

CITY OF AMADOR CITY

AGENDA OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY December 21, 2021 7:00 p.m.

This will be a hybrid meeting - in person at the Community Center in 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 July 20, 2021, 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 November 16, 2021, 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. Mine Update. Discussion only.
- B. Resolution # 592 - Accepting Completion of Retaining Wall - Vote
- C. Resolution # 593 - Exemption from SB1383 Organic Waste Collection Regulations - Vote
- D. Resolution# 594 -Sidewalk Dining Permit Fee - Vote
- E. Retaining Wall Insurance Update
- F. Design Review Committee Update - James Monday appointment
- G. Cemetery Funding Proposal - \$500 per year for maintenance and planting - Vote
- H. Cemetery Deer Fence Proposal - Vote
- I. Cemetery Hours Signage - Discussion
- J. Cemetery Tree Maintenance - Discussion

- K. Park Committee Revival and Call for Members - Discussion
- L. Powder House Update
- M. Traffic Calming Update
- N. Sewer Study Update

O. Committees: **ARSA**, Air, ACRA, Culbert Park, Design Review, ACTC/RTMF, LAFCO, Homeless, Air BnB/VRBO, Museum, Cemetery, 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. Requests must be made as early as possible, and at least two full business days before the start of the meeting.

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

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 November 16, 2021 7:00 p.m.

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

SPECIAL NOTICE

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- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call –Kel-Artinian, Marks, Bragstad, Robinson and Smith**
- 4. Approval of Agenda, Minutes of October 19, 2021, meeting and Financial Statements - Bragstad ,moved 2nd by Robinson, approved**
- 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 –**
 - A. Kirk Lindsay suggested Councilman Smith talk to Dan Schutz of Bellflower Garden about procuring an arbor for the Pioneer Cemetery.**
 - B. R. Lynch of 14315 Hwy 49, Amador City, addressed the issue of the creek wall at his property which does not need to be engineered. The plans do not involve the sewer line.**
 - C. Thanks should be given to Michael Gornet for his assistance in getting the lights at Amador City Monument (at bypass) fixed.**
 - D. Russell McBeath of the Lincoln Mine introduced himself and gave a brief overview of their plans. An oversight committee was discussed, with meetings beginning in December. Amador City is planning to participate. Anne Kel-Artinian will be initial contact for Amador City.**
 - E. James Monday asked what is composition of Design Review and also were there amendments to the guidelines. Council informed him amendments are in place now.**
 - F. Mayor Kel-Artinian stated that Innerfaith Food Bank is in need of turkeys for Thanksgiving.**

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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. Glamping project on Gornet property. Mr. James Monday passed around drawings of proposed project and gave a brief outline of the overall project. Some of Mr. Monday's points were people will spend money in town, sustainability, lowest impact several already in county, references what mining camps might have been like and what miners would have experienced. Units would be approx.. 200 sq.ft., hard shell, located creekside with Conostoga wagons higher up. Most of project would be shielded from view by neighbors and city. Maximum number at build out would be 7 units. Site is total of 16 acres. David Sanders has already submitted an environmental assessment report and soil samples have been done. Mayor Kel-Artinian encouraged citizens to submit comments in writing. Zoning for property currently is A-1,R-1. Discussion only.**
- B. Sewer Study – Update – Mayor met with Mary Louise Nixon, Susan Bragstad and Grant Reynolds. Rural Assistance will conduct the sewer rate study. It should be completed in late winter.**
- C. City Clean-Up Day – Community accomplished a lot . To be on December agenda.**
- D. Speed limit signs for traffic calming – Update – Location will be at north and south ends of town. Poles and batteries are needed.**
- E. City Hall wall project – Irrigation system being installed**
- F. Creek Cleaning – Pine Grove Camp had COVID outbreak. Councilman Smith will get update.**
- G. Powder House Update – Will be on December agenda**
- H. Sidewalk Dining permit – Update – Permit form to include fee. Will be on December agenda**
- I. County redistricting – Apparently stalled for now.**
- J. Committees: ARSA – meeting tomorrow; ACRA – cancelled; Culbert Park-nothing; Design Review- nothing; ACTC/RTMF-no meeting; LAFCO-discussed new sphere of influence for fire protection; Homeless-Jackson Police Dept. to hire Social Worker to assist homeless; BnB/VRBO-3 in city; Museum-no meeting; Cemetery-needs more chips; Maintenance-nothing; Fire-nothing.**

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CITY OF AMADOR CITY

MEMORANDUM

TO: City Council

FROM: Matt Ospital, City Engineer *MSO*

RE: Retaining Wall Repair Project

DATE: December 1, 2021

This memorandum is to certify to you that all improvements required for the "Retaining Wall Repair Project" as set forth in the approved plans and specifications were completed in substantial compliance with the plans and specifications by the contractor, Campbell Construction General Engineering, Inc. on November 22, 2021.

The total construction cost was as follows:

Campbell Construction Bid Amount	\$213,068.00
Total of Contract Change Orders	<u>\$ 7,860.00</u>
TOTAL CONSTRUCTION	\$220,928.00 ,

I hereby recommend that the Board of Directors, by resolution, accept the work as complete and authorize filing of the Notice of Completion.

Enclosures: Notice of Completion
Resolution Accepting the Work

#2893/nlz
Board Memo_2021-12-21.docx

Recording Requested By:

City of Amador City
P.O. Box 200
Amador City, CA 95601

DOCUMENT TITLE:

NOTICE OF COMPLETION

When Recorded Return To:

CITY OF AMADOR CITY
P.O. Box 200
Amador City, CA 95601

**CITY OF AMADOR CITY
NOTICE OF COMPLETION**

Job Title: Retaining Wall Repair Project

Owner: CITY OF AMADOR CITY
P.O. Box 200
Amador City, CA 95601

Contractor: Campbell Construction General Engineering, Inc.

Location: 14531 East School Street, Amador City, California

This is to certify that the work done on the project as referenced above was satisfactorily completed on November 22, 2021, in accordance with the plans and specifications approved by the City. The final construction costs were \$220,928.00.

The CITY OF AMADOR CITY hereby accepts the project constructed by Campbell Construction General Engineering, Inc., as complete on this 21st day of December 2021.

Approved: This 21st day of December 2021.

Anne Kel-Artenian, Mayor

Attest:

Joyce Davidson, City Clerk

VERIFICATION

I, the undersigned, declare that I am the Mayor of the CITY OF AMADOR CITY and that I have read the foregoing Notice and know its contents, and that the same is true to the best of my knowledge and belief. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed at Amador City, California on December 21, 2021.

CITY OF AMADOR CITY

Anne Kel-Artenian, Mayor

RESOLUTION NO. 2021- 592

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY
ACCEPTING THE RETAINING WALL REPAIR PROJECT
AS COMPLETED AND AUTHORIZING STAFF TO FILE THE
NECESSARY CLOSE-OUT DOCUMENTS**

WHEREAS, a contract for completion of the Retaining Wall Repair Project at 14531 East School Street in Amador City, CA was awarded to Campbell Construction General Engineering, Inc., and

WHEREAS, the contracted repair of the Retaining Wall Repair Project was completed timely and pursuant to stipulated specifications, and

WHEREAS, the City Engineer of the City of Amador City, County of Amador, State of California, has certified all work was completed on November 22, 2021, in substantial compliance with the approved plans and specifications; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, or her designee, is hereby authorized to file the Notice of Completion and any other necessary or required close-out documentation.

THE FOREGOING RESOLUTION was duly introduced and passed at a meeting of the City Council of the City of Amador City held on the 21st day of December 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Anne Kel-Artenian, Mayor

ATTEST:

Joyce Davidson, City Clerk



City of Plymouth
City Council Meeting
Staff Report
Item 7.1

Date:

October 14, 2021

Report by:

Rex Osborn, City Manager

Policy, Program, Project or Issue Title:

Resolution 2021-11 Declaring the Purpose and Need for a Rural Exemption from the Organic Waste Collection Requirements Specified in the SB 1383 Regulations

Issue Statement & Discussion:

Background:

The regulations promulgated by California Department of Resources Recycling and Recovery (CalRecycle) to implement Senate Bill 1383 (SB 1383 Regulations) require all local jurisdictions, including cities, to adopt an enforceable ordinance to implement the SB 1383 Regulations.

The SB 1383 Regulations, specifically Article 3, Chapter 12 of Title 14 of the California Code of Regulations, require local jurisdictions to provide organic waste collection services. The SB 1383 Regulations specifies color and labeling requirements for garbage, recycling, and organic waste containers, requires customers to source separate the materials in the appropriate container (e.g., recyclables must be deposited in the blue recycling container), and requires the waste hauler to transport the source-separated materials set out for collection to the appropriate facilities for processing or disposal.

Currently, the City has a three-bin system for garbage, recycling, and yard trimmings for resident and businesses provided by ACES Waste Services, Inc. While yard trimmings are organic waste, organic waste also includes other organic materials, such as food waste, wood, and paper.

Discussion:

The SB 1383 Regulations list certain waivers and exemptions that CalRecycle grants local jurisdictions from the organic waste collection services requirements. A local jurisdiction qualifies for a rural exemption if it meets the definition of a "rural jurisdiction." Public Resources Code Section 42649.8 defines a "rural jurisdiction" as a jurisdiction that is located entirely within one or more rural counties, and defines a "rural county" as a county that has a total population of less than 70,000 persons. The City is located

entirely within Amador County, which has a population of 40,474 as of April 1, 2020 as reported by the U.S. Census Bureau for the 2020 Census, and an estimated population of 37,377 on January 1, 2021 as reported by the California Department of Finance at the time of the Resolution.

In order to receive the exemption, Section 18984.12(c) of Title 14 of the California Code of Regulations requires the City Council to adopt a resolution that includes a finding as to the purpose of and need for the exemption. The rural exemption would result in cost savings to the City, by not having to meet container color and labeling requirements, and by not having to collect or transport residential food waste to an organics processing facility. This would help keep solid waste rates for residential and commercial customers lower.

The City Council would still need to adopt another requirement unrelated to collection services under the SB 1383 Regulations. The City would need to establish an edible food recovery program to encourage certain businesses that handle food to donate edible food to organizations that can redistribute that food for human consumption instead of sending it to the landfill. That will be brought to Council at a later date. Staff will work to identify opportunities to meet the recovered organic waste product and recycled paper procurement requirements.

Fiscal Impact:

Unknown savings in costs and staff time that would have had to been dedicated to adopting enforcement mechanisms to implement the collection requirements under the SB 1383 Regulations, and enforcing those requirements.

Staff Recommendation:

Staff recommends Council Approve and Adopt Resolution 2021-11

RESOLUTION NO. 593

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMADOR CITY
DECLARING THE PURPOSE AND NEED FOR A RURAL EXEMPTION FROM THE
ORGANIC WASTE COLLECTION REQUIREMENTS SPECIFIED IN THE SB 1383
REGULATIONS**

WHEREAS, SB 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery ("CalRecycle") to adopt regulations to reduce organic waste in landfills by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and

WHEREAS, CalRecycle promulgated regulations as directed in SB 1383 in Chapter 12 (Short-Lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations ("SB 1383 Regulations"); and

WHEREAS, the SB 1383 Regulations require the City of Amador City ("City") and other jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations by January 1, 2022, including organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations; and

WHEREAS, Section 18984.12(c) of Title 14 of the California Code of Regulations requires CalRecycle to grant an exemption from compliance with the organic waste collection requirements specified in Article 3, Chapter 12 of the SB 1383 Regulations to jurisdictions that meet the definition of a "rural jurisdiction" in Public Resources Code Section 42649.8 if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption; and

WHEREAS, Public Resources Code Section 42649.8 defines "rural jurisdiction" as a jurisdiction that is located entirely within one or more rural counties, and which further defines "rural county" as a county that has a total population of less than 70,000 persons; and

WHEREAS, the City meets the definition of "rural jurisdiction" as it is entirely located in Amador County, California, which had a population of 40,474 as of April 1, 2020 as reported by the U.S. Census Bureau for the 2020 Census and an estimated population of 37,377 on January 1, 2021 as reported by the California Department of Finance at the time of this Resolution; and

WHEREAS, the City Council must adopt a resolution that includes a finding as to the purpose of and need for the exemption in order to apply for such an exemption; and

WHEREAS, the City Council finds that adopting this Resolution for the purpose of exempting the City from the requirements of Article 3, Chapter 12 of Title 14 of the California Code of Regulations is necessary because it will result in cost savings and savings in staff time from not having to implement said requirements and keep solid waste collection rates for customers lower.

WHEREAS, such an exemption shall be valid until December 31, 2026 or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Amador City that:

1. The City Council hereby finds and determines that the foregoing recitals are true and correct and are incorporated herein by this reference.

2. The City Council hereby elects to exempt the City of Amador City from the organic waste collection requirements specified in Article 3, Chapter 12 of Title 14 of the California Code of Regulations, pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations.

3. The City Council declares the purpose and need for the rural exemption pursuant to Section 18984.12(c) of Title 14 of the California Code of Regulations is to realize cost savings and savings in staff time from not having to implement the organic waste collection requirements under Article 3, Chapter 12 of Title 14 of the California Code of Regulations, and to keep solid waste collection rates for customers lower.

4. The rural exemption shall take effect on January 1, 2022, and shall be valid until December 31, 2026, or until five (5) years after CalRecycle makes a determination that the statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, whichever is later.

The foregoing Resolution is hereby **PASSED, APPROVED, AND ADOPTED** this 21st day of December, 2021.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Anne Kel-Artinian, Mayor

Joyce Davidson, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF AMADOR CITY ESTABLISHING AN ANNUAL FEE FOR SIDEWALK PERMITS UNDER CITY CODE §12.08.030

Whereas, on September 21, 2021, the City Council approved an ordinance amendment that established a sidewalk permitting process in City Code section 12.08.030;

Whereas, the City Council, pursuant to Section 12.08.030(O), the Council may establish conditions for maintaining a sidewalk revocable permit as well as other administrative procedures that are necessary or convenient to administering Chapter 12.08.010, *et seq.* of the Amador City Code concerning revocable sidewalk permits;

Whereas, the City Council adopted an application fee for processing sidewalk use permits under Section 12.08.030 on or about October 19, 2021;

Whereas, the City Council desires to establish an annual continuation fee designed to offset the costs of administering sidewalk use permits.

Whereas, the annual administrative costs of ensuring compliance with City regulations will include time spent responding to notices of potential violations, inspections, and consulting between City staff including the City engineer and the City's legal counsel;

Whereas, pursuant to Government Code section 66014, the City Council desires to approve a fee that is a reasonable estimate of the cost to administer the sidewalk use permits issued pursuant to section 12.08.030;

Whereas, the use of public property as permitted by Chapter 12.08.010, *et seq.*, provides a benefit to the public of encouraging and supporting commerce, supporting safety measures adopted under public health recommendations, *inter alia*;

Whereas, based on the facts and materials before the City Council, an annual cost of \$300 should be adopted and required for applicants who wish to continue their sidewalk use permit issued under Chapter 12.08.010, *et. seq.*, and is a reasonable estimate of the cost administer a permit issued under Section 12.08.030 based on the expense of city staff including the City Engineer and City's legal counsel;

Whereas, the fee adopted pursuant to this resolution should be included in the City's sidewalk use permit application, as a condition of the continuation of any such permit as may be issued upon demonstrating and maintaining compliance with City regulations;

Whereas, the fee adopted by this resolution shall be paid by the grantee of a sidewalk use permit under Chapter 12.08.010, *et. seq.*, at the first of the year subsequent to the year of issuance of any such permit and each year after that the applicant desires to continue such operation;

NOW THEREFORE, BE IT RESOLVED:

1. The above recitals are incorporated here as findings of fact.
2. The City Council of Amador City hereby establishes an annual continuation fee of \$300 to be paid on an annual basis by each permittee who is issued a sidewalk use permit under Chapter 12.08.010, *et. seq.*, and who desires to continue such permit for additional year(s); said

payment shall be made annually on the first of the following and subsequent year(s) after issuance of the subject permit as a condition for the continuation of any such permit. The fee paid shall be non-refundable, and not subject to deduction or proration.

Duly passed this 21st day of December, 2021, at a regular meeting of the City Council of Amador City by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Hon. Mayor Anne Kel-Artinian
Amador City, California

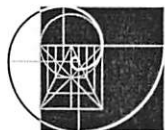
Attested: _____
Joyce Davidson
City Clerk
Amador City, California

Will do. Joyce

On 12/6/2021 9:44 AM, James Monday wrote:

Dear Joyce,
Mayor Kel Artinian has invited me to fill one of the vacant seats on the Design Review Committee.
She asked me to write to you FYI. Perhaps this could be added to the next City Council Meeting?

Best Regards,
jAs.



James Monday *Architect*
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