



City Council Meeting Minutes

Monday, August 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

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

Mayor Gunselman called the meeting to order at 6:00 p.m.

Present: Mayor Claire Gunselman, Vice Mayor Julia Sierk, Councilmember Susan Feist, and Councilmember Dan Riordan

Absent: Councilmember James Swift

Staff: Tom DuBois, City Manager; Derek Cole, City Attorney; Erin Ventura, Contract City Planner; Jim O'Connell, Police Chief; and Mason Peters, Finance Supervisor

2. Pledge of Allegiance to the Flag

The Pledge of Allegiance was recited.

3. Public Forum

There was no public comment on items not listed on the agenda.

4. City Manager's Report

There was no City Manager's report.

5. Presentations

None.

6. Approval of Minutes

A. City Council Minutes of August 3, 2026

The City Council minutes of August 3, 2026, were included in the supplemental packet.

Motion: Councilmember Riordan moved to approve the August 3, 2026, City Council meeting minutes, seconded by Vice Mayor Sierk.

AYES: Gunselman, Sierk, Feist, Riordan

NOES: None

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (4-0-1)

7. Consent Agenda

None.

Councilmember Disclosures Regarding Item 8

Mayor Gunselman disclosed that, in the spring, she and City Manager DuBois toured the Embarc location in Woodland with Josh Lewis to observe the store's nonpublic operational and security areas.

Vice Mayor Sierk disclosed that she spoke with Teresa Ryan and Brian Connes and visited the Embarc location in Sacramento.

Councilmember Riordan disclosed that he visited the proposed Embarc location in Meyers with the Police Chief.

Councilmember Feist disclosed that she spoke with Josh Lewis, an Embarc representative, regarding finances and product dosage levels.

Staff presented the report and recommendations regarding the proposed Development Agreement, Zoning Ordinance Amendments, Site Plan Permit, Sign Permit, Conditional Use Permit, operational plan, safety plan, proposed conditions of approval, and CEQA determinations. The City Attorney addressed legal issues raised regarding the proposal.

Mayor Gunselman recessed the meeting at 7:08 p.m.

The meeting reconvened at 7:15 p.m.

8. Ordinances and Public Hearing

A. Sutter Creek Responsible and Compliant Retail LLC dba Embarc

Consideration of a Zoning Ordinance Amendment, Development Agreement, Site Plan Permit, Sign Permit, and Conditional Use Permit for 11 Ridge Road (APN 044-020-063).

Applicant Josh Lewis, representing Embarc, presented the item.

Appellant Teresa Ryan, representing residents opposed to the proposed cannabis dispensary in Sutter Creek, presented the appeal and stated that a traffic study and additional analysis were needed.

The following individuals spoke during the public hearing. Their positions are listed as stated during their comments:

Jason Molenelli, Jackson Legal Corporation - In Favor but Opposed to the proposed approval process
Tom Calmese - In Favor, Opposed to the proposed approval process
Jared Kirchfield, Superintendent, Amador County Unified School District - Opposed
Zach Drivon, attorney representing Tom Calmese - In Favor, Opposed to the proposed approval process
Robert Allen - In favor
Glen Spitzer, Amador County General Services Director - Opposed
Lisa Klokosky - Opposed
Steven Price - Opposed
Christy Melton - Opposed
Suzanne Hauck - Opposed
Ron Hauck - Opposed
Byron Damiani - In favor
Scott Allen - In favor
Susan Ross - In favor
Melissa Burgess - Opposed
Sandy Anderson - Opposed
Court Strandberg - In favor
Amber Gardner - In favor
Cindy Hutchins - Opposed
Martin Ryan - Opposed
Josh Niddle - Neutral
Kaitlyn Casey, Chief Assistant District Attorney - Opposed
Diane Nelson - Opposed
Tyler Burgess - Neutral
Dr. Mark Fren - Opposed
Christina Hodge - Opposed
Matthew Davis, reading on behalf of Lance Outland - In favor
Lotte Tone - In favor
Elbar Sutter Creek - Opposed
Al Biers - Opposed
Eddie Oneto - Opposed
Linda Rianda - Opposed
Sherri Curtis - Opposed
Logan Carnell - Neutral
Tyde Plescamp - Neutral

Appellant Teresa Ryan presented a rebuttal on behalf of residents opposed to the proposed dispensary.

Applicant Lauren Carpenter, Chief Executive Officer of Embarc, presented a rebuttal.

Motion: Councilmember Riordan moved to close the public hearing, seconded by Vice Mayor Sierk.

AYES: Gunselman, Sierk, Feist, Riordan

NOES: None

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (4-0-1)

The meeting recessed at 9:25 p.m.

The meeting reconvened at 9:35 p.m.

Council Questions and Deliberations

Councilmembers discussed public safety, traffic, youth access, security, financing, projected City revenue, community benefit funding, medical use, the Conditional Use Permit findings, product potency, police staffing, and information obtained from other jurisdictions. Staff and the applicant responded to Council questions. Vice Mayor Sierk stated her opposition to the proposal.

CEQA Determination - Ordinances and Development Agreement

Motion: Councilmember Riordan moved to find that the proposed ordinances approving a Development Agreement and amending Titles 10 and 18 of the Sutter Creek Municipal Code are categorically exempt from CEQA pursuant to Section 15301, Class 1, Existing Facilities, and Section 15061(b)(3), the Common Sense Exemption, and to direct staff to file a Notice of Exemption following City Council action on the zoning ordinances and Development Agreement, seconded by Councilmember Feist.

AYES: Gunselman, Feist, Riordan

NOES: Sierk

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (3-1-1)

Title 18 Ordinance Amendment

Motion: Councilmember Riordan moved to introduce and waive the first reading of an ordinance amending Sections 18.60.020, 18.60.030, and 18.60.040 of the Sutter Creek Municipal Code to authorize one retail storefront cannabis dispensary as a conditional use in any zoning district, subject to execution of a Development Agreement, seconded by Councilmember Feist.

AYES: Gunselman, Feist, Riordan

NOES: Sierk

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (3-1-1)

Title 10 Ordinance Amendment

Motion: Councilmember Riordan moved to introduce and waive the first reading of an ordinance amending Sections 10.42.050 and 10.42.060 of the Sutter Creek Municipal Code to authorize a commercial cannabis land use when approved by a Conditional Use Permit, seconded by Councilmember Feist.

AYES: Gunselman, Feist, Riordan

NOES: Sierk

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (3-1-1)

Development Agreement Ordinance

Motion: Councilmember Riordan moved to introduce and waive the first reading of an ordinance approving the Development Agreement with Sutter Creek Responsible and Compliant Retail LLC dba Embarc, subject to striking Section 8.11 concerning the \$25,000 payment for City cameras from the Development Agreement, seconded by Councilmember Feist.

AYES: Gunselman, Feist, Riordan

NOES: Sierk

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (3-1-1)

Appeal and Approval of Land Use Permits

Motion: Councilmember Riordan moved to adopt a resolution approving, with conditions, a Site Plan Permit, Conditional Use Permit, and Sign Permit for Sutter Creek Responsible and Compliant Retail LLC dba Embarc at 11 Ridge Road for one retail and delivery cannabis business; requiring the sign to comply fully with the City's sign ordinance rather than use the existing 38.5-square-foot nonconforming sign; and returning the sign to the Planning Commission for review, seconded by Councilmember Feist.

AYES: Gunselman, Feist, Riordan

NOES: Sierk

ABSTAIN: None

ABSENT: Swift

MOTION CARRIED (3-1-1)

9. Administrative Agenda

None.

10. Mayor and Councilmember Reports

None.

12. Information and Correspondence

- A. City Clerk Monthly Report - July 2026
- B. Engineering Monthly Report - July 2026
- C. Finance Monthly Report - July 2026
- D. Marketing Monthly Report - July 2026
- E. Police Monthly Report - July 2026
- F. Public Works Monthly Report - July 2026
- G. Planning Monthly Report - July 2026

15. Adjournment

The City Council meeting was adjourned at 11:51 p.m.

A handwritten signature in black ink, appearing to read 'Jzy' or similar, with a large loop at the end.

Alejandra Zambrano, Interim City Clerk