

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK
AMENDING CHAPTER 2.08 AND SECTION 2.52.020 OF THE SUTTER CREEK
MUNICIPAL CODE CONCERNING THE CITY CLERK AND APPOINTMENT OF
PLANNING COMMISSIONERS**

The City Council of the City of Sutter Creek, California does ordain as follows:

Section 1

Chapter 2.08 of the Sutter Creek Municipal Code is amended to read as follows:

CHAPTER 2.08 – CITY CLERK

2.08.010 Employee.

The city clerk shall be an employee of the City of Sutter Creek and serve under the direction of the city manager.

2.08.020 Duties.

- A. The city clerk shall keep an accurate record of the city council and planning commission proceedings. The records of such proceedings shall be readily accessible and open to the public.
- B. The city clerk shall keep a separate record of ordinances and a record of resolutions. All ordinances and resolutions will be recorded with the clerk's certificate attached.
- C. The city clerk is the custodian of the city seal.
- D. The city clerk may administer oaths or affirmations and take and certify affidavits and depositions pertaining to city affairs which may be used in any court or proceeding in the state.
- E. The city clerk shall, in conjunction with the city manager, prepare a written agenda for all council meetings. Such agendas shall be produced in a form approved by the council and posted in the manner prescribed by state code.
- F. The city clerk shall be responsible for the accurate and timely publication and/or posting of all public notices.
- G. The city clerk shall attend all meetings of the city council and planning commission unless excused therefrom.
- H. The city clerk shall perform such additional duties as may be prescribed by the council or state codes.
- I. The city clerk shall serve as the election official for the city.

2.08.030 Deputies.

Deputy clerks will be appointed by the city manager and shall serve under the direction of the city clerk when performing clerk duties.

2.08.040 Compensation.

The city clerk will receive monthly compensation in the manner in which city employees are regularly compensated

Section 2

Section 2.52.020 of the Sutter Creek Municipal Code is amended to read as follows:

2.52.020 - Membership.

The city planning commission shall consist of five voting members, who shall be residents of the city. Each city council member shall appoint one commissioner, who shall serve at the pleasure of the council member and for the duration of that council member's term, unless earlier terminated by the appointing council member. Council members shall make their appointment annually in the first regular city council meeting of the calendar year. No city officer, employee, or official, including council members, shall be appointed as a commissioner.

Section 3

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4

The City Council determines that the provisions of this Ordinance are exempt from the California Environmental Quality Act because the instant ordinance involves continuing administrative activities and thus is not a project, as the Act defines, pursuant to Section 15378(b)(2) of the California Environmental Quality Act Guidelines. To the extent the adoption of this Ordinance constitutes a project, the City Council finds pursuant to CEQA Guideline Section 15061(b)(3) that the project is exempt from environmental review because it can be seen with certainty that the adoption of the ordinance would not have any significant impact on the environment.

This ordinance shall be published and posted in the manner required by law by the City Clerk.

Introduced at a meeting of the City Council of Sutter Creek on August 19, 2024, and enacted by the City Council of the City of Sutter Creek at a regular meeting held on September 16, 2024.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Sutter Creek City Council, held on this 16th day of September 2024, by the following vote, to wit:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

Claire Gunselman, Mayor

ATTEST:

Karen Darrow, City Clerk