



GRASS VALLEY

City Council Regular Meeting, Capital Improvements Authority and Redevelopment "Successor Agency"

Tuesday, September 10, 2024 at 6:00 PM

Council Chambers, Grass Valley City Hall | 125 East Main Street, Grass Valley, California

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MINUTES

CALL TO ORDER

The meeting was called to order at 6:03 pm.

PLEDGE OF ALLEGIANCE

Mayor Arbuckle led the pledge of allegiance.

ROLL CALL

PRESENT

Councilmember Bob Branstrom

Councilmember Haven Caravelli

Councilmember Tom Ivy

Vice Mayor Hilary Hodge

Mayor Jan Arbuckle

AGENDA APPROVAL -

A motion was made to approve the agenda as submitted by Vice Mayor Hodge, seconded by Councilmember Ivy.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

REPORT OUT OF CLOSED SESSION

There was nothing to report out of the closed session.

INTRODUCTIONS AND PRESENTATIONS

1. Update on the Everhart structure Fire.
2. Grass Valley Animal Control Grant

PUBLIC COMMENT -

Virtual Public comments are attached.

In-person: Speakers #1-9 (Noted changes: No speakers for cards #2 & 8)

CONSENT ITEMS -

A motion was made to approve consent as submitted by Councilmember Branstrom, seconded by Councilmember Caravelli.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

3. Approval of the Regular Meeting Minutes of August 13, 2024.

Recommendation: Council approve minutes as submitted.

4. Approval of the Special Meeting Minutes of August 22nd, 2024.

Recommendation: Council approve minutes as submitted.

5. Conflict of Interest Code Update

CEQA: Not a project

Recommendation: That Council approve the City Manager signing of the City of Grass Valley Biennial Notice and adopt the 2024 Conflict of Interest Code and corresponding Resolution 2024-68 approving changes to the code.

6. Pioneer Community Energy JPA Amendment

CEQA: Not a project

Recommendation: Adopt a Resolution of the City of Grass Valley Approving the Revised Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

7. Changing Historical Commission Meeting Times

CEQA: Not a Project

Recommendation: That Council adopt Resolution No. 2024-67 changing the regular meetings of the Historical Commission to 3:00 p.m. on the second Tuesday of each calendar month beginning October 1, 2024.

8. Habitat for Humanity - Approve Parcel Map

CEQA: Categorically Exempt - Class 15 "Minor Land Divisions"

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); and 2) approve Parcel Map 24PLN-05; and 3) approve the Resolution 2024-70 accepting the public utility easements.

9. Administrative EMS Coordinator

CEQA: Not a project

Recommendation: That Council 1) approves the job description for Administrative EMS Coordinator, and 2) approves the associated salary schedule and Certificate and Educational Incentive pays for the Administrative EMS Coordinator position.

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

REORGANIZATION RELATED ITEMS

PUBLIC HEARING

10. Appeal of the Planning Commission’s denial of Use Permit applications for an exception to the multifamily covered parking requirement established in Section 17.36.040, Table 3-3 of the City of Grass Valley Municipal Code.

Recommendation: Based upon the evidence in the public record, and the Planning Commission’s 3:1 denial, staff recommends that the City Council take one of the following actions:

Option 1) Uphold the Planning Commission’s denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Deny the appeal and uphold the Planning Commission’s denial of the Use Permit applications for a reduction in covered parking requirements; b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report; c) Uphold the Planning Commission’s finding for denial of the Use Permits, that “insufficient quantitative evidence was provided to document a need for a reduction of the covered parking standard;” and, d) Deny the Use Permits as presented in this Staff Report.

Option 2) Overturn the Planning Commission’s denial of Use Permit applications 24PLN-0008, -0009, and -0010; a) Uphold the appeal and overturn the Planning Commission’s denial of the Use Permit applications for a reduction in covered parking requirements; b) Determine the proposed projects at 210 Sutton Way (24PLN-0008), 265 Sutton Way (24PLN-0009), and 228 Sutton Way (24PLN-0010) exempt pursuant to Sections 15061(b)(3) and 15301 of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the attached June 18, 2024 Planning Commission Staff Report c) Adopt Findings of Fact as detailed in the June 18, 2024 Planning Commission Staff Report for approval of the Use Permits as presented in the Staff Report; and, d) Approve the Use Permits as presented in this Staff Report.

Option 3) Refer Use Permit applications 24PLN-0008, -0009, and -0010 to the Planning Commission for further consideration based on new or different evidence presented.

[Lucy Rollins, Senior Planner, gave the council an overview, and Cascade Housing presented to the Council.](#)

[Virtual public comments are attached. Public Comment: Matthew Coulter](#)

[The motion was made of option 1 to uphold the Planning Commission denial and deny the appeal by Vice Mayor Hodge and seconded by Councilmember Branstrom. Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle](#)

11. Supplement to the Final Environmental Impact Report for the Approved Dorsey Marketplace Project

CEQA: Pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (Cal. Code Regs., tit.14, § 15000 et seq.), the City Council, at its April 28, 2020, regular meeting, certified a Final Environmental Impact Report (“EIR”) for the mixed-use development known as the Dorsey Marketplace Project (“Project”).

That City Council action, along with the City Council’s approval of the Project, was subsequently challenged in court, with the ultimate result being that the City needed to make only minor changes to the original 2020 EIR. The required changes are set forth in

documents from both the Court of Appeal and the Nevada County Superior Court, namely, a Modified Opinion from the Court of Appeal and a Revised Judgment and Peremptory Writ of Mandate from the superior court. These documents ordered the City to prepare further analysis of the extent to which Project-related traffic added to anticipated 2035 traffic on State Route ("SR") 20/49 could result in adverse health effects on future Project residents and occupants.

In response to these judicial directives, the City prepared a Supplement to the Final EIR ("SFEIR"). The Draft SFEIR was circulated for public comment, and a Final SFEIR is now ready for City Council consideration and certification.

Recommendation:

- 1) Conduct the public hearing regarding the Supplement to the Final Environmental Impact Report for the Dorsey Marketplace Project
- 2) Adopt Resolution No. 2024-66 certifying the updated Final Environmental Impact Report for the Dorsey Marketplace Project, thereby (i) determining that the deficiency in the Final EIR identified in the Modified Court of Appeal Opinion and Revised Judgment has been remedied, (ii) further determining that a new 2024 Final EIR, consisting of (a) the 2020 Final EIR, (b) the Draft FSEIR, and (c) responses to comments on the Draft FSEIR and related corrections, is legally adequate under CEQA, and (iii) permitting the implementation of any and all previously suspended Project activities and Project Approvals, subject to authorization by the superior court

Amy Wolfson, City Planner, presented this item to the Council, and David Ruderman, Assistant City Attorney, gave an overview of precisely what the council would be discussing and looking at per the Court order from the court of appeal.

Public Comment: Sean Johnson, Patrick Johnson, Martin Wood, Robin Davis, Jay Strous, Gil Mathew, Holly Navo, Theresa Detra, Barbra Bashall, James Stewart, Greg Rush, Barbra Ravines, Don Ravines, Ray Burnes, Star Carol, Sherly Osgood, & Matthew Coulter.

Virtual public comment is attached.

The motion was made to 1) Conduct the public hearing regarding the Supplement to the Final Environmental Impact Report for the Dorsey Marketplace Project; 2) Adopt Resolution No. 2024-66 certifying the updated Final Environmental Impact Report for the Dorsey Marketplace Project, thereby (i) determining that the deficiency in the Final EIR identified in the Modified Court of Appeal Opinion and Revised Judgment has been remedied, (ii) further determining that a new 2024 Final EIR, consisting of (a) the 2020 Final EIR, (b) the Draft FSEIR, and (c) responses to comments on the Draft FSEIR and related corrections, is legally adequate under CEQA, and (iii) permitting the implementation of any and all previously suspended Project activities and Project Approvals, subject to authorization by the superior court by Councilmember Branstrom and seconded by Councilmember Caravelli. Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

A break was taken at 8:21 pm, and the meeting was called back to order at 8:28 pm.

ADMINISTRATIVE

12. Main St Sealing And Striping - Authorize Bidding and Approve Design

CEQA: Categorically Exempt - Section 15301 “Existing Facilities”

Recommendation: That Council 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) provide direction to Staff on several design proposals; and 3) authorize the advertisement for bids.

Bjorn Jones, the City Engineer, gave the presentation to the Council.

Public Comment: Jacob McDonald, Sean, Patrick Johnson, Robin Davis, John Moser, Matthew Coulter

Motion made to move forward with option 1, look for a funding source for option 3, keep the crosswalk at the intersection of East Main St and South Auburn, and 1) approve the findings that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA); 2) provide direction to Staff on several design proposals; and 3) authorize the advertisement for bids by Vice Mayor Hodge, Seconded by Councilmember Caravelli.

Voting Yea: Councilmember Branstrom, Councilmember Caravelli, Councilmember Ivy, Vice Mayor Hodge, Mayor Arbuckle

13. Discussion on City Council Compensation

CEQA: Not a Project

Recommendation: That the Council considers the information provided and provides direction to staff on how to proceed.

Tim Kiser, City Manager, gave the council an overview of the item.

Public comment: Sean, Patrick Johnson, Robin Davis

The council directed staff to bring back to the council an ordinance to raise the council's monthly salary to \$550 for the council and \$600 for the Mayor.

BRIEF REPORTS BY COUNCIL MEMBERS

Councilmember Branstrom attended the Magical Evening on Mill. Councilmember Ivy attended the Magical Evening on Mill and the Nevada County Community Foundation Home meeting. Councilmember Caravelli attended an ERC meeting, a Lou Countor Memorial partnership meeting, and a community fire discussion and announced that the ERC Summit is on September 19th. Vice Mayor Hodge attended a choir rehearsal and the Magical Evening on Mill. Mayor Arbuckle attended a conference in Puerto Rico, was invited to attend a CSAC meeting, participated in the Magical Evening on Mill, a Lou Countor memorial partnership meeting, and the 9/11 ceremony will happen at 9:01 am on Mill Street.

CONTINUATION OF PUBLIC COMMENT

ADJOURN

The meeting adjourned at 9:52 pm.

Jan Arbuckle, Mayor

Taylor Whittingslow, City Clerk

Adopted on: _____