

**CITY COUNCIL A G E N D A**  
**MONDAY March 4, 2024**  
**6:30 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>

*Please note: Zoom participation is only available for viewing the Council meeting.*

*\*Public comment will not be taken from Zoom.\**

*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.**

**6:30 P.M. 1. CALL TO ORDER AND ESTABLISH A QUORUM FOR A SPECIAL 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. CITY MANAGER’S REPORT**

*This section is an opportunity to provide Council members with a brief status update on staff activities. No action is expected to be taken by the Council.*

**5. PRESENTATIONS**

A. Amador County Recreation Association – Justin Howard, Executive Director

**6. APPROVAL OF MINUTES**

A. City Council Minutes of February 20, 2024.

*Recommendation: By motion approve minutes as presented.*

**7. CONSENT AGENDA**

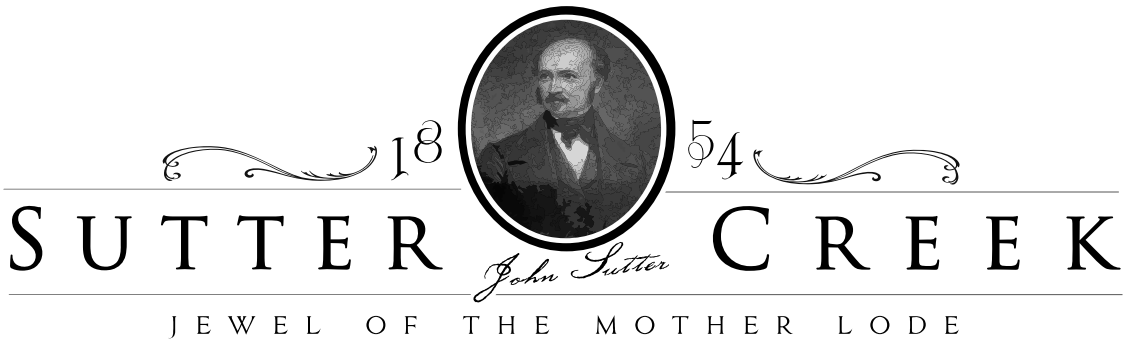
*Items listed on the consent agenda are considered routine and shall be enacted in one motion.*

*Any item may be removed for discussion at the request of Council or the Public.*

A. Adopt Resolution 24-25-\* accepting the work on the Gold Strike Court Storm Drain Replacement and authorizing the City Manager to execute the Notice of Completion and cause it to be filed with the Amador County Recorder.

**ADJOURNMENT**

**Adjourn into Regular Session**



**CITY COUNCIL MINUTES  
MONDAY, FEBRUARY 20, 2024**

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>

**6:30 P.M. 1. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING**

Council members present:

Feist (arrived at 6:40 p.m.), Riordan, Sierk, Swift and Gunselman  
Vicky Runquist, City Treasurer

Staff Present:

Tom DuBois, City Manager  
Derek Cole, City Attorney  
Karen Darrow, City Clerk

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

**3. PUBLIC FORUM**

Michael Spinetta, Larry Angier and Pastor Mark Smith presented a Los Posadas poster for the city to display and thanked the city for being a good host for their event over the years.

**4. CITY MANAGER’S REPORT**

City Manager DuBois presented an overview noting:

Grant opportunities made available through State Senator Marie Alvarado-Gil.

He has been looking into companies that could help with grant writing.

The finance department is recruiting a part-time Account Clerk.

Two special districts fees are being implemented by the winery (2%) and hotel/lodging (1%) groups to generate revenue for marketing.

The ARSA Board voted to terminate the Sutter Creek loan repayment and directed staff to begin the dissolution process that would make Sutter Creek the successor to ARSA, he expects the process to take about 60 days.

*Council member Feist arrived at 6:40 p.m.*

**5. PRESENTATIONS**

Presentation by Herminia Perry- Amador Air Quality District Update

**6. APPROVAL OF MINUTES**

A. City Council Minutes of February 5, 2024.

*Recommendation: By motion approve minutes as presented.*

**M/S Council member Riordan/Sierk to approve the City Council Minutes of February 5, 2024, as presented.**

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

**7. CONSENT AGENDA – None.**

**8. ORDINANCES & PUBLIC HEARING**

A. Public Hearing to consider increase in rates for solid waste service provided by Aces Waste Services, Inc.

1. Conduct a public hearing to hear comments regarding the proposed rate increase for solid waste services.
2. Adopt Resolution 23-24-\* Approving solid-waste rate adjustments pursuant to proposition 218.

City Attorney Cole outlined the Proposition 218 process and the Clerk confirmed that there were no protest votes.

Paul Molinelli, Jr. of ACES Waste Services explained that the increase is necessary due to diesel and insurance cost increases and land fill fees going up.

Mayor Gunselman opened the Public Hearing at 7:10 p.m. there was no comment.

**M/S Council member Sierk/Swift to close the Public Hearing.**

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

**M/S Council member Swift/Riordan to Adopt Resolution 23-24-20 Approving solid-waste rate adjustments pursuant to proposition 218.**

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

Paul Molinelli, Sr. of ACES Waste Services noted that they do a good job for the customers and that the absence of protest votes reflects the service they provide.

- B. Introduce and Waive First Reading of Ordinance No. \_\_\_\_\_Amending Chapter 2.04.010 of the Sutter Creek Municipal Code regarding dates and times of City Council meetings.
- C. Introduce and Waive First Reading of Ordinance No. \_\_\_\_\_Amending Chapter 2.04.010 of the Sutter Creek Municipal Code regarding dates and times of City Council meetings.

**9. ADMINISTRATIVE AGENDA**

- A. Consideration of Wastewater collection Reimbursement for 185 Spanish Street – ACTION

City Manager Tom DuBois explained that this item was originally discussed in closed session, but several Council members requested that it be brought back in open session for further discussion.

Staff explained clarified that the issue was at the City’s end and that the area is problematic.

Property owner Jean Pinotti commented that some lines throughout the city are more problematic than others and suggested that a maintenance program of the ongoing issues would alleviate some of the backup problems and keep the resident from having to determine where the problem is.

City Manager DuBois noted that staff are looking into a metric to determine priority areas.

**M/S Council member Sierk/Riordan to reimburse the entire amount of \$1,100.00.**

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

- B. Consideration of Removal of Two Parking Spaces near Hotel Sutter – ACTION

City Manager Tom DuBois explained that Hotel Sutter had been granted an outdoor dining permit but never implemented their design, making their current set up out of compliance.

He reviewed the staff recommendation to remove parking spaces in front of Hotel Sutter to allow for a better pedestrian and dining experience near the curb. He also noted that they will be going back through the Design Review process with a new outdoor dining proposal.

Council member Feist noted her support of outdoor dining and the benefit it adds to the city. She explained that she does not care for the design that Cavana’s has and hopes that Hotel Sutter can create a more open feel.

Mayor Gunselman noted that the five-foot sidewalk clearance is a requirement and must be maintained.

The Council discussed the pros and cons of removing the parking spaces as suggested.

**M/S Council member Swift/Sierk to not remove parking spaces in front of Hotel Sutter.**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**MOTION CARRIED**

**C. City Sponsored Events – INFORMATION**

City Manager DuBois suggested that the Council discuss the city sponsoring one or two events a year to encourage community building. He mentioned a 4<sup>th</sup> of July event at the pool to help raise money for the pool.

Council member Sierk noted that the ARTS Council will not be hosting concerts in Sutter Creek this summer and is in favor of the city doing something to replace them.

The Council noted that they were in favor of sponsoring some events.

**10. MAYOR AND COUNCIL MEMBER REPORTS**

Council member Sierk reported that ACRA had a meeting and the financials that were presented need to be updated and she expects the Pool contract to be discussed at their next meeting. She also noted that Executive Director Justin Howard is resigning effective April 1<sup>st</sup> and that the Arts Council is moving the TGIF concerts to Mollie Joyce Park.

Mayor Gunselman noted that she attended an event at the Historic Grammar School that was a great opportunity for people to see the improvements and they were happy that the rental space was available for use.

Council member Swift noted that he had missed the last Fire District meeting and they are having their meeting tonight during the Council meeting so he will get in touch with Chief Moreno for an update and report back.

Council member Feist noted that she is working on some ideas for events to highlight the historic places in town.

**11. CITY ATTORNEY’S REPORT – None.**

**12. FUTURE AGENDA ITEMS – None.**

**13. INFORMATION/CORRESPONDENCE**

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Treasurer's Report
- D. Monthly Administrative Services Report
- E. Monthly Finance Department Report
- F. Warrants
- G. Monthly Engineer's Report
- H. Monthly Planning Report

**14. ADJOURNMENT**

The meeting was adjourned into closed session at 8:24 p.m

**15. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)  
SEIU Local 1021 v. City of Sutter Creek, Pub. Emp. Rel. Bd.  
Case No. SA-CE-1244-M

**REPORT FROM CLOSED SESSION**

No reportable action.

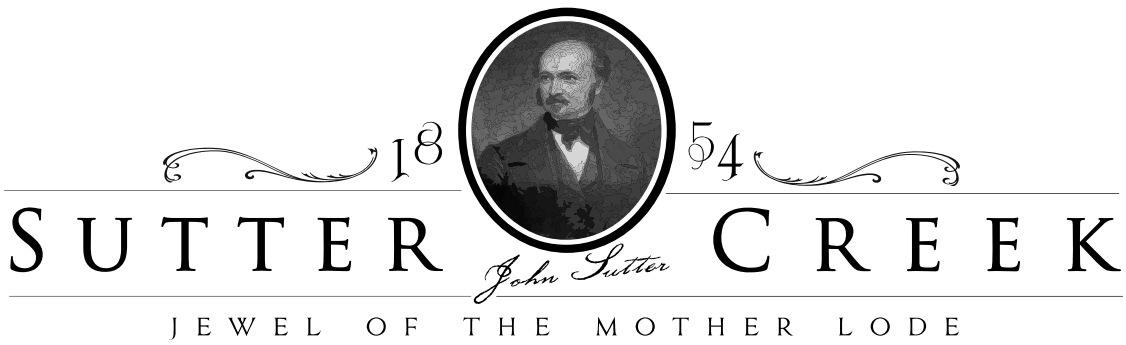
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Claire Gunselman, Mayor

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Karen Darrow, City Clerk

Date Approved:




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**TO: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**MEETING DATE: MARCH 4, 2024**

**FROM: MATT OSPITAL, CITY ENGINEER**

**SUBJECT: GOLD STRIKE COURT STORM DRAIN REPLACEMENT**

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**RECOMMENDATION:**

Adopt Resolution 24-25-\* accepting the work on the Gold Strike Court Storm Drain Replacement and authorizing the City Manager to execute the Notice of Completion and cause it to be filed with the Amador County Recorder.

**BACKGROUND:**

The contractor, Campbell Construction General Engineering, Inc., completed the work on the City of Sutter Creek Gold Strike Court Storm Drain Replacement on August 30, 2023, in accordance with the Plans and Specifications approved by the City Council of the City of Sutter Creek. Final construction costs were \$97,395.85.

**DISCUSSION:**

All contract items of work for the Gold Strike Court Storm Drain Replacement have been completed in substantial compliance with the plans, specifications, codes, and standards of the City. All work was determined substantially complete on August 30, 2023.

Final project costs are as follows:

Original Contract Amount	\$ 96,825.00
<u>Final Contract Change Order</u>	<u>\$ 570.85</u>
Final Contract Amount	\$ 97,395.85



CITY OF SUTTER CREEK  
OFFICE OF THE CITY ENGINEER

When recorded, mail to:

City Manager  
City of Sutter Creek  
18 Main Street  
Sutter Creek, CA 95685

**NOTICE OF COMPLETION  
CITY OF SUTTER CREEK**

**NOTICE IS HEREBY GIVEN** of the completion of a Work of Improvement as follows:

**Date of Completion:** August 30, 2023.

**Name and Address of the Owner:** City of Sutter Creek, 18 Main Street, Sutter Creek, CA 95685.

**Nature of the Interest or Estate of the Owner:** Owner in fee simple.

**Description of the Site:** Gold Strike Court, Sutter Creek, CA 95685

**Name and Address of the Contractor for the above Work of Improvement:** Campbell Construction General Engineering, Inc., 175 Sutter Hill Road, Sutter Creek, CA 95685.

**General Statement of Kind of Work Done or Materials Furnished:** Replace storm drain at Gold Strike Court.

**CITY OF SUTTER CREEK – OWNER**

By \_\_\_\_\_  
Tom DuBois, City Manager

TOM DUBOIS declares:

I am the City Manager of the City of Sutter Creek, the municipal corporation that executed the foregoing notice as owner of the aforesaid interest or estate in the property therein described; that I make this verification on behalf of said municipal corporation; that I have read this Notice of Completion and know the contents thereof, and that the facts stated therein are true.

I declare under penalty of perjury that the foregoing is true and correct. Dated at Sutter Creek, California this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
TOM DUBOIS, CITY MANAGER

**RESOLUTION 24-25-\***

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK  
ACCEPTING THE COMPLETION OF PUBLIC IMPROVEMENTS FOR THE GOLD  
STRIKE COURT STORM DRAIN REPLACEMENT, AND FILING A NOTICE OF  
COMPLETION AND AUTHORIZING RECORDATION THEREFORE**

**WHEREAS**, the contractor of work, Campbell Construction General Engineering, Inc. completed all work according to the plans and specifications on August 30, 2023; and

**WHEREAS**, the improvements consisted of replacing a storm drain at Gold Strike Court.

**WHEREAS**, the improvements have been completed to the satisfaction of the City Engineering Department.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Sutter Creek does hereby accept the completed public improvements and authorizes the City Engineer to file a Notice of Completion with the Amador County Recorder.

The foregoing resolution was duly passed and adopted by the City Council of the City of Sutter Creek at a regular meeting on the 4th day of March by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

CITY OF SUTTER CREEK

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

ATTEST:

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