

CITY OF AMADOR CITY

AGENDA OF THE CLOSED SESSION THE CITY COUNCIL

TUESDAY, April 19, 2022 6:00 p.m.

This will be a hybrid meeting – In person at the City Hall

CLOSED SESSION – Pursuant to Government Code 54956 – Possible litigation

AGENDA OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY April 19, 2022 7:00 p.m.

This will be a hybrid meeting – in person in the City Hall and on ZOOM

SPECIAL NOTICE

Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020, as a response to mitigating the spread of coronavirus known as COVID-19, during the January 18, 2022, meeting of the City Council of Amador City, California members of the public will be allowed to join Zoom Meeting.

Zoom Information – see next page.

As of August 2, 2021, the State of California requires masks for unvaccinated people and recommends masks for everyone in indoor settings, including local government offices. Therefore, we respectfully request that you wear a mask if you attend this meeting in person.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call –
4. Approval of Agenda, Minutes of March 15, 2022, meeting and Financial Statements -
5. Public Matters Not on the Agenda – Discussion items only, no action to be taken. Any person may address the council at this time on any subject matter within the jurisdiction of the Amador City Council. Any item that requires action will be deferred to a subsequent council meeting. Five-minute time limit –

Members of the public wanting to address the Council, either during public comment or for a specific agenda item, or both, are requested to send an email notification no later than 6:00 p.m. on the day of the meeting to city.clerk@amador-city.com. Public comment should identify the agenda item it seeks to address, and be limited to 300 words or less. Public comment will be read at the time such agenda item it references is called.

6. Public Comment

7. Public Hearing

- A. Report from Closed Session – No discussion**
- B. Ordinance #182 – SB1383 – First Hearing -**
- C. Resolution # 599 - Foraker Varlance – Side yard set back reduction**
- D. Resolution #600 – Treasurer Salary Increase**
- E. SLFRP (American Rescue Plan) Funds - Vote**
- F. CIRA (formerly known as PARSAC) Flexible Spending Funds -Vote**
- G. Sewer Study Update**
- H. Park Update**

- I. Committees: ARSA – Air – ACRA – Culbert Park – Design Review – ACTC/RTMF – LAFCO – Homeless – BnB/VRBO - Museum - Cemetery - , Maintenance (Dale Cameron will attend to public restrooms temporarily) > Powder House - Fire**

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact City Hall at 209-267-0682 or e-mail city.clerk@amador-city.com. Requests must be made as early as possible, and at least two full business days before the start of the meeting.

Date: 8/12/2021, 12:11 PM

To: City Clerk <city.clerk@amador-city.com>

Amador City Office of the Mayor is inviting you to a scheduled Zoom meeting.

Topic: Amador City Regular City Council Meeting - Zoom link

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/88534027186?pwd=cUhaSm8xRUNTOTgxb1QwSFFzb1VqUT09>

Meeting ID: 885 3402 7186

Passcode: 193935

One tap mobile

+16699006833,,88534027186#,,,,*193935# US (San Jose)

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 885 3402 7186

Passcode: 193935

Find your local number: <https://us02web.zoom.us/j/88534027186?pwd=cUhaSm8xRUNTOTgxb1QwSFFzb1VqUT09>

--

Anne Kel-Artinian

Mayor, Amador City

kelartinian.anne@gmail.com

408-829-9815



"Amador City: The Smallest Incorporated City in California"

CITY OF AMADOR CITY

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, MARCH 15, 2022, 7:00 p.m.

This will be a hybrid meeting – in person at the City Hall

SPECIAL NOTICE

Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020, as a response to mitigating the spread of coronavirus known as COVID 19; and Resolution 590 passed by the City Council of Amador City on October 19, 2021, during the March 15, 2022, meeting of the City Council of Amador City California, Council Members and members of the public will be allowed to join via Zoom. See Zoom information on separate page.

As of August 2, 2021, the State of California requires masks for unvaccinated people and recommends masks for everyone in indoor settings, including local government offices. Therefore, we respectfully request that you wear a mask if you attend this meeting in person.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call – Kel-Artinian, Bragstad, Marks, Robinson, Smith
4. Approval of Agenda, Minutes of February 15, 2022, meeting and Financial Statements – Bragstad moved, 2nd by Robinson, Minutes approved unanimously, Financial Statements tabled until April meeting
5. Public Matters Not on agenda -Discussion items only, no action to be taken. Any person may address the council at this time on any subject matter within the jurisdiction of the Amador City Council. Any item that requires action will be deferred to a subsequent council meeting. Five-minute time limit. Members of the public wanting to address the Council, either during public comment or for a specific agenda item, or both are requested to send an email notification no later than 6:00 p.m. on the day of the meeting to city.clerk@amador-city.com. Public comment should identify the agenda item it seeks to address and be limited to 300 words or less. Public comment will be read at the time such agenda item it references is called.
6. Public Comment – Bruce Smith reported that the Fire Dept. would like a chipper/shredder and funds may be raised for that. Discussion of Clean Up which may consist of two days per year residents can put anything out by the curb for pick up by Aces. Planner position was discussed and we can get help from Weber, Ghio if needed. ACBCA would like plaza landscaping and bathrooms upgrade on April agenda.
7. Public Hearing

- A. LaVigna-Jeffries Variance-Resolution #598 – Bragstad moved, Robinson 2nd, approved unanimously. A compromise was reached between owners and a lattice screen will be erected on deck to provide privacy for neighbor.
- B. Sewer Study Update - Being reviewed for technical compliance.
- C. Park Ad Hoc Committee Update – School House Park - Playground equipment choice has been narrowed down to included shade covering over play area , basket ball court to included pickle ball, hand ball, and have an adjustable height for the basket to accommodate younger children, possible community garden, Ray Brusatori mentioned the very large slabs of rock from the bridge project should be used in park gathering place for picnics, etc., new bathroom, and retain as much of the natural features as possible - CEQUA statement sent to State, deed retrieved and sent to State -Project grant of \$176,000 (PARSAC) possible with \$40,000 as matching funds from City.
- D. Short-Term Rental Ad Hoc Committee Update – Councilman Marks will schedule an in-person meeting of Committee to discuss issues.
- E. Powder House Update – Waiting for survey to be completed. The Williamson Act is also a consideration.
- F. Permit Tracking – For Committee
- G. Committees: ARSA – No meeting, Air - \$17,000 grant for EVA, ACRA – No meeting, Design Review – No meeting, ACTC/RTMF – Money may be available for bike and walking trails county-wide, 2 years planning for this. ACTC paid for installation of Speed Signs, LAFCO – Annex 2 acre parcel in Plymouth, Homeless -, BNB/VRBO - covered, Museum - new officers, Cemetery -Oak tree to be reviewed , Maintenance – clean storm drains throughout town (maintenance Ian Davidson to handle) , Powder House, Fire - debris piles near creek to be burned in near future.
Meeting adjourned at 8:34 p.m.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Joyce Davidson at (209) 890-6284 or e-mail city.clerk@amador-city.com. Requests must be made as early as possible, and at least two full business days before the start of the meeting.

RESOLUTION NO. 599

**A Resolution of the City Council of the City of Amador City, California
Approving Variance for APN 008-284-011
10640 Oneil Alley**

WHEREAS, application for side yard setback reduction has been received from Helen Foraker in accordance with Chapter 17.76.020 of the City Code; and

WHEREAS, application has been reviewed by the City Engineer, Planner, Building Official and found to be complete in accordance with City Code; and

WHEREAS, side yard set-back variance is “minor alterations in land use limitations” and is categorically exempt pursuant to Section 15305 of the California Code of Regulations, Title 14, Chapter 3; and

WHEREAS, yard variance to accommodate appurtenant residential construction is consistent with the General Plan and City Code of Amador City; and

WHEREAS, City Council acts on Variance Requests pursuant to Chapter 17.76 of City Code; and

WHEREAS, application for side yard variance has been noticed as required by City Code and public testimony heard by the City Council, and

WHEREAS, Staff Report and public testimony were received and duly considered; and

WHEREAS, Findings A-D of Staff Report have been made in support of side yard setback variance.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Amador City does hereby approve side yard set-back to allow existing structure to remain on APN 008-284-011; and

BE IT FURTHER RESOLVED variance is applicable only to existing appurtenant, and subject to conditions 1, 2, and 3 of Staff Report.

The foregoing resolution was duly passed and adopted by the City Council of the City of Amador City at a regular meeting on the th day of April 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF AMADOR CITY

Mayor

ATTEST:

City Clerk

CITY OF AMADOR CITY

MAR 31 2022

MEMORANDUM

TO: City Council

FROM: City Planner & Building Official *L. Tracy*

RE: Foraker Variance Request
10640 Oneil Alley
APN 008-284-011

DATE: March 31, 2022

BACKGROUND

Applicants built an attached deck with pool and spa adjacent to their Single-Family Dwelling without the benefit of a Building Permit or Planning Approval. The deck as constructed encroaches into the required 5' side yard setback as it is built right on the property line (i.e. no setback). The pool and spa meet the required setback. Work was complete when discovered by the Building Official.

ISSUE

Normal process for dealing with building violation of this type requires permit issuance with a double permit fee and correction of any building violations. City Code typically requires a setback of 5 feet from the side property line for any structure in a residential zone. To allow a permit to be issued for construction of the existing deck with pool and spa, a variance must be granted pursuant to Chapter 17.76, "Variances and Zone Changes," of the City Code. This requires findings by the City Council that A, B, C, and D of Section 17.76.030, "Necessary Conditions," exist:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone and vicinity;
- B. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located;
- C. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by other property in the same zone and vicinity;

D. That the granting of such variance will not adversely affect the comprehensive general plan.

CONSIDERATIONS

Since the applicant's request is to allow the deck with pool and spa to remain as constructed, the question becomes whether allowing the structure to remain with the reduced side yard setback ... "assure that the spirit and purpose of this title (i.e. Chapter 17.76)..." be observed, public safety and welfare secured, and substantial justice done.

There are examples of similar construction in the City.

Failure to grant the variance will require removal of improvements in the 5-foot side yard area.

RECOMMENDATION

Subject to testimony heard or written received at City Council meetings, the City Council could make the required findings and conditionally grant a reduced side yard setback variance. Conditions A, B and C are key in this application.

Recommended conditions, should the variance be granted, are:

1. No portion of the structure shall extend beyond the property line.
2. Applicant shall secure building permit with plan view and notes that reference these conditions within 30 days of Variance approval.
3. Applicant shall pay double permit fee as set forth in California Building Code.

Action Required

City Council may:

- A. Continue or deny application by minute order
- B. Approve by resolution

City Building Official will attend City Council Meeting to further address this issue should it be needed.

A draft resolution is attached, should Council approve the variance.

cc Gregory Wayland, City Attorney
Joyce Davidson, City Clerk

RESOLUTION NO. 600

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY, CALIFORNIA, APPROVING SALARY INCREASE FOR CITY TREASURER

WHEREAS, Amador City employs Holly Groth as its Treasurer; and

WHEREAS, the City Treasurer has not had a salary increase since taking office in February 2017;
and

WHEREAS, the cost of living has increased approximately 16% over the past five years; and

WHEREAS, the City Treasurer's responsibilities have significantly expanded during her term; and

WHEREAS, the 2021-2022 budget, approved in July of 2021, anticipated salary increases for City employees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMADOR CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The salary for Holly Groth, City Treasurer, will increase from \$250 to \$400 per month retroactive to March 1, 2022.

The City Clerk shall certify the passage and adoption of *this* resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Amador City, California, this 19th day of April, 2022, upon a motion by Council Member _____, seconded by Council Member _____, by the following vote, to wit

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR, City of Amador City

ATTEST:

City Clerk, City of Amador City

City Treasurer Job Description (4-9-2022):

- Accounts receivable: Record checks received in Income binder with account #, stamp back of checks; Record direct deposits from State.
- Accounts payable: Record payroll and review list of bills to pay prepared by City Clerk; send both to MLN one week prior to city council meeting for printing of checks.
- TOT: Record TOT income in TOT binder.
- Banking: Prepare deposit slips and take deposits to bank 2-3 times per month depending on volume; File deposit receipts and bank statements in Income binder; Renew CD's when expire; Provide updated CD balances to MLN; Co-ordinate with City Clerk to be sure correct accounts are used and for accuracy; Ensure there is enough money in checking and savings to cover immediate and long term expenses; Open and fund new CDs when there is enough excess money in checking.
- Building Permits: Maintain file of building permits; Co-ordinate with Building Inspector when necessary; File Strong Motion report quarterly; File BSASRF report annually; Communicate with building permit applicants when necessary; Send copies of building permits to Amador County Assessor's office monthly.
- Rentals: Record rent payments and maintain rent ledger for Apartments A and B and Old City Hall office rental. Communicate with renters when necessary.
- Tickler File: Record misc. items into binder
- Miscellaneous: Sign checks; Be ever vigilant to be sure everything financial is accurate; Help with budget if and when needed; Recommend an audit every five years and help co-ordinate.

New responsibilities since I filled this position:

- CIRA: Complete annual insurance updates requested by CIRA, approx. 2-3 times per year.
- TOT: Send quarterly reminders to each short-term rental property owner; Send reminder/collection letters when TOT is delinquent.
- Building Permits: Co-ordinate with Building Inspector when necessary; File BSASRF report annually; Communicate with building permit applicants regarding payments and pick-up of permits, when necessary.
- Miscellaneous: Fill in for City Clerk during regular office hours and City Council meetings when City Clerk is unable to be there; Co-ordinate with MLN to get various payroll, city and streets reports completed, as required by the state and by workers compensation company; Assist City Clerk and Mayor with various miscellaneous projects when requested.