



## City Council Meeting Minutes **(DRAFT)**

Tuesday, February 17, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: [www.cityofsuttercreek.org](http://www.cityofsuttercreek.org)

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

**Present:** Mayor Claire Gunselman, Vice Mayor Sierk, Council Members Dan Riordan and James Swift.

Council Member Susan Feist was also present via teleconferencing due to illness from the beginning of the City Council meeting until 8:08 PM.

**Absent:** none

**City Treasurer:** Victoria Runquist (absent)

**Staff:** Tom DuBois - City Manager, Stephen Zelezny (for Derek Cole\_ - City Attorney, and Pam Caronongan - City Clerk, Mason Peter, Finance Supervisor

### 2. Pledge of Allegiance to the Flag

Mayor Gunselman led the Pledge of Allegiance.

### 3. Public Forum

Zero (0) public comments were received.

### 4. City Manager's Report

City Manager DuBois provided activity updates (see presentation) and responded to inquiries and requests for clarification from the City Council.

#### 1. Wastewater (Council Priority)

- Staff working with the consultant on a detailed financial model for fundraising.
- Staff monitoring meters ordered for branches of the collection system.
- Early design results propose to raise the plant up to the level where the Wastewater Office is to avoid FEMA issues.
- Amador Regional Sanitation Authority (ARSA) meeting on February 19, 2026 at 2:30 PM.

2. Economic Development (Council Priority)
  - City Manager DuBois and Council Member Riordan met with the County Airport Advisory Committee to explore promotion of Sutter Creek to visiting pilots. Staff will follow up with the Tourism Board.
  - City Council discussion tonight on marijuana dispensary in Sutter Creek.
  
3. Code Enforcement (Council Priority)
  - Current Code Enforcement contract consultant preparing for retirement, staff identifying new resources.
  - Staff intends to allocate more funds in the upcoming fiscal year budget for Code Enforcement efforts.
  
4. High Performing Teams (Council Priority)
  - City Manager DuBois continuing discussions with Team.
  - City Manager DuBois discussed and identified some free resources that he learned from the City Managers conference he attended (League of California Cities - February 11 to February 13, 2026).
  
5. Day-to-Day / Other
  - Capital Projects
    - i. The Bryson bathroom project is on track, with ribbon cutting expected to be during the first week of March 2026.
    - ii. Engineering - Sutter Hill Road
    - iii. Amador Water Agency (AWA) working on many City streets
  
  - Other Items
    - i. Water lead at Miner's Bend - continuing investigation
    - ii. Clean up of fallen tree at City Cemetery
    - iii. Proposal to Amador City on police services.
    - iv. City Manager DuBois provided highlights from the League of California Cities City Manager Conference. Highlighted discussions were impact of artificial intelligence (AI) on government services, AI policies, sessions on rural cities, short-term rental (STR) discussions, team performance and metrics.
  
  - Upcoming - City Manager DuBois would be attending the Rural California Infrastructure workshop in Modesto, California on February 18, 2026.
  
6. Community Events  
City Manager DuBois reminded everyone of the following upcoming community events:
  - February 20 - Albert Cummings: Blues at Sutter Creek Theater
  - February 27 - Ronnie Baker Brooks: Blues at Sutter Creek Theater
  - April 17 - Spring Fling
  - April 25 - Duck Race
  - Artist Receptions - 1st Saturday of the month
  - Knight Foundry - 2nd and 4th Saturday of the month
  - Wine on 49 - 2nd Sunday of the month
  - Flea Market - 3rd Sunday of the month

7. Upcoming Agenda Items in March 2026

City Manager DuBois mentioned the following topics of discussion tentatively scheduled for the City Council meetings in March 2026:

- Extension of STR Moratorium
- Continuation of STR discussion from February 2, 2026 regular meeting
- Surveillance Policy
- ACTC Annual Report
- Mid-Year Budget (Part 2 - Expenses)
- Tree Ordinance discussion
- ACRA Dissolution
- HCD Annual Report
- Elected City Treasurer discussion
- Adoption of Impact Fees
- Adoption of Master Fee Schedule

City Manager DuBois' "City Manager's Report" is available for review and posted at the City's website: <https://www.cityofsuttercreek.org/media/10176>.

5. Presentations

There are no Presentation items.

6. Approval of Minutes

A. City Council Minutes of February 2, 2026

*Recommendation: By motion, approve minutes as presented.*

Vice Mayor Sierk requested to expand **Item No. 10 - Mayor and Council Member Reports** to reflect her and Council Member Swift's respective comments.

Mayor Gunselman commented that she voted an abstention since she was not present during the February 2, 2026 regular meeting.

**Motion made by Vice Mayor Sierk, seconded by Council Member Feist to approve the Meeting Minutes from February 2, 2026 with the modifications noted above.**

**AYES:** Vice Mayor Sierk, and Council Members Feist, Riordan, and Swift

**ABSENT:** none

**ABSTAIN:** Mayor Gunselman

**NOES:** None

**MOTION CARRIED 4-0-1**

7. Consent Agenda

There are no Consent Agenda items.

8. Ordinances and Public Hearing

There are no Ordinances and Public Hearing items.

9. Administrative Agenda

A. Direction to Consider a Development Agreement for One Cannabis Dispensary at Set Location

*Recommendation: Motion on whether to entertain a Pilot Development Agreement for a single commercial cannabis retail location with a one-year renewable term.*

City Manager DuBois and Embarc's Government Affairs Manager Josh Lewis provided their respective presentations before the City Council as well as responses to inquiries and requests for clarification from the City Council.

In his presentation, City Manager DuBois explained that Embarc approached the City regarding the potential for a development agreement to pilot a dispensary within the City. This project has potential for significant general fund revenue, and staff brought the matter before the Council as "pre-screening" as well as seeking direction from the City Council.

City Manager DuBois highlighted the following regarding the Development Agreement Pilot Project:

1. It is a negotiated agreement between the City and an applicant.
2. It allows the City to manage the project closely - one-year agreement with requirements.
3. The City can specify a single store, known location, known opening parameters, local hires, security, and other provisions.
4. There is a negotiated community benefit fee (not a tax).
5. There would be narrow changes to City's current ordinances.

Government Affairs Manager Lewis from Embarc explained the following in his presentation:

1. Embarc's mission statement, executive team, community-oriented business model, and operations.
2. Security infrastructure in Embarc's retail stores.
3. Community benefits and investments.
4. Development Agreement Pilot Project, and Embarc's standards of upholding compliance, accountability, and transparency in all cities the company conducts business in.

The rest of the City Council approved Mayor Gunselman's request to allow more leniency with public comment. Mayor Gunselman commented that she was informed beforehand that some members of the public wish to exceed the five-minute allocated time for public comment, and she would allow other members to "donate" their time for another speaker to have a longer speaking time if the rest of the Council would permit it.

Eight (8) public comments were received from the following:

1. Christy Melton - Opposed to having a cannabis dispensary in Sutter Creek. Two members of the public contributed their respective time to allow Ms. Melton to finish her comment.
2. Sandy Anderson - Opposed to opening a cannabis dispensary in Sutter Creek.
3. Alan Bierce - Letter read by Sandy Anderson, with letter stating his opposition to opening a cannabis dispensary at Sutter Creek.
4. Pastor Mark Smith - Letter read by Sandy Anderson, with letter stating his opposition to having a cannabis dispensary at Sutter Creek.
5. Brian Comnes - Opposed to having a cannabis dispensary in Sutter Creek.
6. Martin Ryan (former Sheriff of Amador County) - Letter read by Teresa Ryan, with letter stating his opposition to having a cannabis dispensary in Sutter Creek.

7. Mike Kirkley - Spoke in favor of having a cannabis dispensary in Sutter Creek.
8. Barbara Combes - Stated that people do not have to leave home to get marijuana.

The members of City Council shared their respective viewpoints regarding the agenda item. Per consensus, City Council made two separate motions:

**Continuation of Cannabis Dispensary Discussion**

**Motion made by Council Member Riordan, seconded by Mayor Gunselman to continue discussions regarding cannabis dispensary in the City of Sutter Creek.**

**AYES:** Mayor Gunselman, and Council Members Feist and Riordan

**ABSENT:** none

**ABSTAIN:** none

**NOES:** Vice Mayor Sierk and Council Member Swift

**MOTION CARRIED 3-2**

**To bring back Cannabis Dispensary Discussion directly to City Council**

**Motion made by Council Member Riordan, seconded by Council Member Feist to have discussions regarding cannabis dispensary in the City of Sutter Creek be decided before the City Council.**

**AYES:** Mayor Gunselman, Vice Mayor Sierk, and Council Members Feist, Riordan, and Swift

**ABSENT:** none

**ABSTAIN:** none

**NOES:** Vice Mayor Sierk and Council Member Swift

**MOTION CARRIED 5-0**

**B. Mid-Year Budget (Revenue) - Fiscal Year (FY) 2025-2026**

**Recommendation: Review and Comment on the City's Mid-Year Variable Revenue Performance**

Finance Supervisor Mason Peters provided the presentation of this agenda item before the City Council. City Manager DuBois and Finance Supervisor Peters responded to the inquiries and requests for clarification from the City Council.

After discussion, the City Council complimented staff for their work on this agenda item and via consensus accepted the information and reports provided by staff..

**No motion made on this agenda item.**

**C. Discussion regarding Draft 2026 Citywide Master Fee Schedule**

**Recommendation: Review and provide staff direction on Citywide Master Fee Schedule which would take effect starting Fiscal Year (FY) 2026-2027.**

City Clerk Caronongan provided the presentation of this agenda item before the City Council. City Manager DuBois and City Clerk Caronongan responded to the inquiries and requests for clarification from the City Council.

City Manager DuBois recapitulated the three “takeaways” that staff would continue to look into as the Master Fee Schedule agenda item is brought back to City Council for adoption:

1. Verbiage should be added regarding Cribbs Fields in regards to availability at low cost for those who would need the subsidy.
2. Administrative fines and whether it should be added in the Master Fee Schedule.
3. Insurance requirements for facility rentals.

The City Council confirmed, via consensus, agreed with City Manager DuBois' recapitulation.

After discussion, the City Council via consensus accepted the information, proposed fees, and reports provided by staff.

**No motion made on this agenda item.**

**10. Mayor and Council Member Reports**

There were no reports from the City Council.

**11. City Attorney's Report**

City Attorney Zelezny said that he had nothing to report.

**12. Information and Correspondence**

- A. January 2026 Monthly Report - Public Works
- B. January 2026 Monthly Report - Engineering
- C. January 2026 Monthly Report - Planning
- D. January 2026 Monthly Report - City Clerk
- E. January 2026 Monthly Report - Marketing / Social Media
- F. January 2026 Monthly Report - Finance Department
- G. January 2026 Monthly Report - Police Department
- H. January 2026 Monthly Report - City Treasurer - AT PLACES

The City Council stated that they had no questions or comments regarding this agenda item.

**13. Closed Session**

None.

**14. Report from Closed Session**

None.

**15. Adjournment**

**The next regularly scheduled meeting is March 2, 2026.**

Mayor Gunselman adjourned the meeting at 9:20 PM.