

**CITY COUNCIL AGENDA**

**TUESDAY, May 23, 2023**

**7:00 P.M. Regular Session**

**14531 E School St, Amador City, CA 95601**

**The Agenda can be found on the City's Website: <https://amador-city.com/government-agendas-minutes/>**

**THE CITY OF AMADOR CITY COUNCIL MEETING WILL BE AVAILABLE VIA ZOOM AND IN PERSON.**

**Join Zoom Meeting**

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

**Meeting ID: 885 3402 7186**

**Passcode: 193935**

**or**

**Dial by phone:**

**669-900-6833**

**Meeting ID: 885 3402 7186**

**Passcode: 193935**

**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. CLOSED SESSION - Attorney advice for 2 contractual matters**
- 2. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 4. REPORT FROM CLOSED SESSION – Pending discussion**
- 5. 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.

## **6. CONSENT AGENDA**

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

A. City Council Minutes of April 18, 2023.

*Recommendation: By motion approve minutes as presented.*

B. Financials

*Recommendation: By motion approve financials as presented.*

C. City Council Agenda of May 18, 2023.

*Recommendation: By motion approve agenda as presented.*

## **7. INFORMATION/CORRESPONDENSE**

A. Committee Reports.

1. ARSA; CIRA; RTMF-ACTC; LAFCO; ACRA; AAD (Air); Homeless task force; Fire; Museum; Short-term Rental; Parks; Design Review; Maintenance; Cemetery; ACBCA

*Recommendation: For discussion and staff direction.*

## **8. ORDINANCES & PUBLIC HEARING**

A. Rescind Ordinance #184 sewer rate ordinance.

*Recommendation: By motion approve ordinance as presented.*

B. Revised Sewer Ordinance.

1. First Reading and enact Ordinance # 184 amending sections of Ordinance # 174 of the Amador City Municipal Code adopting current sewer rate usage policies.

*Recommendation: By motion approve ordinance as presented.*

## **9. ADMINISTRATIVE AGENDA**

A. Park update (Schedule, Costs, Bidding Process, WGA costs to date).

*Recommendation: Current status of bids and project status.*

B. Amador City Hall Apartment A fire update.

*Recommendation: Current available information to be provided.*

C. LEAP Grant Resolution

*Recommendation: By motion approve ordinance as presented.*

D. Russell Robinson Application for Appointment to Amador City Council

*Recommendation: By motion approve ordinance as presented.*

E. Updates to MUNI Code – Volunteers to Participate

**10. MAYOR AND COUNCIL MEMBER REPORTS**

*This section is to provide Council members an opportunity to present updates on their activities and to request items be placed on future agendas.*

**11. 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.*

**12. CITY ATTORNEY'S REPORT**

*This section provides an opportunity for the City Attorney to report on any activities or upcoming legislation of importance to the City. No action is expected to be taken by the Council.*

**13. STAFF REPORT**

A. Permit Log.

B. Amador City Clean-up day June 10, 8am-12pm

**14. FUTURE AGENDA ITEMS**

*This section provides an opportunity for Council members to request items to be added to the agenda in the future with a majority Council vote.*

**15. ADJOURNMENT**

*The next regularly scheduled meeting is June 15, 2023.*

AMADOR CITY COUNCIL  
MINUTES OF REGULAR MEETING APRIL 18, 2023

1. CLOSED SESSION – NONE
2. CALL TO ORDER – Kel-Artinian, Bragstad, Staples, Sherrill present
3. PLEDGE OF ALLEGIANCE
4. REPORT FROM CLOSED SESSION – NONE
5. PUBLIC FORUM – Ray Brusatori asked if the sewer study considered water usage equivalent to single family residential unit, and was Proposition 218 adhered to. Mr. Brusatori also referenced his agreement with the city. Mayor Kel-Artinian and Ray Brusatori to meet with City Attorney Keene and Grant Reynolds of Weatherby, Reynolds and Fritson. Alaina Lyons reported that all the shops are not listed on website. Kirk Lindsay stated he is still waiting for definitive action on utility pole at corner of School and Cross Streets. It was recommended for replacement on March 15, 2023, which has not happened. The top of the pole is rotted out and the pole literally acts as a rain gauge. P. G. and E removed the tree by the pole in October of 2021, but the pole remains.
6. CONSENT AGENDA – City Council Minutes of March 21, 2023, and Agenda of April 18, 2023 – Motion by Staples, 2<sup>nd</sup> by Bragstad, approved unanimously, Financial Statements N/A
7. INFORMATION/CORRESPONDENCE
  - A. Committee Reports:

Arsa – no meeting, new director being sought, in legal action with lone; RTMF-ACTC – Bike/walking trails approved, but did not approve funding. Money may come from state sales tax increase of 1/2%, \$200,000 for roads. John Gedney wants to come to our City Council Meeting; LAFCO – Mayor Kel-Artinian sworn in. First meeting Thursday. New executive director to be found and approved; CIRA – Board Meeting, our deductible may be reduced from \$50,000 to \$25,000 because of size; ACRA – No meeting; AIR – Kevin Carter interested in locating EVC in Imperial Hotel parking lot; Homeless – Flyers sent around for donations, unhoused population approximately 200 in County; Fire – Fire Dept would like us to be Fire Wise Community, to submit application to County. Amador County would like Amador City to be its own district; Museum – Nothing; Short Term Rental – Nothing; Parks – Nothing; Maintenance – Nothing; Cemetery Committee would welcome new members, will

have first meeting soon; ACBCA-Amapola Days event, fund raising for scholarships.  
Councilperson Sandy Staples to report who is new President.

8. ORDINANCES & PUBLIC HEARING

- A. Revise sewer rate ordinance. Ordinance #174 updated.

9. ADMINISTRATIVE AGENDA

- A. Propose City Council Meeting – Bruce Sherrill made motion to change City Council Meeting to third Thursday of the month, 2<sup>nd</sup> by Sandy Staples, approved unanimously. Next Council Meeting to be held May 18, 2023.
- B. Park Update – Bids to be opened this Thursday. Special meeting to approve bid will be scheduled.
- C. Apartment A Fire update – Tenant was not present when fire started. Jackson, Sutter Creek and Lone Fire Departments responded, as well as Sherriff and Sutter Creek Police. Cause of fire not known. We are waiting for insurance inspector. Clean up of Apartment A should take 3 days. Structurally, the building seems to be sound. Temporary power pole to provide electricity to Apt. B and the City Hall. Adjuster to be here next week. Demo to come.
- D. Sewer Infrastructure Discussion – Create a capital fund. Sewer grants hard to find. RCAC will refer grants to us. Technical assistance grants are for smoke inspections, etc. LEAP grants are for planning. Preventative measures – clean lines annually.
- E. Interest payment allocation of funds – first they are put in general fund and allocated to specific fund later.

10. MAYOR AND COUNCIL MEMBER REPORTS

- Mayor – 1. Cal Fire, OES webinar on Fire Hazard Severity Zones. Maps to be approved. Amador City now classified.
2. Dave and Anne met with State Senator Alvarado-Gil. She is working on plan to limit control over insurance premiums. She is also working on getting funds for our roads.

11. CITY MANAGER'S REPORT

Change to agenda to conform to countywide format. Working on LEAP Grant which will allow us to get funds for general plan, sewer, etc. Senator Alvarado-Gil asked what is our need to which we replied infrastructure. Working with Larry White on roads and sidewalks. Budget being evaluated.

P.G. and E. pole on city property. They have an easement. They should be moving forward within next two weeks. City Attorney Keene will write letter stating it is a "clear and present danger". Mayor and Attorney to work together on this. Copy of letter to go to Lindsays, Lyons and Heidi Kaiser.

12.,13.,14., Nothing

15. Adjournment.

**City of Amador City**

**Ordinance # 184**

**An Ordinance Pertaining to Sewer User Fees**

**WHEREAS**, upon adoption of the City Budget of 2022-2023, it was found that user fees were insufficient to continue operating the sewer system without funds being transferred from other sources; and

**WHEREAS**, the City of Amador City, in October 2021, engaged Rural Community Assistance Corporation (RCAC), a 501(c)(3) nonprofit organization that serves rural communities with technical assistance, to prepare a sewer rate study that complied with the California Constitution Article XIII Section D (also known as "Proposition 218"); and

**WHEREAS**, following a Public Hearing, properly noticed and conducted in accordance with Proposition 218, the City Council did approve sewer fees for Equivalent Single Family Residence (ESFR) rates of \$91.47 through the end of the 2023-2024 fiscal year; and

**WHEREAS**, the City Council documented the Proposition 218 process in Resolution 611.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the City of Amador City shall amend its Municipal Code to read as follows:

13.04.710 - Collector and trunk sewer charges.

A. Sewer Service Rate Charge. Hereafter, sewer service rate charges shall be established by ordinance and a process that is in compliance with the California Constitution Article XIII Section D (also known as "Proposition 218").

Residential Units. All residential rates shall be based on the equivalent single-family residence (ESFR) rate of ninety-one dollars and forty-seven cents (\$91.47) and shall be charged as follows:

Classification of Use	Monthly Charges
Residential:	
Single-family dwelling	\$91.47
Multi-Family Dwelling	\$91.47 per unit
Multi-family dwelling 4 or more units	\$91.47 for first unit, \$45.74 for 2nd unit and up

Trailer or mobile home parks	\$91.47 per unit
Churches:	
Houses of worship and public facilities in connection therewith (excluding residences)	\$91.47

**Commercial Establishments.** Charges for commercial establishments shall be determined by first dividing each commercial establishment's average daily amount of water used during the winter months (December, January, February) by the ESFR unit, and then multiplying the quotient by the equivalent single family residential (ESFR ) rate of ninety-one dollars and forty-seven cents (\$91.47). A commercial establishment shall not be billed less than a single-family dwelling unit rate of ninety-one dollars and forty-seven cents (\$91.47). An ESFR unit is determined by the average daily amount of water used during the winter months (December, January, February) by all metered single-family residences divided by the number of residences. The ESFR unit shall be determined by the city sanitation engineer.

(Ord. 157 (part), 2003; Ord. 147 § 8.10, 2002)

(Ord. No. 171, § 1, 9-20-12; Ord. No. 174, 3-17-16)

# Amador City TOT Receipts

(Below is listed the quarter in which the short-term rental was occupied and for which the TOT form was filed, not the the quarter in which the TOT payment was received.)

		<u>Imperial:</u>	<u>Gornet Ice House:</u>	<u>Halcyon House:</u>	<u>Hygge Properties:</u>	<u>Foraker:</u>	<u>Peacock:</u>	<u>Tansey:</u>	<u>Bohn:</u>	<u>Graziadei/Clifton:</u>
2022	Q1	2,001.00	157.00	556.44	192.18	0.00	0.00	0.00	n/a	1008.07
	Q2	3,147.75	812.05	668.78	83.30	731.69	626.00	301.34	0.00	78.52
	Q3	1,291.00	239.61	476.79	0.00	886.40	500.00	42.80	not reported	not reported
	Q4	0.00	912.00	421.63	0.00	566.14	576.00	248.08	not reported	not reported
<b>TOTAL</b>		6,439.75	2,120.66	2,123.64	275.48	2,184.23	1,702.00	592.22	0.00	1,086.59

\*Reported all of  
2022 during May  
2023

<b>2022 Overall total</b>	<b>16,524.57</b>
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2023	Q1	n/a	687.00 reported not paid	351.04	105.55	658.65	565.00	192.00	not reported	not reported
	Q2									
	Q3									
	Q4									
<b>TOTAL</b>		0.00	0.00	351.04	105.55	658.65	565.00	192.00	0.00	0.00

<b>2023 Overall total</b>	<b>1,872.24</b>
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**City of Amador City**  
**Statement of Revenues, Expenses & Fund Balances - Street Funds**  
**July 1, 2022 through April 30, 2023 (Revised 5/18/2023)**

	<u>014-A SB1 RMRA</u>	<u>014-B RSTP Vol</u>	<u>HUT 2103 (Street Funds)</u>	<u>13-Street &amp; Highway 2105 (Street Funds)</u>	<u>02-Street Construction 2106 (Street Funds)</u>	<u>04-Gas Tax Construction 2107 (Street Funds)</u>	<u>03-Gas Tax Engineer 2107.5 (Street Funds)</u>	<u>Street Funds OTHER (Street Funds)</u>	<u>18 - Bridge Replacement Fund</u>
<b>Ordinary Income/Expense</b>									
<b>Income</b>									
State of California Allocation	3,644.31	0.00	1,247.84	865.28	4,222.28	1,172.18	1,000.00	797.45	0.00
<b>Total Income</b>	<u>3,644.31</u>	<u>0.00</u>	<u>1,247.84</u>	<u>865.28</u>	<u>4,222.28</u>	<u>1,172.18</u>	<u>1,000.00</u>	<u>797.45</u>	<u>0.00</u>
<b>Expense</b>									
Engineering	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Private Contract Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Repairs & Maintenance	1,642.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Streets/Storm Drains	2,119.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Utilities</b>									
Electric	0.00	0.00	0.00	0.00	3,071.94	0.00	0.00	0.00	0.00
<b>Total Utilities</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,071.94</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Total Expense</b>	<u>3,761.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3,071.94</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Net Ordinary Income</b>	<u>(116.69)</u>	<u>0.00</u>	<u>1,247.84</u>	<u>865.28</u>	<u>1,150.34</u>	<u>1,172.18</u>	<u>1,000.00</u>	<u>797.45</u>	<u>0.00</u>
<b>Net Income</b>	<u>(116.69)</u>	<u>0.00</u>	<u>1,247.84</u>	<u>865.28</u>	<u>1,150.34</u>	<u>1,172.18</u>	<u>1,000.00</u>	<u>797.45</u>	<u>0.00</u>
<b>Beginning of Period</b>	8,634.36	21,167.00	17,300.80	18,518.27	3,136.94	12,943.96	5,129.00	0.00	1,581,811.74
<b>End of Period</b>	<u>8,517.67</u>	<u>21,167.00</u>	<u>18,548.64</u>	<u>19,383.55</u>	<u>4,287.28</u>	<u>14,116.14</u>	<u>6,129.00</u>	<u>797.45</u>	<u>1,581,811.74</u>