

Thomas M. Anderson  
Presiding Judge

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF NEVADA**

201 Church Street, Suite 6  
Nevada City, CA 95959  
(530) 265-1311

G. Sean Metroka  
Court Executive Officer

5/17/10

**ATTN: Monica**  
Nevada City Police Department  
317 Broad Street  
Nevada City CA 95959-1311

**FAX 265-9259**

Dear Finance Director:

The figures below indicate your city's share of the fines and forfeitures collected during the account period ended 4/30/10.

PC 1463 General Fines & Forfeitures	185.54
PC 1463 Motor Vehicle Fines & Forfeitures	828.80
General Fund (exempt)	32.66
General fund (POC)	<u>20.34</u>

TOTAL \$ 1,067.34

Court Cost of Collection charged equally against all accounts, total for Nevada City for April 2010 is: \$34.01.

Total amount of check to process is \$1,033.33.

Respectfully,

Sarah Trudo  
Court Accounting Technician

**CITY OF NEVADA CITY  
DRAFT SUMMARY MINUTES  
CITY COUNCIL MEETING OF MAY 12, 2010**

**NOTE:** This meeting is available to view on the City's website [www.cityofnevadacity.gov](http://www.cityofnevadacity.gov) – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. The agenda listed directly below the video screen has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, Contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

**Regular meeting called to order at 6:30 p.m.**

**ROLL CALL**

Present: Councilmembers Harris, Coffman, McKay, Vice Mayor Bergman, Mayor Senum

**PLEDGE OF ALLEGIANCE**

City Manager Albaugh requested to add another Proclamation to the Agenda. Also, requested that Item 4.B be pulled from the Agenda to allow for contract language to be reviewed by Official Payments Corporation legal counsel.

**Action:** Motion by Coffman, seconded by Harris to add Proclamation to the agenda.  
(Approved 5 – 0)

**PROCLAMATION:**

- (a) In Recognition of California Preservation Foundation Week, May 10<sup>th</sup> – 15<sup>th</sup>, 2010
- (b) In Recognition of Joany Kane Day on May 19<sup>th</sup>, 2010
- (c) In Recognition of Walk N Roll in School Week May 17<sup>th</sup> – 19<sup>th</sup>, 2010

**PRESENTATION:**

Potential for a Water-Wheel Collection Museum in Nevada City – Daniel Ketcham, President of the Historical Society

Daniel Ketcham introduced himself and made presentation. The Searls Historical Library is expanding and the Historical Society is seeking a new home for the library to purchase. The Historical Society has been offered water-wheel collections which require an indoor facility. The library requires 2000 square feet but the Society is looking for a 5000 square foot location to combine the library and water-wheel collection together. Prefers Nevada City but may need to go elsewhere; asked if the City has any available location or ideas from the Council for a vacant facility.

City Manager, Albaugh asked for direction from the Council to seek the buildings (old barns) behind the Nevada Theatre as an option.  
Councilmember Coffman replied that she believed that space was for theatre expansion.

**Direction:** Councilmember Harris to work with City Manager Albaugh and Daniel Ketcham to look for a new location.

**BUSINESS FROM THE FLOOR – PUBLIC COMMENT (Per Government Code Section 54954.3)**

A Gentleman from the audience asked if the parking issue with local musicians was resolved and Mayor Senum replied yes.

**1. COUNCILMEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

Councilmember Coffman

- SedCorp – The Federal Trade Commission is going to begin enforcing identity theft violations in June 2010 with a fine of \$60,000. Business owners must have a policy in place with a procedure as to how the business would handle identity theft. SedCorp is offering a two-hour workshop in Grass Valley on June 24, 2010 to assist business owners in creating policy; cost is \$24.00. For more information [www.sedcorp.biz](http://www.sedcorp.biz).
- Geotourism Meeting has been scheduled on Thursday, May 20, 2010 at 2:00 p.m. at City Hall Council Chambers.

Vice Mayor Bergman

- Economic Resource Council – Gary Zimmerman believes the economy's recovery has begun.
- LAFCO – Two Things: 1) There is an agreement to go forward with a new Park & Recreation Dept in North San Juan; 2) LAFCO Budget of \$230,000 was approved.

Mayor Senum & Councilmember Harris

A public workshop was held on May 4<sup>th</sup> to let people know what's involved with grant process; had a good brainstorming session. Mayor Senum to provide staff with information collected. Councilmember Harris stated that this workshop provided a better link with community members regarding the grant processes.

**2. CONSENT ITEMS:**

- A. Fire Department Activity Report for April, 2010
- B. Approval of Accounts Payable for April, 2010
- C. Approval of Nevada City Farmer's Market June 19<sup>th</sup>-October 30<sup>th</sup>

**Action:** Motion by Coffman, seconded by McKay to approve Consent Items A, B, C.  
(Approved 5 – 0)

**3. APPROVAL OF MINUTES:**

- A. Regular City Council Meeting Minutes for April 28, 2010.

**Action:** Motion by Coffman, seconded by McKay to approve Regular City Council Minutes for April 28, 2010  
(Approved 5 – 0)

**4. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:**

**A. Administration & Finance**

**Subject:** Ordinance No. 2010-03 an Ordinance of the City of Nevada City Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Providing Different Levels of Benefits for New Local Safety and Miscellaneous Employees. (Second Reading and Adoption)

**Action:** Motion by Coffman, seconded by McKay to have City Attorney to read title only of Ordinance No. 2010-03.  
(Approved 5 – 0)

City Attorney, DeGraw read Ordinance No. 2010-03 an Ordinance of the City of Nevada City Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Providing Different Levels of Benefits for New Local Safety and Miscellaneous Employees.

**Action:** Motion by Coffman, seconded by Harris to adopt Ordinance No. 2010-03 an Ordinance of the City of Nevada City Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Providing Different Levels of Benefits for New Local Safety and Miscellaneous Employees.  
(Approved 5 – 0)

**PUBLIC HEARINGS**

None

**5. OLD BUSINESS:**

None

## 6. NEW BUSINESS:

### A. Department of Public Works

**Subject:** Re-striping Intersection Improvements by CalTrans at the Intersection of Highway 20 and Highway 49- Information Only – City Engineer, Bill Falconi  
City Engineer, Falconi stated that CalTrans will be re-striping the intersection of Highway 49/20 this summer. The funds used in these types of projects are “CalTrans Only Safety Funds” requiring no local sharing or participation by the City.

**Action:** Received and filed.

## 7. CORRESPONDENCE:

- A. Thank you Note from Nancy Broz, Nevada City Elementary School for Allowing Display of Children’s Art Work in City Hall.
- B. Thank you Note from Eileen McLeran for Placement of Memorial Tree for Hayden and His Family in Pioneer Park.

## 8. ANNOUNCEMENTS

- California Preservation Foundation Conference began today.
- AMGEN Tour of California in May 16<sup>th</sup>.
- 150<sup>th</sup> Anniversary Celebration – Nevada City Fire Dept, June 19<sup>th</sup>

## 9. CITY MANAGER’S REPORT

**Action:** Received and filed.

## 10. CLOSED SESSION: Adjourn to Closed Session for the Following Purposes

Conference with Real Property Negotiator Prior to the Purchase, Sale, Exchange or Lease of Real Property – Pursuant to Government Code Section 54956.8. Real Property Commonly Known as Sugar Loaf Mountain APN 05-310-06-001; APN 05-310-06-002; APN 05-310-07-001; APN 05-310-07-002; APN 35-020-16-001; APN 35-020-16-002; APN 36-020-16, APN 36-020-26-002; APN 36-02-49-001 and APN 36-020-49-002 – Negotiating Parties: Gene Albaugh on Behalf of the City of Nevada City and Andrew Cassano on Behalf of the Mull Family, etal.

### REPORT OUT OF CLOSED SESSION:

The report out from Closed Session was that Staff was to proceed as directed.

## 11. ADJOURNMENT:

**Action:** Motion made by Harris, seconded by Bergman to adjourn the meeting at 8:03 p.m.  
(Approved 5 - 0)

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Reinette Senum, Mayor

ATTEST:

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Niel Locke, City Clerk

**CITY OF NEVADA CITY  
DRAFT SUMMARY MINUTES  
SPECIAL CITY COUNCIL MEETING OF MAY 5, 2010**

**NOTE:** This meeting is available to view on the City's website [www.cityofnevadacity.gov](http://www.cityofnevadacity.gov) – Go to Quick Links and Click on Agendas & Minutes and find the Archived Videos in the middle of the screen. Select the meeting date and Click on Video to watch the meeting. The agenda listed directly below the video screen has bullet points which you can select to get to a specific agenda item. Click on the desired agenda item which will enable you view the meeting from that point forward. Please contact Deputy City Clerk, Corey Shaver for websites assistance (530) 265-2496, ext 133.

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**Special meeting called to order at 6:30 p.m.**

**ROLL CALL**

Present: Councilmembers Harris, Coffman, McKay, Vice Mayor Bergman, Mayor Senum

**PLEDGE OF ALLEGIANCE**

**SUBJECT:** Presentation and Consideration of a Possible Consolidation of Fire Services Among Nevada County Consolidated Fire District, City of Grass Valley Fire Department and City of Nevada City Fire Department.

Nevada City Fire Chief, Sam Goodspeed, Nevada County Consolidated Fire Chief, Tim Fike, and Grass Valley Fire Battalion Chief, Tom Browning (sitting in for Grass Valley Fire Chief, Tony Claributt who is unable to be at tonight's meeting) presenting.

Nevada City Fire Chief Sam Goodspeed opened the presentation with history stating that in September 2009 the City Council voted in favor of a review committee formed of two City Council members, Councilmember Sally Harris with Nevada City, Councilmember Dan Miller with Grass Valley, Nevada County Consolidated Board member Ralph Hitchcock, Nevada County Consolidated Fire Chief Tim Fike, Nevada City Fire Chief Sam Goodspeed and three representatives from the labor group. Six public meetings in the past seven months provided good feedback from members and the public. The information collected and the results of those meetings are presented tonight in a final report found in the council packet along with a power point presentation. The entire presentation can be viewed on the City of Nevada's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

In summary, the power point presentation and final report provided the current conditions, advantages, concerns, level of service analysis, an organizational chart, and cost allocation. Chief Goodspeed asked for direction from the Council to proceed to move forward to formalization with a Joint Powers Agreement (JPA) to 1) Establish interim committee of elected officials to provide the oversight; 2) Establish interim technical committee to develop transition plan; and 3) Timing to bring a JPA document back to Governing Bodies prior to July 1, 2010 for further consideration. Goal is to have something in place by July 1<sup>st</sup> that allows us to have a financial analysis study at the beginning of the fiscal year. Chief Goodspeed stated that this is a great opportunity for the City of Nevada City, allowing us to maintain level of service, increase the level of prevention, and improve level of training and increases fire safety through the Standard Operation Procedures (SOP), use of specialized equipment, consistency to Battalion Chiefs on ground operations and consistent duty officer coverage.

- Vice Mayor Bergman stated that in the draft agreement he would like to see some methodology whether it's a five or ten year plan and what the goal is and identify who (station) gets what.
- Councilmember Harris stated this will put more pressure on the inequities.
- Councilmember McKay stated that the benefits package needs to be sustainable and look at what is realistic.
- Councilmember Coffman asked what the number of personnel that each group will put into this and will there be pressure on Nevada City to have to create a position.
- Chief Browning replied that it would just be filling in the holes per agency. The JPA is above the Captain level staff (Fire and Battalion Chiefs).

## **PUBLIC COMMENT**

**Kevin Cartzdafner**, Engineer, Nevada City Fire Dept and Nevada City Firefighter's Association Representative- stated that he had the honor to serving on the committee and my task was to take information from the committee meetings to rank and file and bring back to committee. It was the unanimous decision of rank and file to see Option 5 of the presentation as the preferred option but recognize in the economic times it's not feasible. Support of taking that first step of the administrative merger and continue as long term goal of bringing everyone together. Please consider the Fire Chief's direction.

**Andrew Trygg**, Captain, Nevada City Fire Dept Volunteer – Thanked and appreciates the volunteers. He is a nine year volunteer with Nevada City. He stated that the volunteers are affected in a good way with this program. Currently we have 17 active volunteers on the roster. This JPA would allow the volunteers to get more opportunity for learning and allow for growth by being in a pool.

**Chris Armstrong**, Grass Valley Fire Dept and Vice President to the Paid Professional Firefighters (PPF) stated that he is here on behalf of the Local 3800 representing Nevada City, Grass Valley, Nevada County Consolidated, Ophir Hill, Higgins and Penn Valley. Paid members are grateful to serve the community; we take a lot of pride and don't want to see it go away anytime soon. Thanks to elected officials and he appreciates the dedication that has been given to the Fire Fighters. We need to continue to find the highest level of fire protection service to residents in Nevada County.

**Jerry Funk**, Captain, Nevada County Consolidated District – Stated his task was to work with personnel matters to get the pulse of the guys in the Fire Departments (Grass Valley and Nevada County Consolidated) by sending out a survey to 54 personnel; 43 career and 11 PPF. The survey was open for 30 days and had five broad based questions-three were statistical and two were concerns. Results = Out of 43 career, 34 replied; out of 11 PPF, 10 replied. A question came up how the community impact was going to feel with new JPA. Results = two were negatively, two undetermined, 50 positive. Regarding historical identity; 89 1/2% said that the retention of historical identity is important. Other recommendations are to maintain the Fire Associations' and social functions, retain pride in our engines and create joint museums. The concerns are: 1) administrative SOP's and MOU's, 2) Merger to follow through. The positives are: 1) shared vision, 2) improved training, 3) increased opportunity.

- City Manager Albaugh stated that this presentation was professional and complete; strong supporter if he had a vote in it.
- Councilmember Coffman stated that one of the goals or concerns she's hearing is a reason for doing this is to get some uniformity in training and safety policies; currently standards between departments are different. Who is going to set these standards and why couldn't that be done without the JPA.
- Chief Browning responded it will be done by the JPA Board and the person they select to be the Fire Chief of the organization. It will be a vision that represents all three of the districts.
- Councilmember Harris stated that the overwhelming reason to support something like this is that it is in the best interest of the public's safety and you made a clear case of that and great job on the presentation. Part of the reason you consolidate something is efficiency. Instead of spending the \$900k now is there is there a way we can spend it differently. I think it's reasonable to say, let's bring that number down because by consolidating you should gain some true efficiency in operations that would result in some cost savings. I'd be more interested if there was a commitment that this number is going to be less. And I am very concerned about the pressures on the City's budget over the next 5-10 years of this looming \$900k of which we would have some significant portion. No matter what the economy does, taking a budget that's shy of \$500k and increasing it upward several hundred thousand dollars is simply not realistic.
- Chief Browning stated that we are talking about three employees.
- Councilmember Harris indicated that she would want some way of seeing that the elected bodies take on the bigger issue as part of this which is it in the best interest of the public and their safety for everyone to work together into the same standards and get realistic about pay and what can be afforded by three jurisdictions and come up with a definition of parody other than what's in the Webster's Dictionary.
- Councilmember McKay stated that he hopes there would be a unified campaign between the fire districts. We have to think outside the box and talk to citizens; this is worth it.
- Mayor Senum asked if there was a motion to approve this and move forward with a contingency.
- Vice Mayor Bergman indicated that theoretical the financial concerns are on the Council side. The point of going forward seems to be reasonable with an effective program; the downside is the financial risk; commends the Fire Chief's for the work done.
- Councilmember Coffman stated she concurs with what Councilmember Harris said, and does not see financial savings. I think we should expect to see some savings in overhead by consolidating instead of seeing it continue the same. I'm not opposed to the plan and I think ultimately it needs to be done.

- Fire Chief Goodspeed indicated that we agreed to do this first year without the financial obligation. To allow time to determine what those costs would be. If Chief Claributt were here to speak to his position you'd learn that he doesn't plan to be here but another year or so, and at that time it will be the decision of the JPA Board or Grass Valley to continue to fund.
- Councilmember Coffman indicated that it wouldn't be Grass Valley's decision because theoretically it's being funded by all of us, based on our population and on the property assessment so it wouldn't just be City of Grass Valley's decision. We all need to be aware of that; these positions need to have JPA Board approval. Under the agreement each governing agency loses control over those positions.
- Chief Browning indicated that the agency wouldn't make that decision because your input is in the JPA; a City Councilmember would sit on the JPA Board and make recommendations. If there's cost savings by eliminating positions; that could occur. The city also controls how much money goes into that JPA and if you don't have it, it doesn't go; important to remember.
- Councilmember Harris clarified that we are talking about the administrative JPA and stated that she understands that we'll be going through a period of time where things will be getting sorted it out as to what the organizational structure will be, name assignments, and costs and how it's going to work in the agreement. In reality once we move forward with this it'll be like a stand alone organization. We have one vote out of three about how the organization is comprised, and the compensation decided, but it's no longer each city deciding individually.
- Mayor Senum asked if we can't put up the numbers can we back out of this.
- Councilmember Harris stated that if the Council is feeling that this is something we can't afford, can you assure us that we will still have the JOA and mutual aid that we have right now that works so well for the City, Grass Valley and Nevada County Consolidated; can you tell our population that we'll go forward if this isn't turning into something.
- Chief Browning stated that it goes back to the Boards and cities for that decision.
- Councilmember McKay indicated that the executive committee takes that majority opinion to the Board and the Board makes the decision. I believe the firefighters' goal is safety.

**Action:**

Motion by Harris, seconded by Bergman that the Council supports the three action steps; 1) Establishment of an Interim Committee of Elected Officials; 2) Support the establishment of an Interim Technical Committee to Develop a Transition Plan; 3) Provide direction on timing to bring a JPA Agreement back to Governing Bodies. And would like to add, with the direction of the Council to those committees, that we really want to see some cost savings from what this currently adds up too. So if this is \$970k now, there should be some measurable reduction as part of consolidating for efficiency sake during difficult economic times.

(Approved 5 – 0)

**ADJOURNMENT:**

**Action:** Motion made by Coffman, seconded by McKay to adjourn the meeting at 8:52 p.m.

(Approved 5 - 0)

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**Reinette Senum, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**