

CITY COUNCIL A G E N D A

MONDAY, MAY 1, 2023

7:00 P.M. Regular Session

33 Church Street, Sutter Creek CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

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

Join Zoom Meeting

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Please note: Zoom participation is only available for viewing the Council meeting.

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or

Dial by phone:

301-715-8592

Meeting ID: 956 852 0224

Public comment will be accepted by email at info@cityofsuttercreek.org. All emails must be received prior
to the start of the meeting.

**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-None

7:00 P.M. 2. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. REPORT FROM CLOSED SESSION - None

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. APPROVAL OF MINUTES

- * A. City Council Minutes of April 17, 2023.
Recommendation: By motion approve minutes as presented.

7. CONSENT AGENDA

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

- * A. Adopt Resolution 22-23-* Appointing Dan Riordan to the Planning Commission

8. ORDINANCES & PUBLIC HEARING

- * A. Appeal of Grant of Conditioned Special Events Permit – Amador Farmers Market Association

9. ADMINISTRATIVE AGENDA

- * A. Update to Council Procedures Manual - informational
- * B. Council stipends - discussion and possible action
- * C. Update on ARSA/Ione litigation, ARSA staffing, budget and other administrative matters, and role of Council in settlement agreement
- * D. City Hiring Policies - informational

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

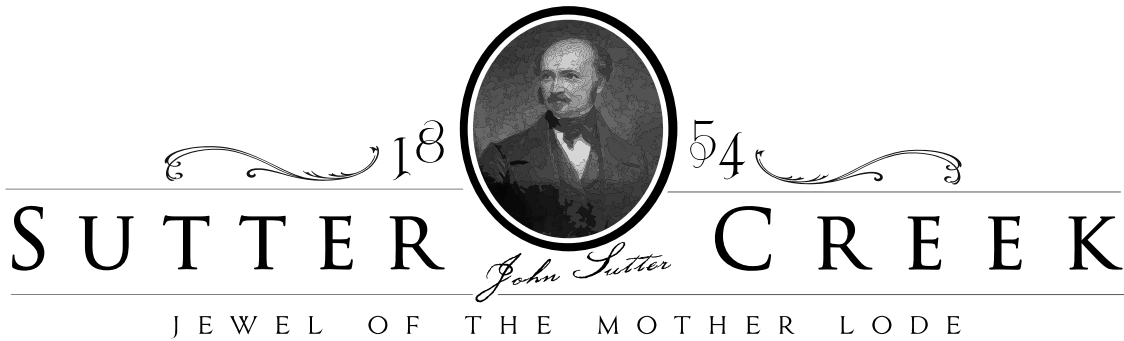
13. FUTURE AGENDA ITEMS

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.

14. INFORMATION/CORRESPONDENCE-None.

15. ADJOURNMENT

The next regularly scheduled meeting is MONDAY, MAY 15th 7:00 P.M



**CITY COUNCIL MINUTES
MONDAY, APRIL 17, 2023**

THIS MEETING WAS CONDUCTED IN-PERSON AT 33 CHURCH STREET,
THE PUBLIC WAS ABLE TO VIEW FROM HOME:

Join Zoom Meeting

<https://us02web.zoom.us/j/9568520224>

or

Dial by phone:

301-715-8592

Meeting ID: 956 852 0224

1. CLOSED SESSION-None

7:00 P.M. 2. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING

Council members present:

Feist, Peters, Sierk, Swift and Gunselman

Vicky Runquist, City Treasurer

Staff Present:

Sandra Spelliscy, Interim City Manager

Derek Cole, City Attorney

Karen Darrow, City Clerk

Jodi Steneck, Account Supervisor

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. REPORT FROM CLOSED SESSION - None

5. PUBLIC FORUM

Item 9B was pulled from the Agenda.

Ron Antone noted his support of having the Farmer's Market at the Violich parking lot and expressed his willingness to start and end the market earlier to help ease resistance to using the parking lot. He also offered to keep vendors from parking on Main Street and put up 'additional parking' signs.

Aimee Peterson of Antique Gardner noted her support for moving the Farmer's Market to the Violich parking lot because it would boost her business and the businesses at that end of town. She offered to let the public use her restroom.

Sandy Anderson of Sutter Creek noted that the Visitor Center is being re-supplied with brochures and printed information.

6. APPROVAL OF MINUTES

A. City Council Minutes of April 4, 2023.

Recommendation: By motion approve minutes as presented.

M/S Council member Sierk/Swift to approve the City Council Minutes of April 4, 2023, as presented.

AYES: Feist, Peters, Sierk, Swift and Gunselman

NOES: None

ABSTAIN: None

ABSENT: None

MOTION CARRIED

7. 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.

Council member Swift stepped down from this item due to a conflict of interest.

A. Use of SB-1 fund for transportation purposes.

Recommendation: Adopt Resolution 22-23- Approving the Use of SB1 funds for rehabilitation improvements for fiscal year 2023-2024*

M/S Council member Peters/Sierk to Adopt Resolution 22-23-37 Approving the Use of SB1 funds for rehabilitation improvements for fiscal year 2023-2024, as amended to add the rehabilitation of Oro Madre Way to the project list.

AYES: Feist, Peters, Sierk and Gunselman

NOES: None

ABSTAIN: Swift

ABSENT: None

MOTION CARRIED

8. ORDINANCES & PUBLIC HEARING

A. Public Hearing: Impact Fee ENR Adjustment

Recommendation:

1) Hold a public hearing to hear testimony regarding the proposed inflationary adjustment to the impact fees.

2) Adopt Resolution 22-23- authorizing an inflationary adjustment to the impact fees, effective July 1, 2023.*

Mayor Gunselman opened the Public Hearing at 7:30 p.m., there was no comment, and the public hearing was closed.

The Council directed staff to update the Nexus Study before next year.

M/S Council member Peters/Sierk to Adopt Resolution 22-23-38 authorizing an inflationary adjustment to the impact fees, effective July 1, 2023, as amended to include “parks” in the last whereas statement of the resolution and to remove the asterisks from Exhibit A.

AYES: Feist, Peters, Sierk, Swift and Gunselman
NOES: None
ABSTAIN: None
ABSENT: None
MOTION CARRIED

9. ADMINISTRATIVE AGENDA

- A. Amador City/Sutter Creek Bicycle-Pedestrian Improvement Project
Recommendation: Adopt resolution 22-23-* supporting the Amador City/Sutter Creek Bicycle-Pedestrian Improvement Project

Council member Swift stepped down from this item due to a conflict of interest.

Interim City Manager Sandra Spelliscy presented and noted that it is positive and beneficial to the City to have bicycle-pedestrian connectivity.

ACTC Executive Director John Gedney clarified that this is not a project, and that financial backing is not being requested at this time. He noted that they are seeking support from the City as they work on conceptual ideas.

M/S Council member Peters/Feist to Adopt resolution 22-23-39 supporting the Amador City/Sutter Creek Bicycle-Pedestrian Improvement Project, as amended to include the phrase “without committing to any specific projects or concepts” to the Now, therefore, be it resolved statement of the resolution.

AYES: Feist, Peters, Sierk, Swift and Gunselman
NOES: None
ABSTAIN: Swift
ABSENT: None
MOTION CARRIED

Sandy Anderson of Sutter Creek noted that the Amador Council of Tourism is working to attract bicyclists and suggested using marketing money to go after a grant for a safe bike-ped path would be a good use of funds.

- B. Farmers Market- This item was pulled from the Agenda.
Recommendation: For Information only

10. MAYOR AND COUNCIL MEMBER REPORTS

Council member Feist noted that she would like to invigorate the Monteverde Store.

11. CITY MANAGER’S REPORT

Interim City Manager Spelliscy noted that getting funding for the Flushing dam removal from the hazard mitigation program funding through Cal OES does not look promising and that she will re-look at funding from the Disaster Declaration public assistance program.

Interim City Manager Spelliscy reported that she met with Supervisor Axe and discussed re-establishing the group that was discussing a self-help tax for Amador County streets and roads.

Interim City Manager Spelliscy reported that she attended a meet and greet with Senator Marie Alvarado-Gil and that staff will be meeting with potential recruiting agencies for the City Manager search on Wednesday.

12. CITY ATTORNEY'S REPORT- None.

13. FUTURE AGENDA ITEMS-

Council member Sierk requested:

- 1- An update on the ARSA litigation
- 2- Council stipend use

14. INFORMATION/CORRESPONDENCE

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Monthly Building Report
- D. Treasurer's Reports
- E. Monthly Administrative Services Report
- F. Monthly Finance Department Report
- G. Warrants- April 3&17, 2023
- H. Monthly Engineer's Report
- I. Monthly Planning Report
- J. Public Communications

So noted.

15. ADJOURNMENT

The meeting was adjourned at 8:22 p.m.

Claire Gunselman, Mayor

Karen Darrow, City Clerk

Date Approved:

RESOLUTION 22-23-*
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK
APPOINTING DAN RIORDAN TO THE PLANNING COMMISSION

WHEREAS, the City of Sutter Creek Municipal Code, Section 2.52.020, provides that the City Council shall appoint members to the Planning Commission; and

WHEREAS, said members shall serve concurrently with Council members; and

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby appoints Dan Riordan as member of the City’s Planning Commission on behalf of Council member Julia Sierk.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Sutter Creek on the 1st day of May 2023, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

CITY OF SUTTER CREEK

Claire Gunselman, Mayor

ATTEST:

Karen Darrow, City Clerk



STAFF REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
MEETING DATE: May 1, 2023
FROM: SANDRA SPELLISCY, INTERIM CITY MANAGER
SUBJECT: APPEAL OF GRANT OF CONDITIONAL SPECIAL EVENTS PERMIT – AMADOR FARMERS MARKET ASSOCIATION

RECOMMENDATION: Deny the appeal and affirm the Interim City Manager's conditional approval of the application.

BACKGROUND: The Sutter Creek Municipal Code assigns the authority to approve or deny special events permits to the City Manager. It also grants the City Manager the authority to approve permit applications with "... *additional conditions as he or she sees fit, based on the nature of the special event.*" **SCMC 6.1.060(12)**

AFMA submitted an application to the city for a special events permit on April 10, 2023. The application stated that the dates for the events would be Saturdays from May 20 through October 21, 2023, with start and end times of 7:30 a.m. to 1:00 p.m. The requested location for the events was the Violich parking lot on Main Street.

The Interim City Manager reviewed the application and met with two representatives from AFMA. The purpose of the meeting was to discuss possible alternative locations for the event in order to avoid the loss of a significant number of off-street parking spaces for 23 days during the peak months of the city's visitor season, and also to avoid the need to place portable sanitary facilities in the area to accommodate the number of expected attendees. The city leases the Violich parking lot for parking purposes at a cost of \$6,480 per year.

On April 14 the Interim City Manager sent a letter to AFMA approving the application with the condition that the events take place in the city plaza and adjacent areas, as in past years.

Section 6.12.070 of the SCMC provides as follows:

The applicant may challenge the city manager's denial of his or her special event permit application, **or any condition imposed as part of the approval of the application**, by

filing a notice of appeal with the city clerk within three business days of the denial or approval. The appeal shall thereafter be heard at the next available city council meeting.

AFMA notified the city of its intent to appeal on April 14 and later submitted the required application and appeal fee.

DISCUSSION: In granting the conditioned application staff tried to balance the interests of the applicant in presenting its event at its chosen venue versus the interests of the city in providing adequate downtown parking to residents and visitors on the busiest days of the busiest months of the year. While the applicant can, and has, held a successful event at the city plaza location, the city does not have an alternative to replacing the sixteen off-street parking spaces that are located directly adjacent to the city's main commercial corridor while the event takes place each Saturday.

Staff offered several suggestions to AMFA to address concerns about the plaza location, including providing a shade canopy, allowing use of some on-street restricted parking areas, allowing a banner on site, and other requested changes at the site.

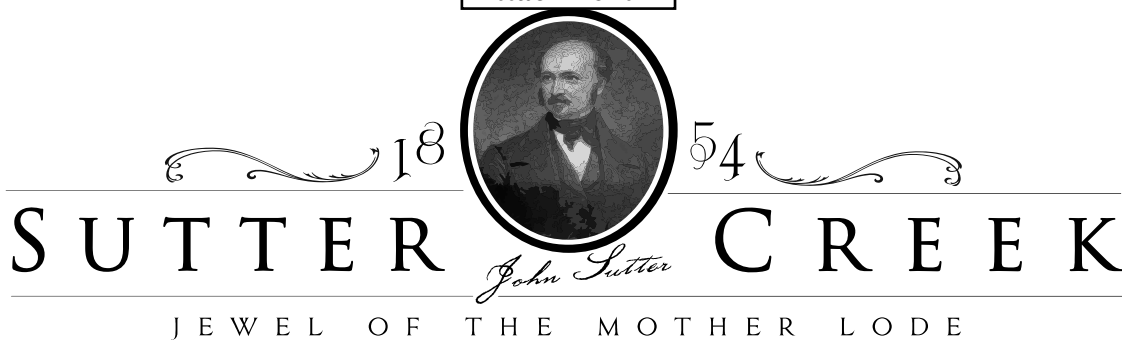
The specific reasons for the application condition are as follows:

- The loss of 16 parking spaces immediately adjacent to the commercial district on Saturday mornings throughout the late spring, summer and early fall.
- The loss of the only handicapped-accessible parking space on that end of Main Street, harming disabled patrons and causing possible costly legal exposure to the city.
- The city does not own the Violich property and uses taxpayers funds to lease the property for parking purposes; because of this, there is no guarantee that the property would continue to be available to the AFMA in the future.
- The city plaza area was intentionally designed as an area for public events, and considerable public funds were expended on its design and construction. As far back as 2011, the Sutter Creek Plaza Committee specifically identified Farmers Markets as a potential use for the newly-constructed plaza.

BUDGET IMPACT: Loss of parking spaces that are paid for by the city.

ATTACHMENTS:

City Manager Conditional Approval of Application
AFMA appeal e-mail dated April 14, 2023



Ron Antone
Amador Farmers Markets Association
PO Box 1543
Jackson, CA 95642

April 14, 2023

Dear Ron:

After reviewing your application on behalf of the Amador Farmers Markets for a special event permit from the City of Sutter Creek, I have approved your permit with the following condition:

The location of the special event will be the in the city plaza and adjacent areas outside the Sutter Creek Auditorium as discussed with you at our meeting on April 12. I will consult with the Sutter Creek Police Department regarding your request to use a Police-only designated parking space on Main Street and to park a vehicle across the entrance to the alley way between the Auditorium and the old fire station.

Pursuant to Section 6.12.070 of the Sutter Creek Municipal Code:

The applicant may challenge the city manager's denial of his or her special event permit application, or any condition imposed as part of the approval of the application, by filing a notice of appeal with the city clerk within three business days of the denial or approval. The appeal shall thereafter be heard at the next available city council meeting.

Please let me know if you have any questions.

Sincerely,

Sandra Spelliscy
Interim City Manger
City of Sutter Creek

Karen Darrow

From: Ron <lavender@southriverlavender.com>
Sent: Friday, April 14, 2023 3:32 PM
To: Sandra Spelliscy; Karen Darrow
Cc: Claire Gunselman; Julia Sierk-Zanze; James Swift; Susan Feist; Robin Peters; tamara@lemuletrouge.com; 'Aimee Peterson'; 'Susan Bragstad'; 'Aleks Tamulis'; 'Michelle Markman'
Subject: RE: Farmer's Market Application denial to relocate
Attachments: Farmer's Market-Letter to Ron Antone 4.14.23.pdf

Thank you for sending the Amador Farmers Market special use permit application decision. The conditions of the approval i.e. remaining in the City Plaza area, are not acceptable to AFM at this time. We respectfully request to appeal the decision not allow the Amador Farmers Market to operate in the requested Violich parking lot location for the 2023 season.

We appreciate the efforts to help make the City Plaza area more conducive to the farmer market space issues but the considerations listed in the permit review will not affect our overall space needs enough to create room for more vendors, community gathering space to enjoy the music, visit with friends and neighbors, or hold special kids painting and coloring events, cooking demonstrations by local chefs, salsa tasting contests and tomato tasting contests.

I tried to find the correct ruling appeal form online. I was not successful in finding one. Please email the appeal form to me or direct me where to look online for the form.

It is disappointing that our initial application was not approved for the location we have requested. It is my understanding that a discussion (information only) item is on the next City Council meeting agenda. Having received this permit denial on a Friday, when the office is closed and not knowing how to access the appeal document may delay our appeal submittal.

Several AFM Board members intend to be present at the meeting on April 17th to voice our objection to this decision. There will also be representatives from the Wine of 49 Association and the Sutter Creek Business Association present to voice their opposition to the market relocation denial. I have been told that several tasting room owners on Main Street will be submitting letters of support for the market relocation. Main Street merchants do not oppose the relocation.

It is my understanding (from the Interim City Manager) that the City Council will not be allowed to rule on our appeal at the meeting, however the overwhelming support from the Sutter Creek business community will hopefully help determine a different outcome to our 2023 farmers market relocation request.

We look forward to a positive dialogue regarding this matter with the Sutter Creek Interim Manager, Mayor and City Council. Our appeal of the special use permit location denial will be submitted as soon as I can access the proper form.

Thank you for your time and consideration of this matter.

Respectfully,

Ron Antone
President

Amador Farmers Market Association
(310) 569-4408 cell

From: Karen Darrow <kdarrow@cityofsuttercreek.org>
Sent: Friday, April 14, 2023 12:20 PM
To: lavender@southriverlavender.com
Cc: Sandra Spelliscy <spelliscy@cityofsuttercreek.org>
Subject: Farmer's Market Application

Hi Ron,
Please see the attached letter from Interim City Manager Sandra Spelliscy.

Thank you,

Karen Darrow
City Clerk
City of Sutter Creek
18 Main St.
Sutter Creek Ca 95685
209.267.5647 ext. 223
kdarrow@cityofsuttercreek.org



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Karen Darrow

From: katherine mokeriver.com <katherine@mokeriver.com>
Sent: Saturday, April 15, 2023 9:07 PM
To: Karen Darrow
Cc: Bragstad Susan; lavender@southerlavalender.com; Mel Welsh and
Subject: For next City Council mtg -- please share with the council and city manager

Dear Mayor Gunselman and Members of the City Council:

I am writing to support the request of the Amador Farmers Market Association to move the location of the 2023 farmers market back to the Violich Lot on the north end of Sutter Creek's downtown. I was disappointed to see that Interim City Manager Spellicsy has informed the association that it must again use the city auditorium and plaza area for the market.

I have shopped at the Sutter Creek Farmers Market since its inception. It is a great benefit to the residents of Sutter Creek as well as those of us who travel to the market to shop (I live more than 11 miles east of town). I am sure it also benefits local merchants.

As you know, the market has been in four different locations in Sutter Creek, the latest being the civic center plaza area. In my experience as a longtime patron, I have to say that from my perspective, the most-recent location is by far the worst, while the Violich Parking Lot was the best.

Last year, it was so difficult to park near the plaza that I gave up on more than one occasion, a problem I never encountered at the earlier locations. In addition, when the nearby parking lots are full, people are often forced to park on the old highway south of Church Street, which requires them to walk in the street to get to the corner where the sidewalk stops -- and back. That is also true for those who park out near Minnie Provis Park. They must dodge not only vehicle traffic, but also summer bicycle traffic. It is much safer for those who drive into town to use the city sidewalks to access the market at the Violich Lot.

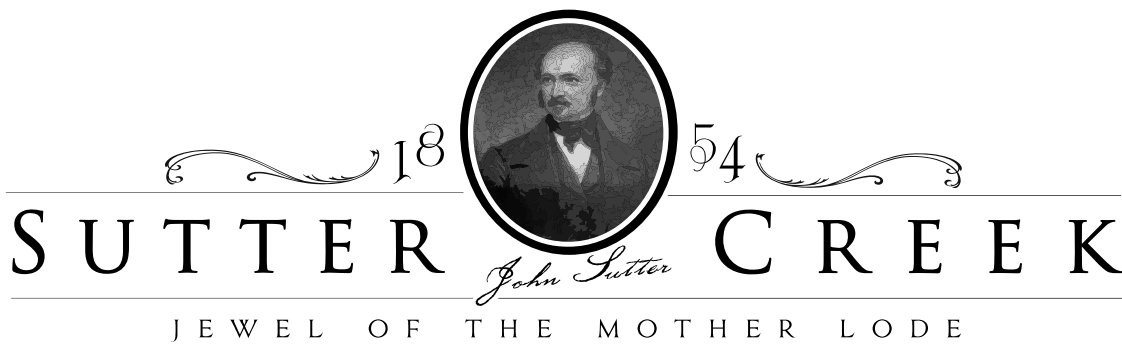
In addition, the layout of the market at the plaza doesn't provide a high-quality, enjoyable shopping experience. It is crowded and hot, with no real shade and a poor pedestrian circulation pattern dictated by the limited sidewalk and alley space. In addition, I can tell that it is more difficult for the market vendors than the Violich location.

I understand that the Violich Lot provides convenient parking for city visitors, but there is always more than ample parking available on Saturday mornings at the large parking lot behind the post office, a mere half-block from downtown.

While I am grateful that Sutter Creek is willing to continue to host the market, I hope you will review Ms. Spellicsy's determination and reconsider allowing the market to return to its earlier location.

Thanks you for considering my comments.

Sincerely,
Katherine K. Evatt
Volcano



STAFF REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
MEETING DATE: MAY 1, 2023
FROM: SANDRA SPELLISCY
SUBJECT: COUNCIL PROCEDURES MANUAL

RECOMMENDATION: Informational

BACKGROUND: The Council has devoted several sessions to work on updating the Council Procedures Manual. The Manual is twenty-four pages long and contains many sections that are informational but not necessarily related to actual procedures. Staff had hoped to present a final draft for Council consideration at this meeting, but after several attempts to create a working document from the present iteration, the City Manager and City Attorney decided that it made most sense to take the extra time to create a more streamlined and efficient document before presenting to Council. Staff will be working on that direction and plans to have a cleaner and more user-friendly draft for Council consideration in the near future.

The current manual is part of the city's governing documents and remains in effect until amended or replaced.

DISCUSSION: None

BUDGET IMPACT: None

ATTACHMENT: None



STAFF REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL

MEETING DATE: May 1, 2023

FROM: SANDRA SPELLISCY, INTERIM CITY MANAGER

SUBJECT: COUNCIL STIPENDS SAVINGS ACCOUNT

RECOMMENDATION: Discussion and direction to staff to work with ATCAA to set up a fee impact account for Sutter Creek residents to be administered by ATCAA.

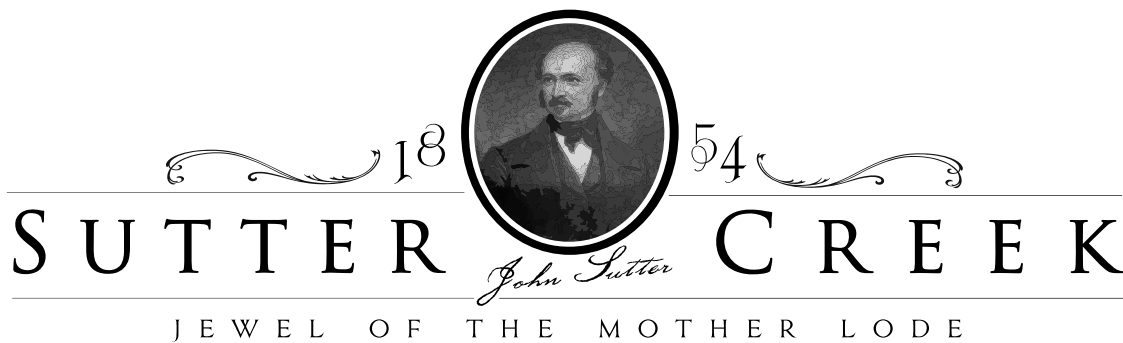
BACKGROUND: During the COVID-19 pandemic the Council members voted to forgo acceptance of their monthly stipends while city staff members were being furloughed and community members were suffering job layoffs and other hardships. The funds that would have otherwise gone to pay the stipends accrued in a special fund and now total approximately \$20,000.

DISCUSSION: Council members are once again receiving their monthly stipends, but the accumulated funds in the special account have never been expended. Council wishes to determine how to spend those funds for some community benefit.

As inflation has impacted the costs of goods and services in every sector, many residents, particularly those on a fixed income, have struggled to meet the rising costs of public utilities. Rates for sewer, water, and refuse and recycling services, among others, have risen considerably as responsible agencies and providers have acted to adjust the costs of those services with rising prices and long-deferred capital improvements.

Staff recommends that Council use the moneys from the deferred stipends to set up a fund to be managed by the Amador Tuolumne Community Action Agency to provide short-term relief for Sutter Creek residents who are unable to fully pay for Sutter Creek direct or franchise-awarded services such as sewer, water, internet and cable, and refuse collection. ATCAA currently manages similar programs for PG&E and for water and wastewater bills, but the latter programs are only for one-time assistance.

BUDGET IMPACT: None



STAFF REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
MEETING DATE: May 1, 2023
FROM: SANDRA SPELLISCY
SUBJECT: UPDATE ON ARSA/IONE LITIGATION, STAFFING AND
BUDGET SITUATION, AND COUNCIL ROLE IN SETTLEMENT
AGREEMENT

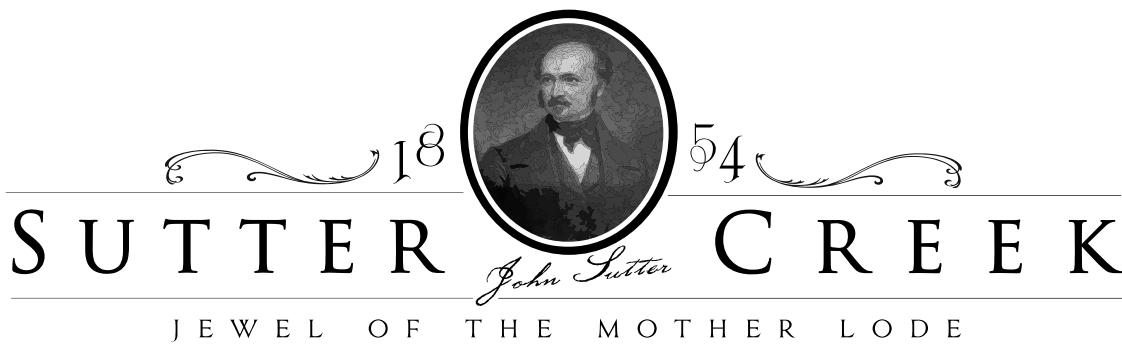
RECOMMENDATION: Discussion and possible direction from Council.

BACKGROUND: At the April 20 Council meeting a Council member requested that the Council be updated on the status of the pending ARSA lawsuit against the City of Ione and the California Department of Corrections and Rehabilitation, and what role the City Council would play in any final legal settlement. There have been additional questions from Council members to City Manager regarding other aspects of ARSA operations.

DISCUSSION: Action under the lawsuit was suspended by an agreement of the parties some time ago in order to pursue settlement negotiations. Those negotiations have been ongoing for the past two months or more. More specific details regarding the general direction of the negotiations and their hoped for outcome will need to be provided by the Council representatives to ARSA. Council has also requested an update on current ARSA staffing and the process for the FY 2023-24 budget development and approval. The City Attorney will provide an oral report as to the Council role in the approval of any final settlement agreement or other action taken by ARSA.

BUDGET IMPACT: To be determined.

ATTACHMENT: None.



STAFF REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
MEETING DATE: MAY 1, 2023
FROM: SANDRA SPELLISCY
SUBJECT: CITY HIRING POLICIES

RECOMMENDATION: Informational

BACKGROUND: A Councilmember raised a question to staff regarding city hiring policies in light of the current recruitment for a Public Works Director. This item is intended to take the Council through the various governing documents that set forth those policies.

The Interim City Manager informed the Council that the Public Works Director recruitment was beginning during the City Manager's report on April 3.

DISCUSSION: The City of Sutter Creek operates under a Council-City Manager form of government. One of the main components of that type of governance is that the City Manager has authority over all city employees, including hiring, discipline and termination. The only exceptions to this are positions that are called out by ordinance as positions that are made by appointment of the City Council, such as the City Attorney, or positions that are filled by election, such as the City Treasurer.

The Council/City Manager form of government has been described as follows:

The Council/Manager plan is designed for the elected city council to set policy direction as the direct representatives of the community, with the city manager providing the professional expertise to manage the organization and carry out the council's direction. ...[T]he city manager is responsible for carrying out the council's policy direction through the day-to-day management of city functions, including oversight of city operating departments. **Key tasks associated with this role include the hiring and supervision of department heads...** from *A Key Ingredient for Success: An Effective City Council/City Manager Relationship – International City Manager Association*

The Council/Manager construct is embodied in the city's Municipal Code. Section 2.06.020 of the code reads as follows:

The city administrator shall be the administrative head of the city government under the direction and control of the Council, except as otherwise provided by this chapter. He/she shall have authority over all department heads, employees and all noncontract and professional employees.

Section 2.06.020 sets forth the powers and duties of the city administrator, including

C. Administrative Reorganization of Offices. It shall be the duty and responsibility of the city administrator to conduct studies and effect such administrative reorganization of **offices, positions, or units** as may be indicated in the interest of effective and economical conduct of the city's business.

Finally, the Municipal Code also states that "[T]he city administrator **shall select** and recommend to the city council for appointment, qualified candidates to fill staff vacancies occurring within the city." SCMC 2.06.060 A.

The Procedures Manual for the City of Sutter Creek further explains the city's form of governance. Section 7.2 reads as follows:

Council-Manager Form of Government. Like most California cities, Sutter Creek has adopted a City Council-City Manager form of government. The Council appoints a City Manager to implement policy, enforce its laws, to direct the daily operations of city government, and to prepare and monitor the municipal budget. The Municipal Code specifies roles and responsibilities and requires that Council Members work through the City Manager in dealing with City staff unless simply requesting information from department heads or other staff members. The City Manager is responsible to the Council as a body rather than to individual Council members.

Section 3.3 of the Manual specifically addresses city appointments.

Appointment of City Manager, City Attorney. The City Council appoints two positions within the city organization: the City Manager and the City Attorney. ...**[T]he City Manager is responsible for all other personnel appointments within the City.**

Funding for employee positions is a separate matter and is addressed through the budget process. The City Manager prepares the proposed budget and makes recommendations to Council regarding city expenditures for the upcoming fiscal year, including staffing levels and compensation. The full Council has the opportunity during that process to determine how to allocate the city's resources based on those recommendations.

BUDGET IMPACT: None

ATTACHMENTS: None