

**CITY OF AMADOR CITY**

**AGENDA OF THE REGULAR MEETING OF THE CITY COUNCIL**

**TUESDAY March 21, 2023, 7:00 p.m.**

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

**Zoom information – see next page.**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call –**
- 4. Approval of Agenda, Minutes of February, 2023, meeting**
- 5. Approval of Financial Documents**
  
- 6. 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 –**
  
- 7. Public Comment**
  
- 8. Public Hearing –**
  - A. City Manager's Report**
  - B. Assignment of Committees**
  - C. City Hall Park – Bid received from Wunschel & Sons – Discussion and possible action**
  - D. Agreement Between City and Old Route 49 LLC regarding Improvements within an Existing Easement – Discussion and possible action**
  - E. Museum Porch Repairs – Discussion and possible action**
  - F. Blue Zone – Jon Colburn – Discussion and possible action**
  - G. Controlling Document for Zoning in Amador City – Discussion and possible action**
  - H. Posting for New Council Member**
  - I. Kit Carson Mountain Men Wagon Train visit Friday, April 28, 2023**
  - J. Recognition of Council Member Bruce Smith**
  
- A. Committees: ARSA – Air – ACBCA - ACRA – Cemetery - Culbert Park – Design Review – ACTC/RTMF – LAFCO – Homeless – Short Term Rentals - Museum - Maintenance - 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 Joyce Davidson at (209)890-6284 or e-mail [city.clerk@amador-city.com](mailto: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.**

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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/kczh1A5R1>

CITY OF AMADOR CITY

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY February 21, 2023 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, 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.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call – Kel-Artinian, Bragstad, Sherrill, Smith present
4. Approval of Agenda, Minutes of January 17, 2023
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 – Another fire was reported on the Gornet property,
6. Public Comment
7. Public Hearing
  - A. Selection and swearing in of New Council Member – Sandra fStaples was sworn in
  - B. City Manager's Report -Met with 2 contractors for walk through in Park, No bids yet. Sidewalk in front of Small Town needs repair,
  - C. Committee Assignments: Russ Robinson will remain on ARSA. Others to be decided in March meeting.
  - D. Park Update – Playground equipment has been delivered.
  - E. Resolution #608 – Authorizing Mayor Kel-Artinian to sign Deed Restrictions relative to City Hall Park. Motion by Smith, 2<sup>nd</sup> by Sherrill to approve, approved unanimously.
  - F. State Senator Marie Alvarado-Gil planning her first visit to her district for February 23, 2023 in Amador City, at 2:30 in afternoon
  - G. Reminder of Public Hearing for Sewer Rate Increase March 2, 2023 at 5:30 p.m.
  - H. Permit Log – Question raisted is Michael Gornet grading?
  - I. Committees:
    - ARSA-Big project behind Walmart, plus waste water treatment plant
    - AIR – Smith and Bragstad approve EV charger at Imperial Hotel in future
    - ACRA – Russ Robinson to remain
    - Design Review – Serra sign approved
    - Biking/Walking Trails - Between Sutter Creek and Amador City – grant funding
    - LAFCO – nothing
    - Museum – Nothing

Cemetery – Nothing

Powder House – Fancher and Smith to schedule discussion

Fire – Chipper ordered

Short Term Rentals – March City Council Meeting – focus on Ordinance

Parks – Nothing

ACBCA – New president

Meeting adjourned 8:48 p.m.

RECEIVED MAR - 9 2023

Mayor-Kel-Artinian, City Manager-David Groth, City Attorney-Pat Keene  
Amador City  
14531 East School Street  
PO Box 200  
Amador City, CA 95601

Dear Mayor Kel-Artinian, City Manager, David Groth, City Attorney, Pat Keene, City Attorney

I hereby submit my formal resignation as my role as City Council Person, effective immediately. My full intention as a councilperson was to serve the community, create more transparency & communication and work towards making decisions based on what the residents of Amador City desired and on clear and concise information. It was also my desire to work towards executing items brought before the council in a more timely manner.

After serving for a little over two years, it has become clear that the city continues to lack the means to communicate and provide information to both the public and the council with enough time to make appropriate and accurate decisions. The city also continues to be unable to enforce the laws and code of the city.

It is for these reasons and other personal ones that have led to my resignation as City Councilperson in Amador City.

I will continue to do everything in my power to help keep Amador City the best city in California if not the nation. I have just found that it will not be possible to do it as a councilperson.

Cheers,



Bruce Smith

CC: City Clerk – Joyce Davidson

RECEIVED MAR 9 2002

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CHICAGO, IL 60637

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# CITY OF AMADOR CITY

## MEMORANDUM

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Matt Ospital, City Engineer  
**RE:** Park Improvement Project  
14531 E. School Street, Amador City  
APN 008-272-012  
**DATE:** March 16, 2023

### RECOMMENDATION:

It is recommended City Council reject the bid received by Wunschel & Sons. Additionally, it is recommended we rebid the project and restructure the bid task items based on the attached table.

### DISCUSSION:

The City of Amador City applied for and received a grant to make improvements to the City park. At the direction of the City Council, the City Engineer prepared plans and specifications for the improvements. The City Engineer advertised the project and held a mandatory pre-bid meeting on February 2, 2023, at 10:00 am. Two contractors attended the meeting, Wunschel & Sons and Shenandoah Excavating.

On March 9, 2023, at 10:00 am the City opened a single bid received from Wunschel & Sons for \$300,648. The bid not only exceeded the Engineers Estimate of \$124,546, but also the park grant of \$175,000 (see Bid Summary attached).

### OPTIONS:

1. City Council rejects the bid. City Engineer can then revise the scope and go back out to bid with the project (see attached table).
2. City Council accepts the total bid. The City would need to secure the additional funds needed (\$125,648).
3. City Council accepts the base bid and negotiates with the contractor to perform the portion of the project the City can cover with the grant funds. i.e., get the playground equipment installed with the border and safety soft surface.

**CITY OF AMADOR CITY  
AMADOR CITY PARK PROJECT**

**PROPOSED BID TASK ITEM RESTRUCTURING**

**BASE BID:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		\$/UNIT	TOTAL
				\$/UNIT	TOTAL		
1	Locate & Protect Existing Utilities	LS	1	\$1,500.00	\$1,500.00		\$0.00
2	Clearing & Grubbing	LS	1	\$20,000.00	\$20,000.00		\$0.00
3	Site Grading	LS	1	\$14,000.00	\$14,000.00		\$0.00
4	Play Area Construction	LS	1	\$20,000.00	\$20,000.00		\$0.00
5	Unsuitable Material (CA)	CY	10	\$100.00	\$1,000.00		\$0.00
<b>TOTAL</b>					<b>\$56,500.00</b>		<b>\$0.00</b>

**ADDITIVE ALTERNATE #1:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		\$/UNIT	TOTAL
				\$/UNIT	TOTAL		
1	Keystone Retaining Wall	LF	150	\$75.00	\$11,250.00		\$0.00
2	Concrete Flatwork and Vertical Curb	SF	990	\$16.00	\$15,840.00		\$0.00
3	Concrete Stairs	SF	20	\$150.00	\$3,000.00		\$0.00
4	Basketball Court	SF	2288	\$12.00	\$27,456.00		\$0.00
5	Basketball Hoop	EA	1	\$3,500.00	\$3,500.00		\$0.00
6	Pickleball Posts & Net	LS	1	\$4,500.00	\$4,500.00		\$0.00
7	Court Striping	LS	1	\$2,500.00	\$2,500.00		\$0.00
<b>ADDITIVE ALTERNATE #1 TOTAL:</b>					<b>\$68,046.00</b>		<b>\$0.00</b>

**ADDITIVE ALTERNATE #2:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		\$/UNIT	TOTAL
				\$/UNIT	TOTAL		
1	Shed & ADA Bathroom	LS	1	\$25,000.00	\$25,000.00		\$0.00
2	Propane Tank Relocation	LS	1	\$2,000.00	\$2,000.00		\$0.00
3	Vertical Curb & Concrete Sidewalk	SF	300	\$16.00	\$4,800.00		\$0.00
<b>ADDITIVE ALTERNATE #2 TOTAL:</b>					<b>\$31,800.00</b>		<b>\$0.00</b>

**ADDITIVE ALTERNATE #3:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		\$/UNIT	TOTAL
				\$/UNIT	TOTAL		
1	Clearing & Grubbing	LS	1	\$2,500.00	\$2,500.00		\$0.00
2	Concrete Flatwork & Vertical Curb	SF	1050	\$16.00	\$16,800.00		\$0.00
3	Keystone Retaining Wall	LF	100	\$75.00	\$7,500.00		\$0.00
4	Asphalt Concrete Driveway Restoration	SF	2300	\$10.00	\$23,000.00		\$0.00
5	Unsuitable Material (CA)	CY	10	\$100.00	\$1,000.00		\$0.00
<b>ADDITIVE ALTERNATE #3 TOTAL:</b>					<b>\$50,800.00</b>		<b>\$0.00</b>

**BASE BID PLUS ADDITIVE ALTERNATES #1-3 TOTAL:      \$207,146.00      \$0.00**

**CITY OF AMADOR CITY  
AMADOR CITY PARK PROJECT**

**BID SUMMARY**

**BID OPENING: MARCH 9, 2023 at 10:00 A.M.**

**BASE BID:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		WUNSCHEL & SONS, INC.	
				\$/UNIT	TOTAL	\$/UNIT	TOTAL
1	Locate & Protect Existing Utilities	LS	1	\$1,500.00	\$1,500.00	\$18,383.00	\$18,383.00
2	Clearing & Grubbing	LS	1	\$20,000.00	\$20,000.00	\$11,983.00	\$11,983.00
3	Site Grading	LS	1	\$14,000.00	\$14,000.00	\$35,328.00	\$35,328.00
4	Keystone Retaining Wall	LF	150	\$75.00	\$11,250.00	\$336.49	\$50,473.50
5	Concrete Flatwork and Vertical Curb	SF	990	\$16.00	\$15,840.00	\$58.07	\$57,489.30
6	Concrete Stairs	SF	20	\$150.00	\$3,000.00	\$891.93	\$17,838.60
7	Play Area Construction	LS	1	\$20,000.00	\$20,000.00	\$37,386.50	\$37,386.50
8	Basketball Court	SF	2288	\$12.00	\$27,456.00	\$20.85	\$47,704.80
9	Basketball Hoop	EA	1	\$3,500.00	\$3,500.00	\$10,005.30	\$10,005.30
10	Pickleball Posts & Net	LS	1	\$4,500.00	\$4,500.00	\$8,556.00	\$8,556.00
11	Court Striping	LS	1	\$2,500.00	\$2,500.00	\$4,500.00	\$4,500.00
12	Unsuitable Material (CA)	CY	10	\$100.00	\$1,000.00	\$100.00	\$1,000.00
<b>TOTALS</b>					<b>\$124,546.00</b>		<b>\$300,648.00</b>

**ADDITIVE ALTERNATE #1:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		WUNSCHEL & SONS, INC.	
				\$/UNIT	TOTAL	\$/UNIT	TOTAL
1	Shed & ADA Bathroom	LS	1	\$25,000.00	\$25,000.00	\$52,685.00	\$52,685.00
2	Propane Tank Relocation	LS	1	\$2,000.00	\$2,000.00	\$7,785.00	\$7,785.00
3	Verticle Curb & Concrete Sidewalk	SF	300	\$16.00	\$4,800.00	\$58.00	\$17,400.00
<b>ADDITIVE ALTERNATE #1 TOTALS:</b>					<b>\$31,800.00</b>		<b>\$77,870.00</b>

**ADDITIVE ALTERNATE #2:**

ITEM	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		WUNSCHEL & SONS, INC.	
				\$/UNIT	TOTAL	\$/UNIT	TOTAL
1	Clearing & Grubbing	LS	1	\$2,500.00	\$2,500.00	\$15,250.00	\$15,250.00
2	Concrete Flatwork & Vertical Curb	SF	1050	\$16.00	\$16,800.00	\$62.00	\$65,100.00
3	Keystone Retaining Wall	LF	100	\$75.00	\$7,500.00	\$430.00	\$43,000.00
4	Asphalt Concrete Driveway Restoration	SF	2300	\$10.00	\$23,000.00	\$14.10	\$32,430.00
5	Unsuitable Material (CA)	CY	10	\$100.00	\$1,000.00	\$100.00	\$1,000.00
<b>ADDITIVE ALTERNATE #2 TOTALS:</b>					<b>\$50,800.00</b>		<b>\$156,780.00</b>

**BASE BID AND ADDITIVE ALTERNATES TOTAL:      \$207,146.00**

**\$535,298.00**

Recording Requested By and  
When Recorded Return to:

City of Amador City  
P. O. Box 200  
Amador City, CA 95603

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(SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY)

## **AGREEMENT**

### **BETWEEN THE CITY OF AMADOR CITY AND OLD ROUTE 49 LLC REGARDING IMPROVEMENTS FOR BREAKEVEN BREWERY LOCATED WITHIN AN EXISTING RECORDED PUBLIC SEWER UTILITY EASEMENT**

WHEREAS, a recorded 10 foot public sewer utility easement for the benefit of the City of Amador City (City) exists along the entirety of the southwestern boundary of the parcel owned by Old Route 49 LLC at 14141 Old State Highway 49 in Amador City, California (A.P.N. 008-302-013-000); and

WHEREAS, a City sewer main currently exists within the above described easement; and

WHEREAS, Old Route 49 LLC has constructed improvements consisting of a building, a trash enclosure, a tank, and concrete sidewalks and slabs, etc. for the use of Breakeven Brewery within the above described easement; and

WHEREAS, maintenance, repair, and/or replacement of or access to the above said current sewer main will be required in the future;

NOW, BE IT AGREED BETWEEN the City and Old Highway 49 LLC, that Old Highway 49 LLC and its successors and heirs shall be responsible for all costs associated with the removal and replacement of any existing improvements that are required to be removed or replaced for maintenance, repair, and/or replacement of or access to the current sewer main located within the easement located on their property.

It is further agreed that in the event that Old Route 49 LLC performs and/or contracts for any of the work referenced in the next preceding paragraph, Old Route 49 LLC shall indemnify and hold harmless the City and its officers and employees from any and all cost, liability or expense, including without limitation attorney fees and court costs in the event of any litigation arising out of such work.

This Agreement shall bind and inure to the benefit of the successors and assigns of the respective parties.

AGREED to this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the following signatures:

Old Route 49 LLC:

\_\_\_\_\_

Name

\_\_\_\_\_

Title

City of Amador City:

\_\_\_\_\_

Name

\_\_\_\_\_

Title

(Add Notary acknowledgment forms for all signing parties.)

**Subject:** Breakeven Brewery-Agreement Related to Building Over Sewer Easement-Agenda Item

**From:** Grant Reynolds <grant.wrfed@gmail.com>

**Date:** 3/14/2023, 2:43 PM

**To:** Joyce Davidson <cityclerk@amadorcity.net>

RECEIVED MAR 16 2023

Joyce,

Please see the attached Agreement. Breakeven Brewery constructed some improvements over our sewer easement at the new brewery. The Agreement has been created by myself and Pat Keene so that Breakeven understands that if the City needs to get to sewer line for repair or replacement they are responsible for repairs to any of the improvements that may be damaged during that construction. The agreement needs to be added to the City Council agenda, approved by the Council, signed by the Mayor, and recorded. Let me know if you have any questions. Thank you.

--

**Grant Reynolds, P.E.**

**Weatherby-Reynolds-Fritson Engineering and Design**

206 Peek Street

Jackson, CA 95642

209.223.0381 (Voice)

209.223.0716 (Fax)

[grant.wrfed@gmail.com](mailto:grant.wrfed@gmail.com)

<http://www.wrfed.com>

Attachments:

Breakeven Brewery Agreement - Sewer Easement.doc

25.5 KB