

**CITY COUNCIL A G E N D A**  
**WEDNESDAY, SEPTEMBER 27, 2023**  
**4:45 P.M. Special Session**  
**33 Church Street, Sutter Creek CA 95685**  
**The Agenda can be found on the City's Website: [www.cityofsuttercreek.org](http://www.cityofsuttercreek.org)**

THE CITY OF SUTTER CREEK CITY COUNCIL MEETING WILL BE AVAILABLE VIA ZOOM AND  
IN PERSON.

Join Zoom Meeting  
<https://us02web.zoom.us/j/9568520224>

*or*

Dial by phone:  
301-715-8592  
Meeting ID: 956 852 0224

Unless stated otherwise on the agenda, every item on the agenda is exempt from review under the California Environmental Quality Act ("CEQA") per CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

- 1 CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. PUBLIC FORUM**

*At this time, the public is permitted to address the City Council on items not appearing on the agenda. Comments may not exceed 5 minutes. In accordance with State Law, however, no action or discussion may take place on any item not appearing on the posted agenda. The City Council may respond to statements made or questions asked or may request Staff to report back at a future meeting on the matter. The exceptions under which the City Council may discuss and/or take action on items not appearing on the agenda are contained in Government Code §54954.2. Public comment on any item listed below shall be limited to five minutes, unless additional time is permitted by the Mayor/Council.*

- 4. APPROVAL OF MINUTES**
  - A. City Council Minutes of September 18, 2023.  
*Recommendation: By motion approve minutes as presented.*

**5. CONSENT AGENDA**

*Items listed on the consent agenda are considered routine and shall be enacted in one motion. Any item may be removed for discussion at the request of the Council or the Public.*

- A. Adopt Resolution 23-24-\* regarding the issuance of grant funds by California Parks and recreation and authorizing the signing of the deed restriction.

**6. CLOSED SESSION**

A. PUBLIC EMPLOYEE APPOINTMENT

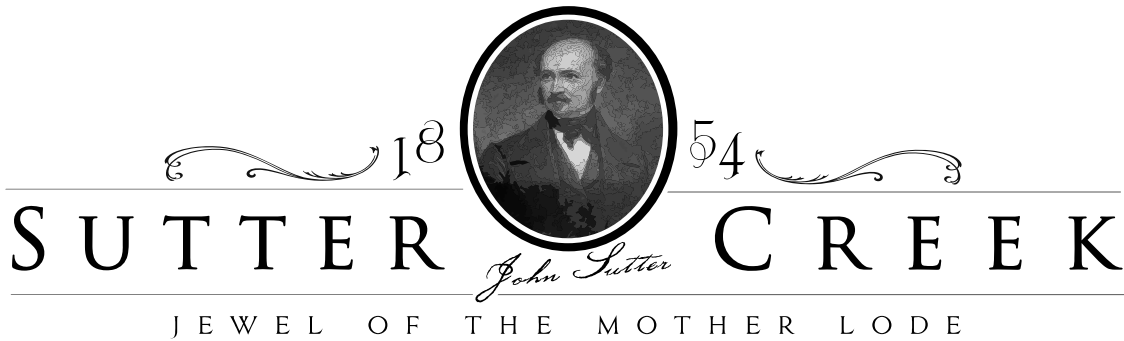
Pursuant to Government Code Section 54957

Title: City Manager

**7. REPORT OUT OF CLOSED SESSION**

**8. ADJOURNMENT**

The next regularly scheduled meeting is **MONDAY, OCTOBER 16<sup>TH</sup> 7:00 P.M**



**CITY COUNCIL MINUTES  
MONDAY, SEPTEMBER 18, 2023**

THIS MEETING WAS CONDUCTED IN-PERSON AT 33 CHURCH STREET,  
**THE PUBLIC WAS ABLE TO VIEW FROM HOME:**

Join Zoom Meeting  
<https://us02web.zoom.us/j/9568520224>

**1. CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:  
(One potential case)

**2. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING**

Council members present:

Feist, Sierk, Swift and Gunselman

Vicky Runquist, City Treasurer

Absent: Riordan

Staff Present:

Sandra Spelliscy, Interim City Manager

Karen Darrow, City Clerk

Derek Cole, City Attorney

Jim O'Connell, Police Chief

Mason Peters, Finance Supervisor

**3. PLEDGE OF ALLEGIANCE TO THE FLAG**

**4. REPORT FROM CLOSED SESSION**

Mayor Gunselman reported that there was no reportable action.

**5. PUBLIC FORUM**

Helen Bierce of Sutter Creek suggested that the city implement a fire warning siren. She noted that she had made the same suggestion several years ago and would like the Council to consider it again.

Council member Swift noted that he will bring it up at the next Fire District meeting because he believes they still have the old siren that was used in the past.

Al Bierce of Sutter Creek thanked the Council for providing funding for the Visitor Center.

**6. APPROVAL OF MINUTES**

City Council Minutes of City Council Minutes of September 5, 2023

*Recommendation: By motion approve minutes as presented.*

**M/S Council member Swift/Gunselman to approve the City Council Minutes of September 2023, as presented.**

**AYES:** Feist, Sierk, Swift and Gunselman

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Riordan

**MOTION CARRIED**

**7. CONSENT AGENDA**

A. Outside Agency Appointment

B. Adopt Resolution 23-24-08 Appointing members to the Design Review Committee

C. Extension of Interim City Manager Contract

**M/S Council member Swift/Sierk to Consent Items 7A & 7B, as presented.**

**AYES:** Feist, Sierk, Swift and Gunselman

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Riordan

**MOTION CARRIED**

**M/S Council member Sierk/Swift to Consent Items 7C as presented.**

**AYES:** Feist, Sierk, Swift and Gunselman

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Riordan

**MOTION CARRIED**

**8. ORDINANCES & PUBLIC HEARING**

Initial Study/Negative Declaration (IS/ND) (SCH #2023080086) for the Zoning Ordinance Amendment, Zoning Map Amendment and Circulation Element Update

General Plan Circulation Element

Comprehensive Zoning Ordinance Amendment and Zoning Map Amendment

1. Conduct a public hearing to receive public input;
2. Adopt Resolution 23-24-09 Certifying the Initial Study/Negative Declaration (IS/ND) (SCH #2023080086) for the Zoning Ordinance Amendment, Zoning Map Amendment and Circulation Element Update; and
3. Adopt Resolution 23-24-10 Adopting the 2023 Circulation Element of the Sutter Creek General Plan.
4. Adopt an Ordinance, by title only, amending Title 18, Zoning Ordinance, of the Sutter Creek Code of Ordinances (first reading).

**Erin Ventura, Planning Consultant presented and outlined the process.**

Mayor Gunselman opened the public hearing at 7:37 p.m. there was no comment and the public hearing was closed.

**M/S Council member Sierk/Swift to Adopt Resolution 23-24-09 Certifying the Initial Study/Negative Declaration (IS/ND) (SCH #2023080086) for the Zoning Ordinance Amendment, Zoning Map Amendment and Circulation Element Update.**

**AYES:** Feist, Sierk, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Riordan  
**MOTION CARRIED**

**M/S Council member Sierk/Swift to Adopt Resolution 23-24-10 Adopting the 2023 Circulation Element of the Sutter Creek General Plan.**

**AYES:** Feist, Sierk, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Riordan  
**MOTION CARRIED**

**M/S Council member Swift/Feist to Adopt an Ordinance, by title only, amending Title 18, Zoning Ordinance, of the Sutter Creek Code of Ordinances.**

**AYES:** Feist, Sierk, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Riordan  
**MOTION CARRIED**

**9. ADMINISTRATIVE AGENDA**

A. Greenstone Terrace no parking zone- *for discussion and staff direction.*

Council member Swift stepped down due to a conflict.

City Engineer Matt Ospital presented a recommendation as outlined in the staff report.

**M/S Council member Sierk/Feist to Direct staff to take steps to install no parking signs along the section of Greenstone Terrace from Church Street to Frakes Street, and to update the city's parking map.**

**AYES:** Feist, Sierk and Gunselman  
**NOES:** None  
**ABSTAIN:** Swift  
**ABSENT:** Riordan  
**MOTION CARRIED**

B. Sutter Creek-ACRA pool contract- *for discussion and staff direction*

This item was brought up by Council member Sierk.

Council member Sierk noted concern that the pool expenses absorbed by the city are for ACRA uses only and that the pool may price the city out unless ACRA step up but she noted that the City will have to initiate the conversation.

Council member Sierk noted that she has brought this up to the ACRA Board several times.

Interim City Manager Spelliscy recommended that the City renegotiate before signing the next pool contract.

The Council directed staff to request a negotiation with ACRA before signing the next pool contract.

**10. MAYOR AND COUNCIL MEMBER REPORTS**

Mayor Gunselman reported that she attended the School Site Council meeting with Fire Chief Moreno and Police Chief O'Connell where they reviewed the districts emergency plan.

Council member Sierk reported that the Bike/Ped committee will meet again in October to talk about the information that was collected at the last meeting. She noted that she has possible access to three free bike racks that can be used throughout town to help enable bicyclists to stay in town longer. She also noted that the marketing committee met to discuss seasonal décor with the business owners.

Council member Swift noted that there is an ARSA meeting and Ad Hoc Special Event meeting and a Fire District meeting tomorrow.

Council member Feist noted that the city controls the website and social media pages and the SCBPA is not happy with it and wants to be able to have their events posted.

Mayor Gunselman suggested scheduling another marketing committee and agendaize social media to discuss it.

**11. CITY MANAGER'S REPORT**

Interim City Manager Spelliscy noted that they are working on the drainage issues at 310 Gopher Flat Rd.

The city has received notice that the two FEMA projects -- the armor wall at the sewer plant and the debris behind the flushing dam -- have been identified as projects that possibly need environmental permits. Still trying to move forward and stay eligible for reimbursement.

She also noted that they are moving forward with the crosswalk painting.

Interim City Manager Spelliscy noted that a Closed Session meeting for City Manager finalist interviews will be held on September 27<sup>th</sup> from 5pm-9pm. She also noted that the October 2<sup>nd</sup> meeting will be cancelled with the next meeting being held on October 16<sup>th</sup> and a Special meeting on the 30<sup>th</sup> from 3pm-5pm.

**12. CITY ATTORNEY'S REPORT- None.**

**13. FUTURE AGENDA ITEMS**

Council member Feist requested:  
Heritage Oaks  
Polystyrene Ordinance

Social Media- suggest hiring a professional social media manager.

**14. INFORMATION/CORRESPONDENCE**

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Monthly Building Report
- D. Treasurer's Report
- E. Monthly Administrative Services Report
- F. Monthly Finance Department Report
- G. Warrants- Sept 5<sup>th</sup> & 18th, 2023
- H. Monthly Engineer's Report
- I. Monthly Planning Report
- J. Public Communications

Mayor Gunselman noted that the water fountain at the park is not working.  
So noted.

**15. ADJOURNMENT**

The meeting was adjourned at 8:51 p.m.

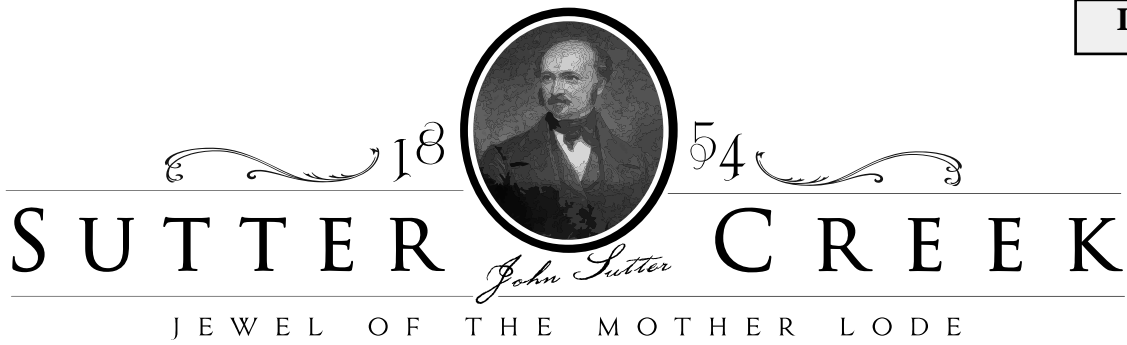
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Claire Gunselman, Mayor

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Karen Darrow, City Clerk

Date Approved:



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**STAFF REPORT**

**TO:** MAYOR AND MEMBERS OF THE CITY COUNCIL  
**MEETING DATE:** SEPTEMBER 27, 2023  
**FROM:** SANDRA SPELLISCY, INTERIM CITY MANAGER  
**SUBJECT:** BRYSON PARK DEED RESTRICTION

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**RECOMMENDATION:**

Adopt Resolution 23-24-\* regarding the issuance of grant funds by California Parks and Recreation Department and authorizing the signing of the deed restriction.

**BACKGROUND:** The City is in the final steps of submitting a reimbursement request for the project costs at Bryson Park and this resolution is the final documentation in the process.



**RESOLUTION 23-24-\***

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK REGARDING THE ISSUANCE OF GRANT FUNDS BY CALIFORNIA DEPARTMENT OF PARKS AND RECREATION AND AUTHORIZING THE SIGNING OF THE DEED RESTRICTION**

**WHEREAS**, the City of Sutter Creek has applied to the California Department of Parks and Recreation (DPR) for grant funds available pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All of 2018 Parks Bond Act, 2018 Parks Bond Act Per Capita Program for installing new walking paths, gathering space, bocce ball court, renovate existing landscaping and outdoor fitness equipment at Bryson Park; and

**WHEREAS**, on July 1, 2020, DPR’s Office of Grants and Local Services conditionally approved said Grant 18-03-011 (“Grant”); and

**WHEREAS**, but for the imposition of the Deed Restriction condition of the Grant, the Grant would not be consistent with the public purposes of the 2018 Parks Bond Act, 2018 Parks Bond Act Per Capita Program and the funds that are the subject of the Grant could therefore not have been granted; and

**WHEREAS**, Owner has elected to comply with the Deed Restriction of the Grant, so as to enable Owner, to receive the Grant funds and perform the work described in the Grant; and

**WHEREAS**, the Deed Restriction document requires the signature of the Grantee’s Authorized Representative; and

**WHEREAS**, Sandra Spelliscy is the Interim City Manager; and

**NOW, THEREFORE, BE IT RESOLVED**, that in consideration of the issuance of the Grant funds by DPR, the City Council authorizes the signing of the Deed Restriction document by Interim City Manager Sandra Spelliscy as Authorized Representative.

The foregoing resolution was duly passed and adopted at a special meeting of the City Council of the City of Sutter Creek on the 27<sup>th</sup> day of September 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

THE CITY OF SUTTER CREEK

\_\_\_\_\_  
Claire Gunselman, Mayor

ATTEST:

\_\_\_\_\_  
Karen Darrow, City Clerk