages for 160 East Main Street and a portion of a public service easement in the location of the previous alignment for Washington Street; and 2) set a public hearing date for the vacation of the easements for February 24, 2009.

10. American Public Works Association (APWA) Sponsored Travel for Mike Healy, Public Works Assistant Director of Operations

11. Resolution authorizing signature authority related to Director of Finance duties
RECOMMENDATION: Adopt Resolution 2009-06, A Resolution of the City of Grass Valley and the Grass Valley Redevelopment Agency Authorizing Signature Authority Related to Director of Finance Duties.

12. Unit #8 Firefighters Side Letter of Agreement – Furloughs
RECOMMENDATION: Adopt Side Letter of Agreement with Unit #8, regarding furlough implementation.

13. Investment Reports

G. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND / OR ANY ADDED AGENDA ITEMS
Item Removed ___#8____ By ___Mayor Swarthout_______

H. PUBLIC HEARINGS

14. Consideration to amend conditions of approval for the Highlands Project (PUD03-03) and the Geo Capital Project (05PLN-28 & 29) to expand the affordability requirement assigned to 20% of the units from the current 80% of the median income requirement to a maximum of 120% of the County median income range
RECOMMENDATION: Open and close the public hearing and approve the attached resolutions which modify Condition #10 of the Highlands Development Project and Condition #6 of the Geo Capitol Development Project (Ironhorse I) to further expand the affordability requirement assigned for 20% of the units to a maximum of 120% of the median income range. (roll call vote) Resolution 2009-08, 2009-09

Joe Heckel, Community Development Director, presented this item to the Council.
Council Member Cookson recused herself from the discussion of this item as she has interest in property in the sphere of influence of this project.

Vice Mayor Arbuckle moved to approve this item; seconded by Council Member Poston. Passed in favor 4/0/0/1.

I. ADMINISTRATIVE

   RECOMMENDATION: Receive and file Fiscal Year 2007/2008 Financial and Management Reports prepared by Smith & Newell, CPA’s. (voice vote)

   Carol Fish, Director of Finance, presented this item to the Council.

   Council Member Poston moved to approve this item; seconded by Vice Mayor Arbuckle. Passed in favor 5/0.

16. Mid-Year Revenue and Expenditure Budget Review
   RECOMMENDATION: This item is intended to provide the City Council with a global review of the City’s budget as of mid-fiscal year, December 31, 2008. This financial review is undertaken to ensure that estimated revenues and available fund resources are sufficient to defray planned expenditures and transfers out. (voice vote)

   Carol Fish, Director of Finance, presented this item to the Council.

   Vice Mayor Arbuckle moved to approve this item; seconded by Council Member Cookson. Passed in favor 5/0.

17. Alta Hill Water Tanks Project – Award of Contract
   RECOMMENDATION: Amended recommendation: That Council 1) find that after considering the bid protest submitted by Paso Robles Tank, Inc. the protest is rejected because the lowest responsible bidder meets the qualifications for the project and has provided satisfactory proof to the City, 2) find that after considering the bid protest submitted by Edward Navickis, this protest is rejected because this protest was submitted by a non-bidder and pursuant to the City’s bid protest procedures for this project, non-bidders are excluded from submitting protests, 3) award a contract for the construction of the Alta Hill Water Tanks Project to the lowest responsible bidder subject to legal review, Mountain Cascade, Inc. with a bid of $2,079,270, 4) authorize the Mayor to execute the construction contract, 5) authorize the Public Works Director/City Engineer to approve Construction Change Orders for up to 10% of the total contract amount, and 6) authorize the City Administrator to execute budget transfers/amendments to account for revenue and expenses associated with the SRF loan and the construction contract. (roll call vote)

   Tim Kiser, Public Works Director/City Engineer, presented this item to the Council.

   Public Comment: Edward Navickis, Penn Valley resident, approached the Council with his dissatisfaction of the bidding process.

   Council Member Miller moved to approve this item with the amended motion; seconded by Vice Mayor Arbuckle. Passed in favor 5/0.
18. **Owner Participation Agreement between City Redevelopment Agency and WCS Properties, LLC** to assist and facilitate the installation of a historic display as part of a development project at 160 E. Main Street identified as the “Gateway Building”

RECOMMENDATION: Approve Agreement with WCS Properties, LLC. (AGENCY)  
(voice vote)

Joe Heckel, Community Development Director, presented this item to the Council.

Council Members Miller and Poston recused themselves from the discussion of this item as they both have a business relationship with the owner of the property.

Council Member Cookson moved to approve this item; seconded by Vice Mayor Arbuckle. Passed in favor 3/0/0/2.

19. **Council Consideration of a City sponsored Sales Tax Initiative**

RECOMMENDATION: Provide staff direction regarding the development of a sales tax initiative including the appointment of a Council subcommittee to develop options for further Council consideration. (voice vote)

Dan Holler, City Administrator, presented this item to the Council.

Public Comment: Dan Landon, Executive Director of the Nevada County Transportation Commission and Steve Enos, Grass Valley resident, approached the Council to voice their support for the measure.

Mayor Swarthout formed a subcommittee for this initiative, appointing Council Member Cookson and Council Member Poston to the subcommittee.

Council Member Miller moved to approve this item; seconded by Vice Mayor Arbuckle. Passed in favor 5/0.

20. **Item #8 from the Consent Items.**

Memorial Park Softball Field Improvements – Authorization to Bid and Budget Modifications

RECOMMENDATION: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), 2) authorize the advertisement for bids, 3) approve Resolution 2009-04 declaring the damaged backstop to be surplus and authorizing the disposition of the materials, 4) authorize the City Administrator to award a Construction Contract, subject to available funding, 5) authorize the Public Works Director/City Engineer to approve Construction Change Orders for up to 10% of the total contract amount, and 6) authorize the City Administrator to approve budget transfers/amendments to account for Insurance proceeds, and SMA/Quimby funds associated with the Memorial Park Ball Field Improvements Project. (roll call vote)

Tim Kiser, Public Works Director/City Engineer, presented this item to Council.

Mayor Swarthout mentioned that softball starts April 1st.

Mayor Swarthout moved to approve this item; seconded by Council Member Miller. Passed in favor 5/0.
J. ADJOURNED
Council Member Miller motioned to adjourn the meeting; seconded by Council Member Arbuckle. Passed in favor 5/0. Mayor Swarthout adjourned the meeting at 9:43 p.m.

___________________________________   ____________________________________
Lisa Swarthout, Mayor                    Regina Reno, Deputy City Clerk