

**CITY COUNCIL AGENDA**

**THURSDAY, SEPTEMBER 21, 2023**

**7:00 P.M.**

**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. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of Agenda, Minutes of August 17, 2023, Financial Statements**
- 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.**
- 6. Public Comment –**
- 7. Public Hearing**
  - a. Resolution #618 – Abandoned Vehicle Abatement Fee**
  - b. Resolution # 619 – Adopting List of Projects for Fiscal Year 23-24 Funded by SB1**
  - c. Resolution # 620 - Proclaiming City Hall Building a State of Emergency Due to Fire Damage on April 7, 2023**

8. Amador City Sales Tax Measure for Road Funds Information
9. Discussion of ideas for improving business in town
10. Air BnB and VRBO issues ie: Limiting number, TOT tax payments
11. Leap Grant Update
12. Sewer Issue at 10300 Fleehart Street Update
13. City Hall Update
14. MAYOR, CITY MANAGER AND COUNCIL MEMBER REPORTS
15. Committee Reports: ARSA, CIRA, RTMF-ACTC, LAFCO, ACRA, AAD(alr), HOMELESS TASK FORCE, FIRE, MUSEUM, SHORT-TERM RENTAL, PARKS, DESIGN REVIEW, MAINTENANCE, CEMETERY, ACBCA
16. FUTURE AGENDA ITEMS
17. ADJOURNMENT

AMADOR CITY COUNCIL

MINUTES OF REGULAR MEETING AUGUST 17, 2023

1. CLOSED SESSION – NONE
2. CALL TO ORDER – ROLL CALL – Kel-Artinian, Bragstad, Sherrill, Staples, Robinson present
3. PLEDGE OF ALLEGIANCE
4. CLOSED SESSION REPORT – NONE
5. PUBLIC FORUM – Powder House is crumbling – any action? Bruce Sherrill reported he is in talks with Robert Fancher and will report at next month's meeting. Some issues with agenda ie. "staff" recommendations to be used. Consent agenda – discussion only.
6. CONSENT AGENDA – No change to financials – Michael will be preparing financial statements in the future. Councilperson Bragstad asked to have payroll amounts shown after each name. She will request Treasurer Holly Groth to effect that change. Item 7 (Committee Reports) of agenda to be moved to the end of the agenda. Councilperson Staples moved, 2<sup>nd</sup> by Bruce Sherrill to approve Consent Agenda with above changes. Approved unanimously.
7. (See last item on minutes)
8. ORDINANCES & PUBLIC HEARING
  - a. Outdoor Patio – Review of Dining vs. Outdoor Cooking - The fryer drain failed. Owner Chris Walsh will take measures to prevent reoccurrence. It was suggested that odors from grill attract business. Question arose do we need a cooking permit as well as sidewalk dining permit?
  - b. Owner will install two valves in case of one valve failure. If both valves fail oil will be diverted to a reservoir. A protective mat between bbq and cement was suggested. Soapy water used in clean up did not go in creek. The spill was too small to contact Environmental review. Since this is the first event of this nature, it was decided no action is required. Sidewalk Dining Permit attached to these minutes for reference.
9. ADMINISTRATIVE AGENDA
  - a. ACBCA – Melanie Unguez reported Dancing in Streets will be held June and October next year. Summers are too hot. Mariposa event will be in October and band will start at 4:00 p.m. Melanie asked for \$3,960 to fund activities through the end of this year. Staples moved, 2<sup>nd</sup> by Sherrill approved unanimously to fund ACBCA \$3,960.
  - b. Animal Services are willing to work with us on budget.
  - c. Acquiring a CPA firm. We will publish an RFP for CPA firm when required.
  - d. ACTC Roads – Sandy Staples suggested forming a citizen's advisory committee regarding sales tax increase of ¼% to ½ %. It must be on the ballot. Bragstad moved, 2<sup>nd</sup> by Sherrill to form a citizen's advisory committee.
  - e. Amador County Self-Help Tax – No action
  - f. City Manager's Salary – Bragstad believed the City Manager would find funding outside of our budget. Dave Groth, City Manager, stated he worked more than 10 hours every week because we are held to the same standards as all other cities.

- g. Air BnB – Limit to 10% of households. Jillian and A'laina Lyons will meet soon to reengage on this matter.
- h. City Hall Fire Update – Mayor has met with structural engineer who is doing estimate for renovation. Repairs will be covered by insurance if done to code. A hygienist will make plans to remove toxic material from the building, which will allow us to start reconstruction. All trusses will be replaced, interior siding will be replaced, building will be insulated, and bathroom will be ADA.
- i. Supervisor Ax will have a traffic study before the end of year on Highway 49. Recommend we drive below the speed limit to encourage a lower speed limit between Sutter Creek and Amador City.

**10. MAYOR AND COUNCIL MEMBER REPORTS**

Two grants – Road Safety and Safe Evacuation are being worked on.  
Electric Charging Station to be ordered.  
TOT letter to Michael Gornet.  
Creek Clearing to be ordered.

Committees – ARSA – Sutter Creek owes ARSA money. Suggest it be brought to Grand Jury attention. Dave Groth, Bruce Sherrill and Anne Kel-Artinian will be going to the next ARSA meeting. We need a contract with ARSA. CIRA – We are looking into their coverage of the construction project.

RTMF/ACTC – Nothing on back roads for walking and biking to Sutter Creek. LAFCO – approved Resolution to add island of county property to adjacent city. ACRA – nothing AAD-EV -Charging stations \$6,239 back side of Fire House will be reimbursed. Bruce will order and install equipment. Fast Charges are very expensive. HOMELESS – Cooling Station to be in County Administration Building. FIRE – Dominic Moreno has started trimming berry bushes on 49. MUSEUM -Nothing. PARKS – Jeff Campbell to install play equipment. Pickle ball court? DESIGN REVIEW – Approved Carport on Lyons property on Cross Street. Berry bushes on Fleehart – owner of property to be contacted. CEMETERY – Clean up and workday scheduled – bricks have arrived.

**RESOLUTION NO. 2023-618**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY  
CONCURRING IN THE CALL FOR AN ELECTION ON THE QUESTION OF RE-  
ESTABLISHING THE COUNTYWIDE ABANDONED VEHICLE ABATEMENT FEE**

**WHEREAS**, the Abandoned Vehicle Abatement Program is a State of California program whereby counties and incorporated communities can receive funding to help defray the costs of removing abandoned vehicles within their jurisdictions; and

**WHEREAS**, in 1991 , the City of Amador City adopted a resolution supporting the establishment of the Amador County Abandoned Vehicle Abatement Authority and the County of Amador duly created the Authority and adopted a fee of \$1.00 per vehicle registration to fund the abatement activities of the Authority; and

**WHEREAS**, Proposition 26, adopted by the voters of California in 2010, altered the definition of a fee and resulted in the classification certain, new fees as taxes subject to voter approval; and

**WHEREAS**, in November 2012, Amador County voters approved the renewal of the fee for an additional ten years, but the fee has since expired since the required 2/3rds majority of voters did not support the fee in November of 2022; and

**WHEREAS**, pursuant to Section 22710 (h) of the California Vehicle Code, in order for the voters to consider re-establishment of the fee, a majority of the cities containing a majority of the incorporated population within the County must adopt resolutions agreeing to the re-establishment of the Authority and the continued imposition of the \$1.00 fee per vehicle registration upon approval of the voters; and

**WHEREAS**, the Abandoned Vehicle Abatement Authority is vital to keeping Amador County, including all of its incorporated cities, free of the nuisance of abandoned vehicles and the City of Amador City has determined that supporting a re-establishment of the Authority and the continued imposition of the fee will assist in the abatement of nuisance vehicles within the City of Amador City.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Amador City as follows:

1. That the City of Amador City concurs in the re-establishment of the Amador County Vehicle Abatement Program and in the renewed imposition of the \$1.00 fee per vehicle registration subject to voter approval at an election to be scheduled by the Amador County Board of Supervisors; and

2. That the City Clerk is directed to transmit a certified copy of this Resolution to the Clerk of the Board.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Amador City\_\_ in the County of Amador, State of California, on the 21<sup>st</sup> day of September, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Anne Kel-Artinian  
\_\_\_\_\_  
Mayor of the City of Amador City

ATTEST:

\_\_\_\_\_  
Joyce Davidson  
City Clerk

RESOLUTION NO. 619

**RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY  
SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City, will receive an estimated \$4,846 in RMRA funding in Fiscal Year 2023-24 from SB 1; and

**WHEREAS**, this is the 6<sup>th</sup> year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects and safety improvements for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the funding from SB 1 will help the City maintain approx. 3 streets/roads, throughout the City this year and similar projects into the future; and

**WHEREAS**, the 2022 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at-risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "lower risk" condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure, with a focus on basic maintenance and safety, will have positive benefits citywide.

**WHEREAS**, the City recognizes that it's needs and priorities may change with regards to roads throughout the Fiscal Year 2023-24, and therefore reserves the right to re-direct RMRA funds to other necessary road maintenance and rehabilitation projects, should the need arise.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Amador, State of California, as follows:

1. The foregoing recitals are true and correct.

2. The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues:

**Project Title: Routine Weed Abatement**

**Project Description: Weed abatement/spraying along certain city streets**

**Project Location: Highway 49/Main Street from the south city limit sign to O'Neil Alley and Amador Creek Road from East School Street to the city limit just before the bridge**

**Estimated Project Schedule: Start (01/24) – Completion (03-/24) based on the component being funded with RMRA funds**

**Estimated Project Useful Life 1 year**

**Project Title: East School Street Stop Sign Road Markings**

**Project Description: Stamp/paint road with "stop sign ahead" and "stop" markings**

**Project Location: East School Street**

**Estimated Project Schedule: Start (08/23)– Completion (10/23) based on the component being funded with RMRA funds**

**Estimated Project Useful Life: 5 years**

**Project Title: Old Hwy 49 Solar Speed Sign Weed Abatement / Tree Removal**

**Project Description: Weed abatement/tree removal to clear area around solar speed sign so sign gets more sunlight and is more visible to motorists.**

**Project Location: Weed abatement and tree removal along south end of Old Hwy 49 near solar speed sign.**

**Estimated Project Schedule: Start (09/23)– Completion (3/24) based on the component being funded with RMRA funds**

**Estimated Project Useful Life: 3 years**

**PASSED AND ADOPTED** by the City Council of the City of Amador, State of California this \_\_\_\_ day of \_\_\_\_, 2023, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**THE CITY OF AMADOR CITY**

\_\_\_\_\_  
**Anne Kel-Artinlan, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joyce Davidson, City Clerk**



RESOLUTION #620

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY PROCLAIMING THE CITY HALL BUILDING TO BE IN A STATE OF EMERGENCY DUE TO DAMAGE CAUSED BY THE FIRE ON APRIL 7, 2023; AND FURTHER AUTHORIZING SOLE SOURCE FOR THE PURPOSE OF SEEKING SUB-CONTRACTORS FOR THE CITY HALL REHABILITATION PROJECT

**WHEREAS**, on April 7, 2023, a fire broke out in Apartment A located at the City Hall Building, 14531 East School Street; and

**WHEREAS**, the fire destroyed much of Apartment A and traveled in the attic space shared by Apartment B, which will necessitate a major rehabilitation including code upgrades before Apartments A and B are habitable again; and

**WHEREAS**, for fire suppression efforts to proceed safely, electricity to the building was shut off immediately, at which time the City Building Inspector learned that the electrical system consisted of historic knob-and-tube and was connected through one panel for the whole City Hall building, which includes not only Apartments A and B, but the City Hall Offices and the Community Room; and

**WHEREAS**, in the aftermath of the fire, emergency power was restored to the City Hall Offices in order to enable essential City operations to continue; and as emergency power, it may be shut off with no notice for unsafe conditions thus halting essential City operations; and

**WHEREAS**, it was deemed to be too risky to restore emergency power to the rest of the building, therefore the Community Room is not available for use by community members and organizations; and

**WHEREAS**, the City Council of the City of Amador City hereby finds that there continues to exist in the City Hall building conditions that inhibit the use of public spaces for the benefit of the community, and jeopardize the ongoing, safe operations of essential City operations; and

**WHEREAS**, as the rehabilitation of the City Hall property will certainly exceed \$5,000, the City would ordinarily be required to follow a formal bidding process, which would prolong the rehabilitation project, exacerbating, and possibly augmenting, the existing emergency; and

**WHEREAS**, the City should be exempt from the formal bidding procedure in order to expedite the project and mitigate the current state of emergency in a timely manner.

**NOW, THEREFORE, BE IT PROCLAIMED** by the Council of the City of Amador City that the City Hall Building at 14531 East School Street currently exists in a state of emergency; and

**AND BE IT FURTHER RESOLVED** by the Council of the City of Amador City that it hereby approves bypassing the formal bidding process and implementing the Sole Source process of seeking appropriate sub-contracts for the purpose of rehabilitating the City Hall building and mitigating the state of emergency.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Amador City on the 21st day of September 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY OF AMADOR CITY

\_\_\_\_\_  
Anne Kel-Artinian, Mayor

ATTEST:

\_\_\_\_\_  
Joyce Davidson, City Clerk

September 5, 2023

Mr. Larry White, Chief Building Official  
City of Amador City  
14531 East School Street  
Amador City, CA 95601-8032

RECEIVED SEP 11 2023

RE: FIELD OBSERVATION OF FIRE DAMAGE TO A PORTION OF THE AMADOR CITY, CITY HALL BUILDING, AT 1531 EAST SCHOOL STREET, AMADOR CITY, CALIFORNIA 95601-8032 APN 008-272-012-000.

Dear Mr. White;

On April 10<sup>th</sup>, 2023, this engineer met you and several city staff at the site referenced above to review the fire damage to the southern residential rental unit portion of the city hall building. The two-story city hall building encompasses roughly 5,000 square feet of conditioned space upstairs and about 1,600 square feet of downstairs space. The building was probably originally constructed in the late 1800s or early 1900s. It appears to have been built with relatively conventional wood-frame construction, normal for this historical type and age of the structure, and quite familiar to this engineer. The exterior bearing walls, interior walls, roof, and second-floor framing appear to be conventional wood-frame construction. Exterior perimeter concrete footings supporting the boundary-bearing and interior walls could be observed along with a concrete slab-on-grade first floor. Upstairs, a connecting corridor between the two rental units allows access to the large city hall room in the back. A basement community room was observed below the city hall room. There is also extensive underfloor at-grade storage below the rental units above.

The damage appeared to be confined to the southern residential rental unit but smoke above permeated the entire attic above. The fire damaged the walls of the unit as well as a loft constructed above the space and a small bathroom off the back. We decided to forego a more complete review due to the mess left over from the fire.

On August 17<sup>th</sup>, 2023, this engineer met you and three representatives from the insurance company to review the damage and make specific recommendations for repair once the mess was cleaned up for clear observation.

The roof and framing over the residential rental units will need to be completely replaced. New premanufactured roof trusses at 24" on center will support new plywood/OSB sheathing, building paper, and metal roofing. New insulation in the attic and a new gypsum wallboard ceiling will also be installed. The ceiling finish should be as directed by the owner.

The fire-damaged walls will prove slightly more problematic. After proper removal of the wall finish, which may contain asbestos, the framing should be examined for potential damage. Fire-damaged members may be reinforced or replaced depending on the level of damage. New insulation in the walls will be required based on the current code. The interior gypsum wallboard will provide a backing for the new finish as directed by the owner.

The loft and bathroom should be similarly examined with damaged members replaced as necessary.

Further discussions generated additional code upgrades that will be required in the building to do the fire-damage repairs recommended above.

The substandard "knob-and-tube" electrical system in the attic and walls was severely damaged by the fire and will require complete replacement. We understand a new 400-amp panel is recommended by your electrician. The new panel will be feeding a new 100-amp subpanel for each of the rental units.

A new one-hour wall will need to be installed between the residential rental units and the city hall room. The one-hour wall will need to be extended to the roof deck in compliance with current code requirements.

The main restroom upstairs off the hallway and adjacent to one of the rental units will need to be upgraded to current ADA standards.

The path of travel for ADA access to the city hall room will require a new ADA parking stall and ramp to be determined by others in the near future.

New plumbing and mechanical systems will be required as well. The new plumbing in the fire-damaged southern apartment and the ADA-upgraded restroom is required. The restroom in the northern apartment may not require significant plumbing depending on what happens with the other two. A mechanical system still needs to be installed with each rental unit since the existing system was not code-compliant.

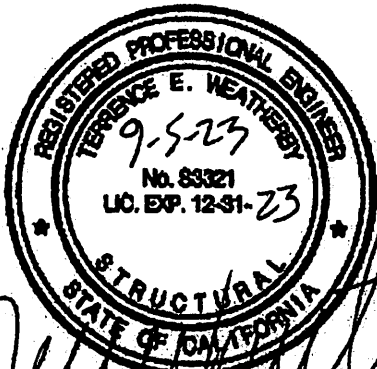
Mr. Larry White, Chief Building Official  
City of Amador City  
September 5, 2023  
Page 3 of 3

Our cursory observation determined that damage had occurred as noted above. Repair and/or replacement may uncover some unforeseen areas where additional damage happened. Please take a look and, if any additional damage has occurred that will require additional repair or reinforcement measures, we would be happy to provide an additional observation if our services are needed.

Our scope of services has been limited to a review of this portion of work pertaining to the referenced structure only with regard to conformance to the minimum requirements outlined in the prevailing California Building Code (CBC) and amended by the local building authority for this project. Please observe that no structure or portion thereof can ever be completely safe from potential damage due to loads in excess of the minimums required in the CBC or the local building authority. The referenced structure has been cursorily reviewed by our office, pursuant to the acceptable risk standards established by the CBC, and amended by local ordinance. Normal care has been taken to provide the professional's opinion contained herein. No warranties are either expressed or implied.

If you have any questions or additional comments, please call me.

Sincerely,  
WEATHERBY-REYNOLDS-FRITSON Engineering and Design



Terrence E. Weatherby  
Structural Engineer S3321

TEW

## **Amador City Sales Tax Measure for Road Funds Info Sheet**

Prepared by Anne Kel-Artinian, 9/21/2023

### **Basics**

1. To encourage road improvement projects, the State has authorized funding for local jurisdictions that implement a sales tax (minimum .25%). In addition to sales tax revenue, the jurisdiction will receive a minimum of \$200,000 for the express purpose of road maintenance and improvements.
2. Other small jurisdiction (Point Arena population 400) have implemented this program.

### **Amador City Roads**

1. In a recent review, it is estimated that Amador City has approximately \$3.4million in needed road repairs.
2. We have applied for a grant of up to \$1million from ACTC for essential work on old Hwy 49 (Main Street).
3. Should ACTC fund our Main St. project, we still have more than \$2million of work on Amador City roads.

### **Requirements and Limitations**

1. To qualify for these funds, the public needs to vote and approve a ballot measure.
2. Funds are disbursed after work is completed.
  - a. If we only do \$100,000 worth of work, we will only get \$100,000. The rest of the earmarked money does not carry over into the following year.
3. The City is responsible for a 25% match.
  - a. It is possible that some of the matching funds can be provided through ACTC, but this is not a guarantee.
  - b. Some other grants may be procured for the purpose of matching, but not all grants qualify and are specifically excluded.
4. These funds pay only for road construction and maintenance.
  - a. Specific types of project work, like engineering, are not covered.
  - b. The types of projects that the best fit for these funds are "edge-to-edge" projects. These projects essentially involve repairing or replacing existing road surfaces.
  - c. Projects that go beyond edge-to-edge, may be permitted but would require a more complex process including CEQA, etc.
5. An audit committee needs to be established.
6. Should Amador City pass this measure, we would withdraw from the County's efforts.  
(See below)

### **Approving a Ballot Measure**

1. To be placed on the March 2024 Primary ballot, the measure and impartial analysis needs to be submitted to the County Elections Office no later than November 17.
2. A citizens' committee can place a measure on the ballot.

- a. A citizen's committee cannot be led by a member of City Council and must be autonomous.
  - b. The citizen's committee is responsible for collecting signatures, developing an impartial analysis, and all the other materials needed to submit the measure to the County Elections Office.
  - c. A measure advanced by a citizen's committee has the advantage of requiring 50% yes votes to pass.
3. A City Council can place a measure on the ballot.
- a. City Council can pass a resolution that authorizes placing a measure on the ballot.
  - b. City Council can form a citizen's advisory committee to get feedback and support from the public. A City Council member is allowed to be on this committee.
  - c. City Council directs the City Attorney to write an impartial analysis.
  - d. City Council submits the resolution, impartial analysis, & other materials to the County Elections Office.
  - e. A measure advanced by City Council has the advantage of organizational support to drive to completion.
  - f. A measure advanced by City Council has the disadvantage of requiring 2/3 of yes votes to pass.

**Amador County's Effort to Pass a Sales Tax**

1. Amador County is also currently exploring a sales tax for this purpose; Amador City is currently included in this effort.
2. The County is opting for a 1% sales tax; we are concerned that, in light of past efforts, this measure will not pass.
3. If the measure does pass, the County has determined that Amador City's portion would be \$12,000 a year.