



City Council Meeting Agenda

Monday, August 05, 2024 at 6:00 PM

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

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

Public Comment will not be taken from Zoom

Or Dial by phone: 301-715-8592 | Meeting ID: 956 852 0224

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 and Establish a Quorum for Regular Meeting**
- 2. Pledge of Allegiance to the Flag**
- 3. 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.

- 4. 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.

- 5. Presentations**

A. Amador College Connect Career Pathways Presentation

6. Approval of Minutes

A. [City Council Minutes of July 22, 2024](#)

[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. [Appoint Voting Delegate for Cal Cities Annual Conference](#)

8. Ordinances and Public Hearing

9. Administrative Agenda

A. [Adopt Resolution 24-25-* adopting the Engineer’s Report and notifying residents of the Crestview Estates Lighting District of its intention to levy taxes for lighting services.](#)

B. [Capital Facilities Fee Nexus Study- for information and staff direction](#)

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 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.

12. 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.

13. Information and Correspondence

14. Closed Session

- A.** Pursuant to Government Code Section 54957.6
Agency Negotiator: Tom DuBois, City Manager
Employee Organizations: Sutter Creek POA

15. Report from Closed Session

16. Adjournment

The next regularly scheduled meeting is August 19, 2024.



Special City Council Meeting Minutes

Monday, July 22, 2024 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

Pursuant to Government Code Section 54953(b)- Teleconference location:

2260 Bilyeu Ave W, Tillamook, OR 97141

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

The City of Sutter Creek City Council Meeting was available via Zoom and in person.

1. Call to Order and Establish a Quorum for Regular Meeting

PRESENT

Mayor Claire Gunselman

Vice Mayor Julia Sierk (*teleconference location*)

Council member Jim Swift

Council member Susan Feist

Council member Dan Riordan

Treasurer Vicky Runquist

2. Pledge of Allegiance to the Flag

3. Public Forum

None.

4. City Manager's Report

City Manager Tom DuBois gave a presentation outlining updates based on City Priorities, including:

Eureka Road and Oro Madre paving projects, another radar sign, review of the budget and the upcoming ARSA settlement. The 23-24 audit and a Joint meeting with Regional water board. Working with Hydrosience on water balance response. Water Board meeting scheduled on creek discharge requirements. Broadmeadow appeal coming to council, Humengi - mortarless building concrete potentially interested and the Sutter Creek Walking Tour out of Monteverde Museum.

Presentation can be viewed by following the link below:

<https://www.cityofsuttercreek.org/media/9271>

5. Presentations

- A. Proclamation honoring Jodi Arroyos

Mayor Gunselman presented a proclamation to Jodi Arroyos in honor of her retirement.

6. Approval of Minutes

- A. City Council Minutes of June 24, 2024

Recommendation: By motion approve minutes as presented.

Motion made by Council member Swift, Seconded by Council member Feist to Approve the City Council Minutes of June 24, 2024, as presented.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

7. Consent Agenda

Motion made by Council member Riordan, Seconded by Vice Mayor Sierk to Approve the Consent Agenda, as presented.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

- A. Adopt Resolution 24-25-01 Ordering delinquent sewer charges to be placed on the tax rolls pursuant to Health and Safety Code Section 5470 et seq.
- B. Adopt Resolution 24-25-02 Accepting the completion of public improvements for a sewer main pipe bursting project for the Sutter Oaks residential area, and filing a Notice of Completion and authorizing recordation, therefore.

8. Ordinances and Public Hearing

None.

9. Administrative Agenda

- A. Sutter Creek Energy Audit and Benchmarking Report
by Kristina Weldon, CivicSpark Fellow with the
Sierra Nevada Energy Watch (SNEW) program

Kristina Weldon, CivicSpark Fellow with the Sierra Nevada Energy Watch (SNEW) program gave a presentation.

The presentation can be viewed by following the link below:

<https://www.cityofsuttercreek.org/media/9266>

- B. ARSA JPA Amendment to prepare for dissolution. For Council Adoption

City Manager provided an overview of the dissolution process including the next steps.

Motion made by Council member Swift, Seconded by Council member Riordan to Approve the Amendment of the Amador Regional Sanitation Authority JPA and direct the City of Sutter Creek ARSA Board members to take the appropriate action as needed to complete the process.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

C. Adoption of final budget for the 2024-2025 Budget year

City Manager Tom DuBois and Finance Supervisor Mason Peters presented the budget and highlighted the changes that were made based on Council direction that was given at the previous meeting.

Motion made by Council member Riordan, Seconded by Vice Mayor Sierk to Approve Resolution 23-24-03 Adopting the 2024-2025 Operating Budget and Approve Resolution 23-24-04 Adopting the Annual Appropriations Limit.

Voting Yea: Mayor Gunselman, Vice Mayor Sierk, Council member Swift, Council member Feist, Council member Riordan.

D. Striping Project Minnie Provis Park- for information and staff direction.

Council discussed the safety of the placement of the proposed parking spaces and directed staff to do in house testing, especially of the spaces at the far end, and bring the results and a recommendation back to the Council to review.

10. Mayor and Council Member Reports

Council member Sierk gave an update on the Bike/Ped proposal noting that the original project has been abandoned because the Master Plan idea was going to be more costly to the cities.

Each city will now be on their own to add signage and crosswalks to increase access between Amador City and Sutter Creek. She explained that the ACTC grant money is still there, but that ACTC wants the cities to also contribute approximately 10-15% of the project cost.

City Manager Tom DuBois suggested that he would reach out to John Gedney at ACTC to get more details.

11. City Attorney’s Report

None.

12. Future Agenda Items

None.

13. Information and Correspondence

So noted.

A. Monthly Police Report

B. Monthly Public Works Report

- C. Monthly Finance Report
- D. June 2024 Cash Flow Report
- E. June 2024 Expense Report
- F. June 2024 Revenue Report
- G. Monthly Treasurer's Report
- H. Monthly Engineer's Report
- I. Monthly Planning Report
- J. Monthly Administrative Services Report

The meeting adjourned into Closed Session at 7:38 p.m.

14. Closed Session

- A. Pursuant to Government Code Section 54957.6
Agency Negotiator: Tom DuBois, City Manager
Employee Organizations: Sutter Creek POA
- B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION-INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(2). One potential case.

15. Report from Closed Session

No reportable action was taken.

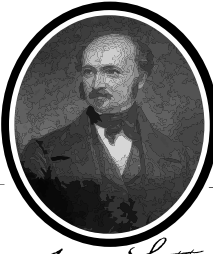
16. Adjournment

The meeting was adjourned at 8:35 p.m.

Claire Gunselman, Mayor

Karen Darrow, City Clerk

Date Approved:

18  54
SUTTER CREEK
John Sutter
JEWEL OF THE MOTHER LODE

**TO: THE HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL**

MEETING DATE: AUGUST 5, 2024

FROM: KAREN DARROW, CITY CLERK

SUBJECT: CAL CITIES VOTING DELEGATE

RECOMMENDATION:

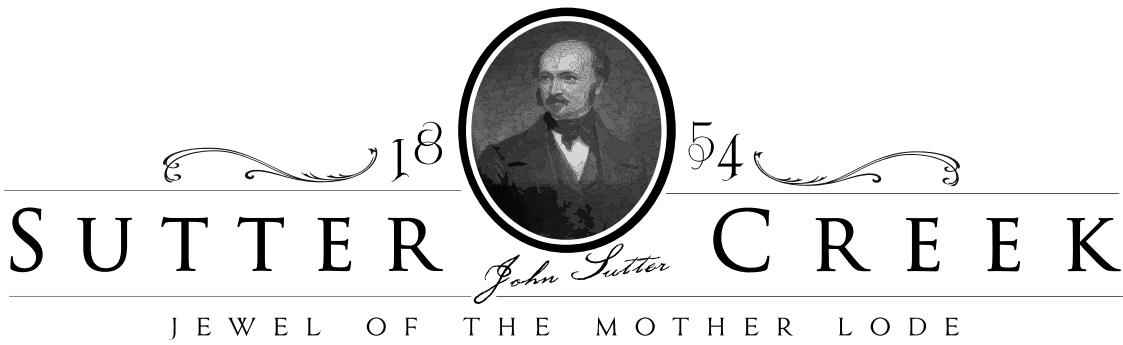
Appoint City Manager Tom Dubois as the voting delegate for the 2024 Cal Cities Annual Conference and Expo.

BACKGROUND:

Every year, the League of California Cities convenes a member-driven General Assembly at the Cal Cities Annual Conference and Expo. The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 18, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions. To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Consistent with Cal Cities bylaws, the voting delegate and up to two alternates must be designated by the city council.



TO: THE HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL

MEETING DATE: AUGUST 5, 2024

FROM: TOM DUBOIS, CITY MANAGER

SUBJECT: CRESTVIEW LIGHTING DISTRICT

RECOMMENDATION:

Adopt Resolution 24-25-* adopting the Engineer’s Report and notifying residents of the Crestview Estates Lighting District of its intention to levy taxes for lighting services.

BACKGROUND:

In November 1991, the City formed the Crestview Estates Lighting Assessment District, “Crestview LD”, for the maintenance of street lights within the Crestview subdivision. The streetlights differ from the streetlights in other areas of town in both appearance and type of bulbs used. To offset those costs, the Crestview LD was formed.

DISCUSSION:

In order to assess each parcel there are steps that are necessary for the Council to take to comply with the law. The Landscape and Lighting Act of 1971 requires that the legislative body (the City Council) take the following actions each year (Streets and Highways Code Sections 22500 through 22769):

- 1) Adopt a resolution approving the Report as submitted or as modified by the legislative body and notifying residents of the city’s intention to levy and collect assessments within the assessment district for the fiscal year. (August 5, 2024)
- 2) Conduct a public hearing. (August 19, 2024)
- 3) Adopt a resolution confirming the diagram and assessment as originally proposed or as changed by the legislative body. (August 19, 2024)

The levy this year is \$66.62/parcel. Staff recommends the 2024-25 Annual Engineer's Report for the Crestview LD be adopted and filed with the City Clerk and hold the Public Hearing to follow on August 19, 2024.

Section 9, Item A.

BUDGET IMPACT:

All costs associated with the Crestview LD should be paid for out of the Crestview LD Fund. Should the assessment not be approved, the Council will need to consider how to pay for those costs at a future date.

RESOLUTION 24-25-*
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK
ADOPTING THE ENGINEER’S REPORT FOR THE CRESTVIEW ESTATES
LIGHTING DISTRICT AND OF ITS INTENTION TO LEVY AND COLLECT
ASSESSMENTS FOR THE CRESTVIEW ESTATES LIGHTING DISTRICT**

WHEREAS, in November 1991, the City of Sutter Creek formed the Crestview Estates Lighting District (“Crestview LD”) for the purpose of administering and maintaining twelve (12) 175 watt metal halide streetlights, and

WHEREAS, the Crestview LD was formed in accordance with the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 through 22679), and

WHEREAS, the Crestview LD is comprised of approximately 44.64 acres, includes 53 residential lots, and is known as the “Alethya Collins 44.64” acres, and

WHEREAS, Section 22622 of the Streets and Highways Code requires the legislative body (the City Council) to adopt a resolution which shall generally describe any proposed new improvements or any substantial changes in existing improvements and direct staff to prepare and to file a report accordingly,

WHEREAS, the Engineer has prepared and filed said annual report with the City Clerk, and

WHEREAS the City Council hereby approves the Engineer’s Report, included as Attachment A, and

WHEREAS, California Streets and Highways Code Section 22623 requires the legislative body to adopt a resolution of intention which shall include the following:

- a. Declaration of intention of the legislative body (the City Council) to levy and collect assessments within the Crestview LD for the fiscal year stated in the annual report.
- b. General description of the existing improvements and proposed improvements and any substantial changes proposed to be made in the existing improvements.
- c. Reference to the assessment district by its distinctive designation and indication of the general location of the Crestview LD.
- d. Reference to said annual report, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Crestview LD and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Crestview LD.
- e. Notice of the time, as fixed by the California Streets and Highways Code Section 22625, and the place for hearing by the legislative body (the City Council) on the levy of the proposed assessment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sutter Creek that there are no proposed new improvements or any substantial changes in existing improvements in Crestview LD.

1. The City Council intends to levy and collect assessments within the Crestview LD during the Fiscal Year 2024-2025.
2. There are no proposed new improvements or any substantial changes in the existing improvements in the Crestview LD and the existing improvements to be made in the Crestview LD are generally described as follows:

The City shall provide maintenance, operation and servicing, in perpetuity, of streetlights and any and all improvements required for such maintenance including, but not limited to:

- Payment to local utility company for monthly power costs of energizing street lights in the District.
 - Payment for maintenance of street lights in the District that the City owns.
 - Administrative costs.
3. Said Annual Report filed with the City Clerk and approved by the Council by motion does provide a full and detailed description of the improvements, the boundaries of the Crestview LD and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Crestview LD.
 4. On Monday, the 5th day of August 2024, at the hour of 6:00 p.m., the City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at 33 Church Street at the Community Center Sutter Creek, California.
 5. The City Clerk is authorized and directed to give the notice of hearing required by the Landscape and Lighting Act of 1972.
 6. The levy and collection of assessments as set forth in this resolution are exempt from the procedural and substantive requirements of Proposition 218 pursuant to Article XIII, Section 5(a) of the California Constitution.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Sutter Creek on the 5th day of August, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Claire Gunselman, Mayor

Karen Darrow, City Clerk

City of Sutter Creek

CRESTVIEW ESTATES LIGHTING DISTRICT

A Lighting and Landscaping District pursuant
to the Lighting and Landscaping Act of 1972

Prepared By:
Tom DuBois
City Manager

Certified By:
Matt Ospital
City Engineer



TABLE OF CONTENTS

<u>Section</u>	<u>Title</u>
I	History
II	Annual Assessment Review & Summary
III	Maintenance Summary
IV	Annual Assessment District Diagram
V	Annual Assessment List by Parcel & Property Owner

SECTION I HISTORY

In November 1991, the Crestview Estates Lighting District (“Crestview LD”) was formed in accordance with the Landscape and Lighting Act of 1972 (California Streets and Highway Code §22500 through §22679) (“the Act”) to maintain streetlights to deter crime, promote traffic safety, and aid law enforcement officers. All costs for the Crestview LD are funded by the annual assessments levied on each property within the district. The Act requires several courses of action on the part of City staff and City Council each year.

The Act initially requires the City Council to order, prepare, and file an Engineer’s Annual Report for the City Council. This report is prepared for the purpose of detailing the plans and specifications for the maintenance of the District, including, but not limited to the material, equipment, labor, and administrative expenses. The following services maintain facilities and improvements provided by the District as a special benefit to the parcel owners within the District; the cost of the services is paid entirely by the assessments levied by the District:

- Payment to local utility company for monthly power costs of energizing street lights in the District.
- Payment for maintenance of street lights in the District that the City owns.
- Administrative costs associated with the District, including postage.

Upon City Council’s approval of the Engineer’s Annual Report, the City Council adopts a resolution declaring its intent to levy and collect assessments within the Crestview LD for the fiscal year and schedules a public hearing. This public hearing and proposed resolution levying the proposed assessments is in accordance with the annual assessment procedures.

Finally, in compliance with the Act, the City Council conducts the public hearing and adopts certain resolution in accordance with the California Streets and Highway Code §22625 through §22641. The City Clerk is required to give the Ledger-Dispatch notice of public hearing no less than ten (10) days prior to the scheduled hearing date. All interested persons are afforded the opportunity to be heard during the public hearing. Should there be any protests, whether written or oral, the City Council may choose to continue the hearing to later date and/or may change any part of the Engineer’s Annual Report to address the concerns of the property owner(s). Adopted resolution is then used by City Staff to bill parcel owners.

SECTION II ANNUAL ASSESSMENT REVIEW AND SUMMARY

A. PARCEL REVIEW

There are fifty-three (53) residential parcels within the Crestview LD, unless otherwise determined.

B. ANNUAL ASSESSMENTS

Each parcel receives equal benefits from the Crestview LD. The annual assessment levied is calculated by dividing the total cost estimated by the total number of parcels within the Crestview LD.

The total annual assessment for the Crestview LD for Fiscal Year 2024-25 is \$3,531. This is based on the amount needed for the Fiscal Year 2024-25 based on projected expenses and revenues.

C. PREVIOUS FISCAL YEAR AND ESTIMATED ANNUAL ASSESSMENT SUMMARY

	2022-23 Actual	2023-24 Actual	2024-25 Proposed
Assessment Revenue	2,544	2,491	3,531
Expenses			
Engineering			200
PH NOTICES /Postage			110
Repairs & Maintenance	474	1,285	1,600
PG&E	1064	1,135	1,300
Total Operational Expenses	1,538	2,420	3,210
10% Contingency	154	242	321
Total ALL Expenses	1,692	2,662	3,531
Revenue Needed	2,544	2,491	3,531
Delinquent	265	318	
Difference between Revenue & Expense	852	(171)	
<i>net/(shortfall)</i>	<i>587</i>	<i>(489)</i>	
Amount to be assessed			
Per parcel Assessment	53.00	53.00	66.62

SECTION III MAINTENANCE SUMMARY

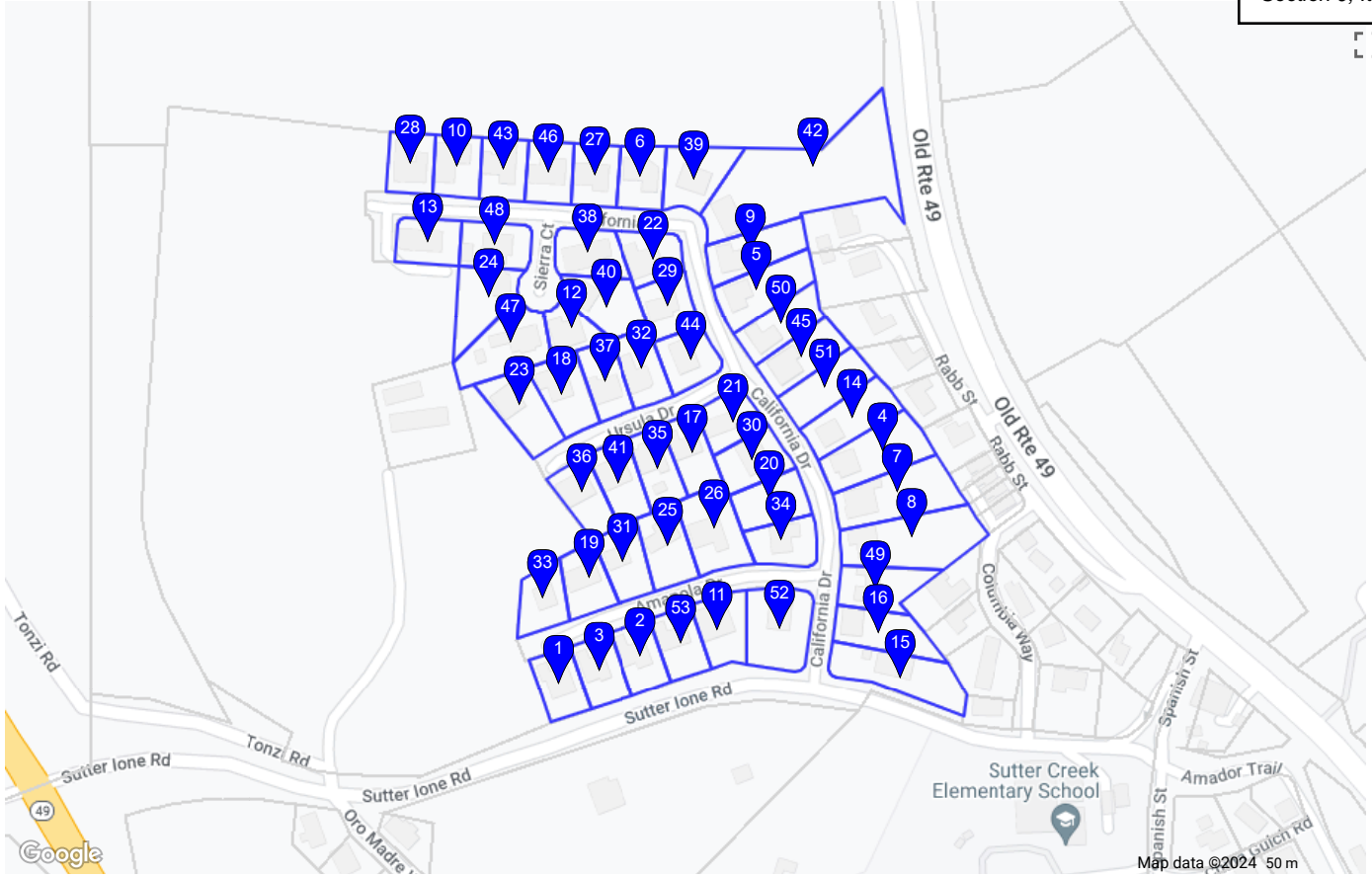
Assessments for the Crestview LD are for monthly power bills and repair of any bulbs, poles, or power connections for the light poles. Staffing costs related to the management and repairs/maintenance are also included in the assessment totals.

SECTION IV ASSESSMENT DIAGRAM

Attached as Exhibit 1.

SECTION V ASSESSMENT LIST BY PARCEL AND PROPERTY OWNER

Attached as Exhibit 2.





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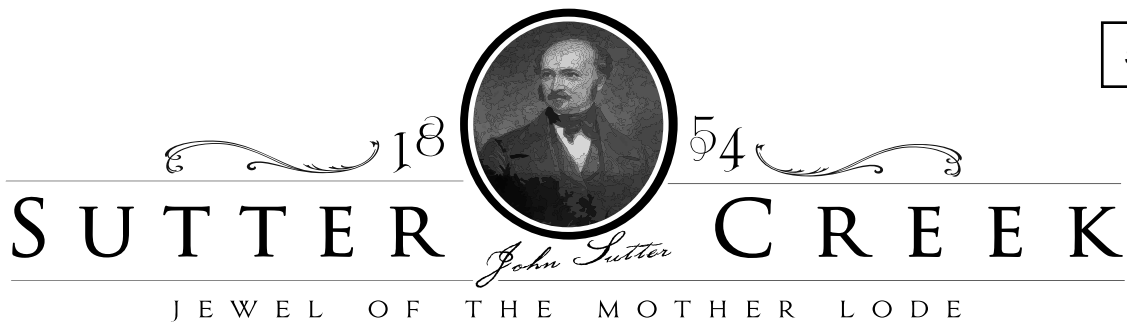
Map data ©2024 50 m



<input checked="" type="checkbox"/>		Co	APN	Owner	S Street Address	S City State Zip
<input checked="" type="checkbox"/>	1	AMA	040-210-030-000	MOE AYE MYAT	280 AMAPOLA DR	SUTTER CREEK CA 95685-4407
<input checked="" type="checkbox"/>	2	AMA	040-210-032-000	STEWART DEBRA A	272 AMAPOLA DR	SUTTER CREEK CA 95685-4407
<input checked="" type="checkbox"/>	3	AMA	040-210-031-000	COFFENBERRY NICOLE MARIE & MICHELLE CAPUTO	276 AMAPOLA DR	SUTTER CREEK CA 95685-4407
<input checked="" type="checkbox"/>	4	AMA	040-210-041-000	FEIST SUSAN	270 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/>	5	AMA	040-210-046-000	COMNES BRIAN DOUGLAS & BARBARA MARGOT TRUST	284 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/>	6	AMA	040-210-051-000	DICK RONALD H & KRISTIN E TRUST	302 CALIFORNIA DR	SUTTER CREEK CA 95685-4411
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<input checked="" type="checkbox"/>	8	AMA	040-210-039-000	TRAVNIKAR JAMES A TRUST	262 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
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<input checked="" type="checkbox"/>	19	AMA	040-210-028-000	FOYIL ROBERT & AIMEE	273 AMAPOLA DR	SUTTER CREEK CA 95685-4406
<input checked="" type="checkbox"/>	20	AMA	040-210-023-000	ANDERSON ETHAN W & SHERER DAPHNE	267 CALIFORNIA DR	SUTTER CREEK CA 95685-4402
<input checked="" type="checkbox"/>	21	AMA	040-210-021-000	RULLHAUSEN CHRISTINA	278 URSULA DR	SUTTER CREEK CA 95685-4404
<input checked="" type="checkbox"/>	22	AMA	040-210-010-000	GALE BONNIE WEGTER TRUST	301 CALIFORNIA DR	SUTTER CREEK CA 95685-4408
<input checked="" type="checkbox"/>	23	AMA	040-210-016-000	YARDLEY ROBERT D & LORI A	287 URSULA DR	SUTTER CREEK CA 95685-4405
<input checked="" type="checkbox"/>	24	AMA	040-210-005-000	BUCHANAN CLAYTON C & MELISSA C	298 SIERRA CT	SUTTER CREEK CA 95685-4410
<input checked="" type="checkbox"/>	25	AMA	040-210-026-000	MILBOURNE JEFF & TAMMY	265 AMAPOLA DR	SUTTER CREEK CA 95685-4406
<input checked="" type="checkbox"/>	26	AMA	040-210-025-000	KNITTEL FAMILY REVOCABLE TRUST	261 AMAPOLA DR	SUTTER CREEK CA 95685-4406
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<input checked="" type="checkbox"/>	32	AMA	040-210-013-000	TREBES TRUST	281 URSULA DR	SUTTER CREEK CA 95685-4405
<input checked="" type="checkbox"/>	33	AMA	040-210-029-000	KNUDSEN MARK A LIVING TRUST	277 AMAPOLA DR	SUTTER CREEK CA 95685-4406
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<input checked="" type="checkbox"/>	44	AMA	040-210-012-000	COZZO ROBERT D & COLLEEN FAMILY TRUST	283 CALIFORNIA DR	SUTTER CREEK CA 95685-4403
<input checked="" type="checkbox"/>	45	AMA	040-210-044-000	RIANDA LINDA LOUISE REVOCABLE LIVING TRUST - 2008	280 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/>	46	AMA	040-210-053-000	STEGER 1994 FAMILY TRUST	306 CALIFORNIA DR	SUTTER CREEK CA 95685-4411
<input checked="" type="checkbox"/>	49	AMA	040-210-038-000	NUGENT NANCY A & EHRESMAN BRUCE ERIK FAMILY TRUST	258 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/>	50	AMA	040-210-045-000	LINDE TONI LIVING TRUST	282 CALIFORNIA DR	SUTTER CREEK CA 95685-4400

Section 9, Item A.

	Co	APN 	Owner	S Street Address	S City State Zip
<input checked="" type="checkbox"/> 9	AMA	040-210-047-000	CONDE MARCIE & CHRISTOPHER	286 CALIFORNIA DR	SUTTER CREEK CA 95685-4401
<input checked="" type="checkbox"/> 15	AMA	040-210-036-000	HOFF ROGER A & LINDA B FAMILY TRUST	250 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/> 17	AMA	040-210-020-000	MAUCK REVOCABLE LIVING TRUST	280 URSULA DR	SUTTER CREEK CA 95685-4404
<input checked="" type="checkbox"/> 18	AMA	040-210-015-000	SAILOR JOHN J & CATHERINE C	285 URSULA DR	SUTTER CREEK CA 95685-4405
<input checked="" type="checkbox"/> 48	AMA	040-210-004-000	BURKETT THOMAS R & LINDA L FAMILY TRUST	307 CALIFORNIA DR	SUTTER CREEK CA 95685-4409
<input checked="" type="checkbox"/> 10	AMA	040-210-055-000	SCOTT WILLIAM J & RAMONA RAE	310 CALIFORNIA DR	SUTTER CREEK CA 95685-4411
<input checked="" type="checkbox"/> 12	AMA	040-210-007-000	ENSLEY HOLLY A	294 SIERRA CT	SUTTER CREEK CA 95685-4410
<input checked="" type="checkbox"/> 14	AMA	040-210-042-000	KREUTZER FAMILY TRUST	272 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/> 29	AMA	040-210-011-000	BASS FAMILY TRUST 2016	285 CALIFORNIA DR	SUTTER CREEK CA 95685-4403
<input checked="" type="checkbox"/> 30	AMA	040-210-022-000	SEYBOLDT CHRISTOPHER & CINDY R	273 CALIFORNIA DR	SUTTER CREEK CA 95685-4402
<input checked="" type="checkbox"/> 31	AMA	040-210-027-000	PETERSON FAMILY TRUST	269 AMAPOLA DR	SUTTER CREEK CA 95685-4406
<input checked="" type="checkbox"/> 34	AMA	040-210-024-000	WRIGHT KATHLEEN J REVOCABLE TRUST	265 CALIFORNIA DR	SUTTER CREEK CA 95685-4402
<input checked="" type="checkbox"/> 35	AMA	040-210-019-000	GRAVETTE JARED D & NICOLE D	282 URSULA DR	SUTTER CREEK CA 95685-4404
<input checked="" type="checkbox"/> 36	AMA	040-210-017-000	RIVIERE FAMILY TRUST	286 URSULA DR	SUTTER CREEK CA 95685-4404
<input checked="" type="checkbox"/> 37	AMA	040-210-014-000	WATSON WILLIAM W & AMBER J	283 URSULA DR	SUTTER CREEK CA 95685-4405
<input checked="" type="checkbox"/> 41	AMA	040-210-018-000	CALANDRI ROBERT J & PATSY M	284 URSULA DR	SUTTER CREEK CA 95685-4404
<input checked="" type="checkbox"/> 42	AMA	040-210-049-000	FUENTES ARTURO & TERESA L & LEMA BARBARA J	288 CALIFORNIA DR	SUTTER CREEK CA 95685-4401
<input checked="" type="checkbox"/> 47	AMA	040-210-006-000	BUENO VINCENT & CAMELIA REVOCABLE TRUST	296 SIERRA CT	SUTTER CREEK CA 95685-4410
<input checked="" type="checkbox"/> 51	AMA	040-210-043-000	RIANDA LINDA LOUISE LIVING TRUST-2008	274 CALIFORNIA DR	SUTTER CREEK CA 95685-4400
<input checked="" type="checkbox"/> 52	AMA	040-210-035-000	SALDATE EDWARD & TERRI	255 CALIFORNIA DR	SUTTER CREEK CA 95685-4402
<input checked="" type="checkbox"/> 53	AMA	040-210-033-000	HIMAN MARK ANTHONY LIVING TRUST	268 AMAPOLA DR	SUTTER CREEK CA 95685-4407



STAFF REPORT

TO: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

MEETING DATE: AUGUST 5, 2024

FROM: ERIN VENTURA, CONTRACT PLANNER

SUBJECT: GOODWIN CONSUTLING GROUP CONTRACT

RECOMMENDATIONS:

This report is for informational purposes only.

BACKGROUND:

The City's Capital Facilities Fee have not been updated since 2008. To ensure that the fees accurately reflect current conditions and needs, it is necessary to conduct a nexus study.

DISCUSSION:

Staff contacted three firms to gather information on conducting the nexus study. Goodwin Consulting Group was selected for their extensive knowledge and previous experience with the City, having completed the last Capital Facilities Fee nexus study.

Enclosed with this report is the Agreement for Consulting Services, which outlines the terms for updating the Capital Facilities Fee Nexus Study. The total cost of the services is \$28,000. Funding for this project will be sourced from the LEAP Grant.



AGREEMENT FOR CONSULTING SERVICES

Table with 2 columns: Client, Services to be Provided, Compensation and Out of Pocket Expenses, Billing Procedures. Client: City of Sutter Creek. Services: Update of the Capital Facilities Fee Nexus Study. Compensation: See attached Exhibit B. Billing: Monthly Invoice (due within 45 days of receipt).

Goodwin Consulting Group (GCG) shall provide the services outlined in Exhibit A, attached hereto. In exchange for such services, Client agrees to compensate GCG according to the billing procedures set forth above in an amount not to exceed the maximum budget identified in the attached Exhibit B.

City of Sutter Creek

By: _____

Title _____

Goodwin Consulting Group, Inc.

Cindy Yan
Principal

EXHIBIT A***CITY OF SUTTER CREEK
UPDATE OF THE CAPITAL FACILITIES FEE NEXUS STUDY******SCOPE OF WORK***

Goodwin Consulting Group, Inc. (GCG) will provide the City of Sutter Creek (City) with an update of the City's Capital Facilities Fee (CFF) Nexus Study. The fees will be updated in accordance with the nexus requirements of Assembly Bill 1600 (Section 66000 et. seq. of the Government Code). Additionally, GCG will evaluate the existing fee methodologies and update as required to comply with new impact fee requirements pursuant to Assembly Bill 602 (AB 602) that went into effect in 2022. Pursuant to the requirements set forth in the Mitigation Fee Act, the final report provided by GCG will achieve the following objectives:

1. Identify the purpose of the fee.
2. Identify the use to which the fee will be put.
3. Determine that there is a reasonable relationship between the fee's use and the type of development on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the facility attributable to the development on which the fee is imposed.

The fee components in the updated CFF Nexus Study will provide fee funding for the following facilities or costs:

- Police Facilities
- Fire Facilities
- Historical Facilities
- City Hall Building
- Corporation Yard Facilities
- Fee Program Update Costs

Following is a summary of the tasks that will be provided by GCG to ensure compliance with the governmental requirements set forth above:

Task 1. Kickoff Meeting

GCG will meet with City staff to discuss the scope of services, obtain technical studies associated with facilities for which fees are being calculated, discuss facility standards, including existing surpluses or deficits in facilities, review historic growth in the City, and generally coordinate the work effort. GCG will discuss various nexus methodologies, assumptions, approaches, and considerations to make the Fee Nexus Study defensible pursuant to current case law related to development fees. GCG will also identify other information that will be needed from the City, such as facilities master plans, specific plans, etc.

Task 2. Research and Data Collection

GCG will coordinate with City staff to gather data on existing land uses within the City, the appropriate growth horizon or area of benefit for the nexus study, and projections of future residential and non-residential growth in the City. If needed, GCG will also review projections from the Department of Finance, the local Council of Governments, and other sources. GCG will also work with City staff to confirm assumptions for cost allocation units for each facility type, including residential and non-residential service populations for police, fire, municipal buildings, and other facilities.

GCG will also work with City staff to confirm the land use categories for which impact fees will be calculated. This determination will start with a discussion of the categories used in the existing fee program and whether the categories should be expanded. If, in coordination with City staff, it is determined that fee benefit areas/fee zones are appropriate for any type of facility, GCG will also work with public works and planning staff to identify the boundaries for, and land uses within, each fee zone.

Task 3. Facility Requirements and Cost Estimates

GCG will coordinate with City staff and consulting engineers to identify facilities that will be required to serve future development in the City. GCG will review all technical and planning studies prepared in association with facilities included in the fee program and will collect all relevant planning and construction documents available from the City. To the extent available, GCG will rely on these documents to identify facilities costs, demand factors used to size the capital facilities, and design and contingency estimates. GCG will assist the City in updating facilities costs, if necessary.

Task 4. Impact Fee Analysis

Once the City has finalized the list of capital improvements to be included in the fee program, GCG will allocate the related facility costs to existing (if applicable) and future development based on cost allocation units. GCG will also work with City staff to apply current fee balances to specific facilities and to determine whether alternate funding sources exist for any facilities

included in the fee program. Based on this analysis, GCG will calculate an impact fee for each type of facility that will be in compliance with the nexus requirements set forth in AB 1600 and AB 602.

Task 5. Report Preparation

This task involves summarizing all data and assumptions used to determine the impact fees and presenting the findings in a Capital Facilities Fee Nexus Study. The report will identify all facilities to be funded by the plan, outline the nexus argument for the impact fee amounts and provide a clear discussion of how fees were calculated. GCG will clearly summarize the existing and proposed facility standards, and the assumptions and sources used to develop these standards.

The report will also identify the cost allocation methodology used to determine the fair share cost for new and existing land uses. Finally, the report will include a discussion of the importance of and procedures associated with an annual update of the fees, as well as accounting, reporting, and administrative procedures that are required pursuant to AB 1600 and AB 602. GCG will provide the City a draft version of the report and finalize the draft report after comments are received from City staff.

EXHIBIT B

**CITY OF SUTTER CREEK
UPDATE OF THE CAPITAL FACILITIES FEE NEXUS STUDY**

BUDGET/FEE SCHEDULE

1. Services

Goodwin Consulting Group, Inc. (GCG) proposes a maximum budget of \$28,000 to perform the scope of services set forth above, which includes expenses as outlined below. This budget represents a maximum amount not to be exceeded, subject to the limitations identified below. Additional consulting services beyond those included in the scope of services (“Out of Scope Services”) may be provided within the maximum budget if total hourly billings are less than the budget maximum.

Goodwin Consulting Group, Inc. Hourly Service Rates	
Managing Principal	\$360/Hour
Senior Principal	\$350/Hour
Principal	\$310/Hour
Senior Vice President	\$295/Hour
Vice President	\$275/Hour
Senior Associate	\$250/Hour
Associate	\$230/Hour
Analyst	\$215/Hour
Research Assistant	\$95/Hour

** The rates reflected above are valid through December 31, 2024 and may be adjusted thereafter.*

2. Expenses

GCG shall be reimbursed for all direct costs such as travel mileage, data purchases, and overnight delivery.

3. Billing Structure

GCG shall submit monthly invoices to the City providing details of services rendered and expenses incurred. Invoices are due and payable within 30 days. “Out of Scope Services” (as defined below) will be billed at the hourly rates listed above if performing such Out of Scope Services causes the maximum budget to be exceeded.

4. **Out of Scope Services**

GCG shall bill on a time and materials basis if the following Out of Scope Services are provided and billings for these services cause the maximum budget to be exceeded:

- Attendance at more than two (2) in-person meetings (additional meetings will be charged at a rate of \$1,000 per meeting)
- Incorporation and calculation of additional fee components other than those discussed in the scope of services
- Substantial revisions to the land use, facilities or cost estimates after a draft report has been submitted.